He Blinded Them with Science:

THE CORRECT SCIENTIFIC ANALYSIS OF VATTEL'S RELEVANCE TO "natural born Citizen"

by
JEDI PAULY

As many of the readers of the Post and Email News are aware, I have written and described the correct scientific theory of law that explains the true meaning in the U.S. Constitution of Article II "natural born Citizen" that strengthens the case against the usurper known as Barack Hussein Obama, by removing the soil jurisdiction and the mother from consideration, and shows that one must be created by a U.S. citizen father in order to qualify for the Office of President. (See article by Jedi Pauly here and at the Post and Email News, "The True Meaning and Interpretation of Article II "natural born Citizen" a Scientific Legal Theory"). It is common knowledge that Obama's father was never a U.S. citizen.

I now wish to provide the reader with further proof in the form of an analysis of Emer de Vattel's treatise The Law of Nations that shows that his work does not support the notion that Article II requires one to be born of two citizen parents and also upon the soil jurisdiction of the country in order to qualify under Article II. I will show that not only does Mr. Vattel clearly point out that one's mother's citizenship and the soil jurisdiction are irrelevant, and only one's father is important in order to be considered a native of one's country, but he also points out that all of one's rights, including one's political rights, are also obtained naturally from one's father and not from soil or from one's mother. Also, I will show by the simple application of the concept of natural sovereignty, and by the common customs and laws supported by Mr. Vattel, and by the other requirements of Article II, that it is physically impossible to have any conflict of allegiance, or foreign allegiances owed at birth, due to foreign soil jurisdictions or from a foreign mother that can possibly create any loyalty issues for Article II purposes.

Let us now examine closely Mr. Vattel and the true title and details of his works that practically every attorney on this issue quotes and misrepresents

in order to make their failed and unsupported assertions that Vattel is responsible for defining the "undefined" specific American Constitutional law term, written in English, "natural born Citizen", or that Vattel can be used to define Article II as requiring both parents to be citizens and also born on U.S. soil.

Here is an excerpt from the Online Library of Liberty regarding Mr. Vattel:

"Emer de Vattel (1714-1767) was one of the foremost theorists of natural law in the 18th century. His writings were widely read in the American colonies and had a profound impact on the thinking of the framers of the American constitution."

Notice that Mr. Vattel is "one of the foremost theorists of **natural law** in the 18th century". Now look at the complete title of Mr. Vattel's treatise that is so often quoted by so many attorneys:

"The Law of Nations; or, Principles of the Law of Nature, applied to the Conduct and Affairs of Nations and Sovereigns"

Notice "Principles of the **Law of Nature**" and "applied to the Conduct and Affairs of Nations and **Sovereigns**".

Natural Law is a scientific objective study of Nature as it applies to the functioning of society and societal norms and customs. Natural Law is a science and Mr. Vattel is writing about Nature and scientific principles as they apply to the common laws and customs of societies and governments and **Sovereigns**, which includes the citizens of a **Sovereign** country, who are themselves sovereign as long as they are not under a monarchy political system so that they are not just citizen "subjects" of the king without their natural political sovereign status recognized. Mr. Vattel is not relating information about the positive law jurisdiction. His entire treatise is about the Natural Law jurisdiction, not the "Positive" Law jurisdiction. Mr. Vattel is writing about the Natural Rights of the People, not about their legal privileges that come from the Positive Law jurisdiction from statutes.

Notice the title of his work in the original French: "**Le Droit des Gens, ou Principes de la Loi Naturelle; Appliqués à la conduite et aux affaires des Nations et des Souverains**." This title is literally translated as "**The Right of the People, or Principles of the Natural Law, applied to the conduct**

and of the affairs of the Nations and the Sovereigns", which has become shortened in translation to merely "The Law of Nations" (see this link for a picture of the original frontispiece). It is clear that Vattel's work is describing the Natural Law jurisdiction and the influence of Nature on the affairs of Nations and the Sovereign political entities that make up a Nation. His work must be viewed through the lens of natural law scientific theory in order for its words to make any sense, so that one can understand the proper meaning of what Mr. Vattel writes.

"Le Droit des Gens" literally means "the Right of the People", which is referring to Natural Rights, not Legal Rights which are privileges.

Next, look at the title of Chapter 19 of Book 1. In English, "Of our Native Country, and several Things that relate to it." In the original French, "**De la Patrie et de diverses matières qui y ont rapport**." Notice that the word *"la Patrie"* translated into English as "Native Country", in French of course means Homeland, but of particular interest is that this word actually quite literally means Fatherland. Throughout Vattel, especially in this chapter, it is continuously stressed that the country of one's allegiance is the country of one's father.

