

# Five Simple Questions, Five Deaf Reactions

## THE OBOTS' PROPAGANDA DEBUNKED

by Joseph DeMaio, ©2012



Should Obama get a pass because he is half-black?

(Mar. 13, 2012) — Oh brother..., it seems one nolu chan is still [at it](#). Recently, chan posted an oh-so-cleverly-captioned article “Barack Obama – Guilty of Being President While Black.” While chan is correct about Mr. Obama’s abstract “guilt,” it is not because he is “black.” Not by a long shot. To quote a former President (one, by the way, who was actually a natural born Citizen): “Well, there you go again.”

The chan post was seemingly precipitated by a series of articles penned by the undersigned at The P&E addressing a few, but not all, of the myriad errors and misrepresentations found in a new, November 14, 2011 “product” from the [Congressional Research Service](#) (hereinafter, for ease of reference, “CRSR”). The document is entitled “Qualifications [*sic*] for President and the ‘Natural Born’ [*sic*] Citizenship [*sic*] Eligibility Requirement.” Rarely will three “[*sic*]” error signals be necessary in so short a quote as the title of a document, but they are here necessary.

First, the issue of whether one is “qualified” for the office of the president is separate and, more importantly, secondary to the primary and threshold question of whether one is constitutionally “eligible” to the office in the first place. The most highly “qualified” person on the planet – even if possessed of a Nobel Peace Prize – if not a “natural born Citizen,” is ineligible to the office. Second, the placement of quotation marks before

“Natural” and after “Born” in the title seeks to isolate the term from that which actually follows in the Constitution, “Citizen,” making it appear that being “natural born” in the United States alone will satisfy the requirement. It will not. Third, there is no such thing as “natural born citizenship” under the Constitution, the operative words being “natural born Citizen.” Words are important: too bad the CRSR uses them so carelessly.

For those not yet familiar with the ruminations of nolu chan, be advised that he/she has previously taken your ‘umble servant to task for having the audacity and temerity to question [here](#) the putative president’s claims of constitutional eligibility and the perplexing omission in 2009 and 2010 by the Congressional Research Service of any analysis of Emmerich de Vattel’s *Law of Nations* as bearing upon whether under Art 2, Sec. 1, Cl. 5 of the Constitution, Mr. Obama can legitimately claim to be a “natural born Citizen.”

In an article posted by chan in 2011 [here](#), the attempt is made – anemically and unsuccessfully – to undermine the facts and conclusions reached in essays posted [here](#), [here](#) and [here](#).

Lamentably, but not unexpectedly, the most recent chan effort – much like the latest Congressional Research Service propaganda piece – fails to answer, and seemingly intentionally refuses to address, several simple questions which have dogged Mr. Obama since the beginning of his campaign to cloak his past with obfuscation, deflection and intransigence, thereby giving new meaning to the Obamaspeak term “transparent”: “opaque.”

These efforts, of course, have been and still are being aided and abetted by a compliant mainstream media that has, with a few notable exceptions, forfeited any continuing claim to independence and objectivity on this issue and, in fact, any claim to respect from Americans. Who would have imagined the day would dawn when *Pravda* – the official propaganda channel for the Communist Party of the Soviet Union and Russian Federation – would articulate the truth about the feckless and disingenuous state into which American journalism has fallen [since 2008](#)? Today’s American Fourth Estate recalibrates just how deep the liberal mind can define deviancy down.

The latest chan post runs some 24 pages long, the vast majority of which take the form of quoted materials lifted, *verbatim*, from a number of cases and appellate briefs from lower court matters, including the holy grail of the Obots, *United States v. Wong Kim Ark*, 169 U.S. 649 (1898). To state the obvious, that which is argued in a brief does not constitute that which is set out in a court’s opinion, including an opinion of the U.S. Supreme Court. If a legal brief of a litigant constituted the final word on an issue, there would be no need for a court decision at all. While many Obots and the Congressional Research Service might wish otherwise, such is not the law. Yet.

To reiterate, the decision in *Wong Kim Ark* had *nothing* to do with the issue of presidential eligibility as a “natural born Citizen” under Art. 2, Sec. 1, Cl. 5 of the Constitution. Instead, it involved *only* the question of whether a person born in San

Francisco to parents who were citizens of China rather than the United States was himself a “citizen” under the Fourteenth Amendment. That’s all. Period. The rest of the opinion’s discussion of issues unrelated and unnecessary to the core decision – viz., that Wong Kim Ark was, indeed, a “native born citizen” under the Fourteenth Amendment – was... is... and will remain... “dicta, pure and simple.”

That conclusion is not only the undersigned’s opinion: that is the opinion of one of the central figures quoted and relied upon throughout the CRSR document, Prof. Charles Gordon. See “*Who Can be President of the United States: The Unresolved Enigma*,” 28 Maryland Law Review 1, 19 (1968). The Maryland Law Review article’s author was one Charles Gordon, at that time General Counsel, U.S. Immigration and Naturalization service and Adjunct Professor of Law, Georgetown University Law Center.

Yet nowhere in the 8,000+ word post, nor in the 37,000 + word November 14, 2011 “CRSR” will one find answers to five of the most simple questions surrounding the constitutional eligibility issue which continues to infect Mr. Obama. These simple questions include:

(1) why has Mr. Obama not been more forthcoming in lifting the veil of secrecy that obscures his past?

2) if under the Obots’ reading of *Wong Kim Ark*, a “native born citizen” is the same as a “natural born Citizen,” why was there a need for the CRS Memo of April 9, 2010 to substantively alter via ellipsis the words, and thus the meaning, of the Supreme Court’s opinion in *Perkins v. Elg*, 307 U.S. 325 (1939)?

(3) why does the Nov. 14, 2011 “CRSR” “double down” on the unexplained ellipsis omission of the words from *Perkins v. Elg* set out in the April 9, 2010 CRS Memo?

(4) why does the Nov. 14, 2011 CRSR misquote the dissenting opinion in *Wong Kim Ark* to make it seem as though the dissenters were agreeing with the purported “controlling” majority opinion that any person born here, regardless of the citizenship status of the parents, met the “natural born Citizen” eligibility standard of the Constitution?

(5) if the common law of England as articulated by Sir William Blackstone is sufficient to define the term “natural born Citizen,” why is not Blackstone’s articulation of the “Best Evidence Rule” sufficient to require the production of the president’s “hard paper” certified copy of his Hawaiian “long form birth certificate” instead of a picture of same posted to the Internet?

These are not difficult questions. Yet they seemingly are proving to have difficult – perhaps even insurmountable – answers. And remember, these questions don’t even touch the issue of whether the image of the birth certificate posted on the Internet, including the White House website, is a computer-generated forgery; or the issue of Mr. Obama’s Selective Service System records’ anomalies; or the issue of his “Connecticut genesis” Social Security number.

Further discussion of the nolu chan piece would be a pointless waste of time, since no amount of proof, reason or rational discourse seems possible. The Obots' minds are made up, and no facts which would undermine those conclusions will be tolerated or addressed, much less analyzed. Yet, to reiterate, what are the answers to the five simple questions posed above? One can understand why Mr. Obama may not wish to directly address or answer them, but why have they not been addressed and answered by his defenders, either chan, the Congressional Research Service or someone from Obot Central; say, Debbie Wasserman Schultz?

Inquiring minds want to know.

*Joseph DeMaio*