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4 SUPREME COURT CASES DEFINE4 'NATURAL BORN CITIZEN'(Updated May 25, 2012)

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IRREFUTABLE AUTHORITY HAS SPOKEN

(Oct. 18, 2009) — **The Post & Email** has in several articles mentioned that the Supreme Court of the United States has given the definition of what a “natural born citizen” is. Since being a natural born citizen is an objective qualification and requirement of office for the U.S. President, it is important for all U.S. Citizens to understand what this term means.

Let's cut through all the opinion and speculation, all the “he says”, “she says”, fluff, and go right to the irrefutable, constitutional authority on all terms and phrases mentioned in the U.S. Constitution: the Supreme Court of the United States.

First, let me note that there are 4 such cases which speak of the notion of “natural born citizenship”.

Each of these cases will cite or apply the definition of this term, as given in a book entitled, **The Law of Nations**, written by Emmerich de Vattel, a Swiss-German philosopher of law. In that book, the following definition of a “natural born citizen” appears, in Book I, Chapter 19, § 212, of the English translation of 1797 (p. 110):

§ 212. Citizens and natives.

The citizens are the members of the civil society: bound to this society by certain duties, and subject to its authority, they equally participate in its advantages. **The natives, or natural-born citizens, are those born in the country, of parents who are citizens.** As the society cannot exist and perpetuate itself otherwise than by the children of the citizens, those children naturally follow the condition of their fathers, and succeed to all their rights. . .

The French original of 1757, on that same passage read thus:

Les naturels, ou indigenes, sont ceux qui sont nes dans le pays de parents citoyens, . . .

The terms “natives” and “natural born citizens” are obviously English terms; used to render the idea conveyed by the French phrase “les naturels, ou indigenes”: but both referred to the same category of citizen: one born in the country, of parents who were citizens of that country.

In the political philosophy of Vattel, the term “naturels” refers to citizens who are such by the Law of Nature, that is by the natural circumstances of their birth — which they did not choose; the term “indigenes” is from the Latin, indigenes, which like the English, “indigenous”, means “begotten from within” (inde-genes), as in the phrase “the indigenous natives are the peoples who have been born and lived there for generations.” Hence the meaning the the term, “natural born citizen”, or “naturels ou indigenes” is the same: born in the country of two parents who are citizens of that country.

Vattel did not invent the notion “natural born citizen”; he was merely applying the Law of Nature to questions of citizenship. In fact the term first appears in a letter of the future Supreme Court Justice, John Jay, to George Washington during the Constitutional Convention, where the Framers were consulting 3 copies Vattel's book to complete their work (according to the testimony of Benjamin Franklin).

Let take a brief look, now, at each case. For each case I include the link to the full text of the ruling.