Now in this light we can look at the passage from Mr. Vattel and carefully analyze it sentence by sentence through the proper lens of Natural Law in the absence of a Positive Law jurisdiction, and with respect to the original French. Here is Chapter 19 section 212:

> §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 society is supposed to desire this, in consequence of what it owes to its own preservation; and it is presumed, as matter of course, that each citizen, on entering into society, reserves to **his children** the right of becoming members of it. **The country of the fathers is therefore that of the children**; and these become true citizens merely by

> their tacit consent. We shall soon see, whether, on their coming to the years of discretion, they may renounce their right, and what they owe to the society in which they were born. **I say, that, in order to be of the country, it is necessary that a person be born of a father who is a citizen;** for if he is born there of a foreigner, it will be only the place of his birth, and not his country. [*Emphasis added*]

Now examine the sentence that is being misinterpreted and misrepresented by many of the attorneys on this issue. In English, "**The natives, or natural-born citizens, are those born in the country, of parents who are citizens**." In the original French: "**Les *Naturels*, ou *Indigènes* sont ceux qui sont nès dans le pays, de Parens Citoyens.**" This literally translates as, "**The Naturals (natives, Nature-produced), or Indigenous are those who are born in the country, of Citizen Parents.**" Nowhere does Mr. Vattel use the English term that has been so debated nowadays, "natural born citizen", nor its exact French equivalent. Mr. Vattel never implies that there exists a legal term called "natural born citizen", nor does Mr. Vattel ever make any original definitions or attempts to define such a legal term of "natural born citizen", but somehow this is what has been asserted by so many attorneys and so many others, who are trying to use Vattel to make a direct substitution of legal terms, which is entirely inappropriate and unjustified. Not only is Vattel not even defining any legal term "natural born Citizen", but it is only the Natural Law jurisdiction, and history, and the Declaration of Independence and the concept of sovereignty, that defines and is controlling of Article II and "natural born Citizen".

Mr. Vattel is simply describing a fact of natural reality as an observation of Nature; of how Nature herself already defines a person to be a native of his or her country. By examining the rest of this section 212, it becomes obvious that Mr. Vattel goes on to further describe the natural conditions of a native citizenship in the absence of any competing positive law jurisdictions, or need of statutory constructions, or artificial authorities, and he is only describing the natural relationship to one's father in the absence of the native mother or native soil, which are implied by Mr. Vattel to be totally irrelevant to be considered a native of the country. Examine:

> "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** *[means that both male and female children gets their citizenship and natural political rights from their fathers]*. The society is supposed to desire this, in consequence of what it owes to its own preservation; and it is presumed, as matter of course, that each citizen, on entering into society [*now it is implied that Mr. Vattel is only talking about the male citizens who enter into society*], reserves to **his children** the right of becoming members of it. **The country of the fathers is therefore that of the children**;…" [*Emphasis added*]

It is abundantly clear that Mr. Vattel is describing the natural condition in the absence of, or without relying on, the native mother; of how Nature defines one to be a native citizen of the country as being inherited from one's father as a natural political right, and that the citizenship in the native country is defined and secured solely by the father, and, all of the rights, including the political rights that the children have, are due to the rights of the father that he passes on to his children. The mother is completely irrelevant under the natural law jurisdiction for indigenous citizenships or for the consideration of natural political rights. Mr. Vattel then goes on to remove the native soil and shows that the soil jurisdiction is also not involved with one being of the country:

> **"I say, that, in order to be of the country, it is necessary that a person be born of a father who is a citizen;** for if he is born there of a foreigner, it will be only the place of his birth, and not his country." [*Emphasis added*]

And in case there is still any doubt, just examine a little further on in the same Chapter 19, section 215:

> §215. Children of citizens, born in a foreign country. It is asked, whether the children born of citizens in a foreign country are citizens? The laws have decided this question in several countries, and their regulations must be followed. **By the law of nature alone, children follow the condition of their fathers, and enter into all their rights** (§212); **the place of birth produces no change in this particular, and cannot of itself furnish any reason for taking from a child what nature has given him;** [*Emphasis added*]

There can be no doubt that Mr. Vattel has removed any consideration of any competing positive law jurisdiction "by the law of nature alone". He makes it clear that the children inherit the political condition of the father, "children follow the condition of their father" which means the citizenship and the political rights of the father, "and enter into all their rights". Then, Mr. Vattel shows that what Nature produces, the soil jurisdiction of foreign states, and the positive laws that govern the soil jurisdiction, cannot deny or remove the natural political rights that are inherited from Nature from a sovereign citizen father; "the place of birth produces no change in this particular, and cannot of itself furnish any reason for taking from a child what nature has given him;". Nature gives the child the inherited political condition and allegiance to the father's country. This is what Vattel is clearly saying, and Vattel supports the reality that the mother and soil jurisdictions are not determining for the consideration of how one is a native of the country, which is solely defined by one's father and his political condition, and that all of one's natural political rights are inherited from one's father, not from one's mother or from soil jurisdictions. Since Mr. Vattel makes it clear that soil jurisdictions (positive law) cannot take away the natural political conditions and allegiances that Nature gives to the children via their fathers, let us examine the concept of natural sovereignty, and consider the other provisions of Article II, in order to prove that it is not physically possible to have any conflicting allegiances owed from foreign soil birth or from having a foreign mother.

Examine the Declaration of Independence. In particular the following passage and concept being conveyed:

> "When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, **the separate and equal station to which the Laws of Nature** and of Nature's God entitle them…" [*Emphasis added*]

"The separate and equal stations to which the Laws of Nature…entitle them…" is talking about the sovereign political status of the people as being "equal" to the sovereign political status and authority of the other competing sovereign in question which was the King of England, who was a sovereign, and his government in England, who were in direct conflict with the natural law jurisdiction and the natural sovereign political rights of the Colonists, as

the Colonists were being denied their natural sovereign rights which is what prompted the Declaration of Independence and war.

Sovereigns are politically equal. One sovereign cannot order another sovereign around or lawfully take away the natural rights of other sovereigns. Sovereigns do not serve other masters. They are their own masters. You can only serve one master at a time. *A sovereign is: the author and source of the law, or a monarch*. This is the law dictionary definition *[*see also *Yick Wo v. Hopkins,118 U.S. 356, 370; 6 S.Ct. 1064 (1886)]*. Therefore, it is not possible for a foreign mother who is an equal sovereign political authority to the father, or a foreign sovereign who controls the foreign soil jurisdiction of another country, to take away from a child what Nature gives to it that comes from the child's sovereign father as an inherited natural right to citizenship in the father's country, and to claim an owed political allegiance to the father's country and to succeed to their father's rights. Under the Natural Law jurisdiction, it is not physically possible to be a native of two countries simultaneously at birth. By common law and custom it must be recognized that either one or the other parent must be chosen as the conduit for naturally inherited citizenships and political allegiances. Mr. Vattel makes it clear that by common convention this is chosen to be from males, one's father.

Also, just because you are born in a foreign land while your parents are on vacation does not mean that you are not a native of your father's country, or that you lose your sovereign status, or that you are born owing political allegiance to a foreign jurisdiction just by being born on the foreign soil, and Vattel makes this clear. One need only examine Sections 216 and 217 to be enlightened to the natural fact of reality that one does not need to be born on the soil jurisdiction to be considered to be a native of one's father's country:

> §216. Children born at sea. As to children born at sea, if they are born in those parts of it that are possessed by their nation, they are born in the country: if it is on the open sea, there is no reason to make a distinction between them and those who are born in the country; **for, naturally, it is our extraction, not the place of our birth, that gives us rights**: and if the children are born in a vessel belonging to the nation, they may be reputed born in its territories; for it is natural to consider the vessels of a nation as parts of its territory, especially when they sail upon a free sea, since the

> state retains its jurisdiction over those vessels. And as, according to the commonly received custom, this jurisdiction is preserved over the vessels, even in parts of the sea subject to a foreign dominion, all the children born in the vessels of a nation are considered as born in its territory. For the same reason, those born in a foreign vessel are reputed born in a foreign country, unless their birth took place in a port belonging to their own nation: for the port is more particularly a part of the territory; and the mother, though at that moment on board a foreign vessel, is not on that account out of the country. I suppose that she and her husband have not quitted their native country to settle elsewhere. [*Emphasis added*]
>
> §217. Children born in the armies of the state, or in the house of its minister at a foreign court. For the same reasons also, children born out of the country in the armies of the state, or in the house of its minister at a foreign court, are reputed born in the country; for a citizen, who is absent with his family on the service of the state, but still dependent on it, and subject to its jurisdiction, cannot be considered as having quitted its territory.

Likewise, having a foreign mother cannot rob a child of his sovereign status that is inherited from his father and his natural right to claim a political allegiance to his father's country inherited at birth and to succeed to his fathers rights. Any political rights due to a foreign mother will be controlled by the positive law jurisdiction with statutes and positive acts, and Vattel has already shown that the positive law jurisdiction cannot prevent or deny the natural political rights that come from our citizen fathers.

Here is another interesting observation of Nature, and logic, and common laws and customs that helps to prove that it is impossible to owe a political allegiance to a foreign state just because one's mother is from a foreign country. When a female becomes pregnant, by common law and custom, this is considered the act of consummating a marriage. It has been customary under the natural law jurisdiction that the male marries the female that he impregnates. Again, by common law and custom, and also by the positive laws and statutory authority, when a foreign female marries, she takes the citizenship of the husband who will be the child's father.

Therefore, it is a matter of logic that when the child is born, both parents will naturally be citizens of the same country. This is not a requirement spelled out in Article II, but rather, it is just a natural consequence of Nature and common customs. This also proves that Nature provides a natural order that causes political rights to flow from males to their female wives, and from the father to both the male and female children offspring.

Here is one more interesting observation. Examine this definition of "Patriot" from the online Etymological Dictionary:

> ***patriot*** **-** 1590s, "compatriot," from M.Fr. patriote (15c.), from L.L. patriota "fellow-countryman" (6c.), from Gk. patriotes "fellow countryman," ***from patrios "of one's fathers", patris "fatherland," from pater (gen. patros) "father,"***

Notice the derivation from males (father) and not from females (mother).

Now we can see in the proper light of Natural Law and the correct reading of Vattel, that Mr. Vattel's treatise does not support the proposition that there is a requirement in Article II that both parents must be citizens or that one must be born on the soil jurisdiction of the country. The principles of natural law elaborated by Mr. Vattel substantiate that Article II "natural born Citizen" is describing an indigenous or native sovereign citizen Son (male) who is created by birth inheritance (natural born) which implies only a citizen father is required; and after the 19th Amendment, the "Citizen" part of "natural born Citizen" is expanded to include indigenous or native sovereign citizen females (daughters) who are created by natural birth also to citizen fathers.

Thus a correct reading of Mr. Vattel's treatise proves that the soil and the mother are irrelevant for Article II purposes. Article II requires one to inherit one's natural political rights and allegiances from one's father. When combined with the other provisions of Article II, which is that one must move back to the U.S. and be a U.S. citizen living in America for fourteen years prior to becoming President, this is deemed to be entirely sufficient to insure political allegiance to the U.S. and to not have any owed conflicting political allegiances. For all of these reasons, and by Article II, it is impossible to have any conflict in loyalties or owed political allegiances due to foreign soil jurisdictions or due to a foreign mother. The problem of loyalties and allegiances only arises when one is born to a foreign father,

then one is not born a native son or daughter of the country as defined by the Laws of Nature and described by Mr. Vattel, and therefore cannot possibly qualify under Article II for the office of President. Such a child would be born as a native of the foreign father's country, which is the exact condition regarding Obama and why he does not qualify for the office of President.

It should now be obvious to the reader, that anyone, who actually reads the entirety of Vattel, and applies the natural scientific legal principles, along with the context and history of the formation of our Sovereign Republic form of government and its controlling foundational documents, the Declaration of Independence and our Constitution, and with deference to U.S. case law since the adoption of the Constitution, will not be able to find any support for the notion that Article II "natural born Citizen" creates a requirement that a candidate for the Office of President must be born of two citizen parents and also be born on U.S. soil jurisdiction. Also, it is now shown to be false and misleading to assert that "natural born Citizen" is "undefined" in the Constitution when Vattel makes it clear that "natural born Citizen" was never meant to be specifically defined in the Constitution because it was already defined in the Natural Law jurisdiction by the rules of Nature and common custom.

One can only surmise that it is from a lack of knowledge and an incomplete and superficial reading of Vattel by the so-called "authorities" of law, that these errors and misconceptions have been propagated, unless some other diabolical plot to delay and obstruct the truth and justice is afoot. It is abundantly clear that Article II only requires one to be born of a citizen father and to be a U.S. citizen who is living in the U.S. for fourteen years prior to being a candidate for the Office of President. The Framers of the Constitution obviously intended that this would be more than sufficient to sever any foreign allegiances and to protect loyalty and allegiance to the Constitution and to the United States. Furthermore, the fact that the laws of Nature render the mother and soil jurisdictions to be irrelevant eliminates any avenue that would allow foreign titles of nobility to be able to attain the Office of President and thereby create a monarchy instead of a Sovereign Republic of Sovereign Citizens.

11/24/2010