

Is Andrew Yang a Natural Born Citizen?

DEMOCRATS RUN MULTIPLE CANDIDATES WITH QUESTIONABLE ELIGIBILITY

by [Joseph DeMaio](#), ©2019



Does Andrew Yang have undivided allegiance to the U.S. as a “natural born Citizen?”

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(Aug. 2, 2019) — This [post](#) by the intrepid P&E Editor is spot-on for calling out the leftist argument that, somehow, it is “racist” to question a person’s constitutional eligibility. The “racist” narrative began before and during the second usurpation of the United States presidency by one Barack Hussein Obama II. During this sad era in the nation’s history, the pejorative term “birther” was concocted.

The word was (and is) used to describe anyone who rejects the purported axiom that a picture of a likely forged birth certificate posted on the Internet renders the issue of Monsieur Obama’s constitutional eligibility under Art. 2, § 1, Cl. 5 of the Constitution “settled” and immutably cast in stone. Anyone questioning Mr. Obama’s eligibility must therefore be, by definition, a “racist.” Recently, because several other “persons of color” have announced their candidacy for the presidency, the pejorative has been dusted off and

hurled at anyone having the temerity to even suggest that, for example, Kamala Harris or Tulsi Gabbard might not be eligible.

P&E readers will recall that neither Senator Kamala Harris nor Representative Tulsi Gabbard likely meet the eligibility criteria of Art. 2, § 1, Cl. 5 of the Constitution, the “natural born Citizen” provision. Kamala Harris likely fails the test, as explained [here](#), and Tulsi Gabbard likely fails the test, too, as explained [here](#).

So obsessed are the Democrats in their hatred for President Trump and those who would support his reelection, they will use anyone’s support for the Constitution’s eligibility clause as “proof” of that individual’s “racism.” After all, in their eyes, the Constitution itself is the racist screed of a bunch of white males, so how can those who support *any* component of the Constitution be seen as *not* racist? Next thing you know, the Democrats will declare the moon to be racist because..., well..., from Earth..., it looks white. This is neurosis elevated to an art form.

The Editor’s above post, moreover, draws into question yet another Democrat presidential candidate’s “natural born Citizen” bona fides, thus piquing your humble servant’s curiosity. Could it be that we now have three (3) Democrats competing for the right – perhaps better labeled as a “2020 death wish” – to challenge President Trump? The person in question is: [Andrew Yang](#).

From all appearances, Mr. Yang seems to be a prime example of the success which entrepreneurship and capitalism can produce. However, one should not equate entrepreneurship and capitalism with rational political decisions, as Mr. Yang appears to be quite comfortable with programs and policies well to the left of center on, for example, carbon taxes to address “climate change,” a \$1,000/mo. “Freedom Dividend” for all “citizens” (thereby excluding illegal aliens...?) and Medicare for [illegal aliens](#).

But insofar as his eligibility under the Constitution is concerned, certain questions need to be addressed and answered. In addition to an age restriction (at least 35) and residency requirement (14 years), the Constitution requires that one be a “natural born Citizen.” Regular P&E readers well understand that, while that term is not defined in the Constitution, it is evident that the Founders understood and defined the term to mean a person who is born to a mother and father both of whom are, at the time of the birth, already citizens of the nation where the birth occurs.

This conclusion is consistent with the principles found in § 212 of *The Law of Nations* produced by the person noted by the [U.S. Supreme Court](#) as “the founding era’s foremost expert on the law of nations...,” Emmerich de Vattel. Despite the misleading and deceitful conclusions coughed up by the Congressional Research Service detailed [here](#), [here](#) and [here](#), the definition was ratified by the Court nearly 150 years ago in *Minor v. Happersett*, 88 U.S. 162 (1875).

As for Mr. Yang, although he was born in 1975 in Schenectady, New York – unquestionably geographically located within the United States – his bio reflects that his

parents were “immigrants from Taiwan” who met while they were both graduate students at the University of California at Berkeley. His father, Kei Hsiung Yang, and his mother, Nancy Yang, [moved](#) to the United States in the 1960’s to pursue their higher education goals. The anecdotal evidence retrievable via the Internet, however, does not (as yet) disclose whether either or both Mr. or Mrs. Yang had become naturalized U.S. citizens by the time their son, Andrew, was born.

If both of them – and in particular, Mr. Yang – had not already become naturalized citizens *before* the birth, then Andrew Yang would not meet the de Vattel § 212 criterion as embodied in Art. 2, § 1, Cl. 5 of the Constitution. Stated otherwise, while he arguably might be a “native born citizen” under the 14th Amendment, he would not be a “natural born citizen” as required for presidential eligibility purposes. Further complicating the issue, in a newspaper article footnoted in Mr. Yang’s Wikipedia entry (please, spare me the tutorial on the downsides of “open source” websites like the one mentioned), it is [noted](#) that “Yang said he visits Taipei almost every year to see his parents, who retired in Taiwan after previously working and living in the U.S.”

While it may not be unusual for persons born in Taiwan to wish to retire at their birthplace, if one has previously renounced and completely abjured allegiance to and citizenship in a foreign nation in order to become a naturalized U.S. citizen, one is tempted to ask: why move back? Family? Cost of living? The counter-argument is much easier made that, after working a lifetime here as a “green card” permanent resident, but still possessed of one’s Taiwanese citizenship, when retirement time comes, why not move “back home?”

The eligibility question will likely become moot and academic as to Mr. Yang when it becomes apparent that he will not succeed in becoming the nominee of the Democrats to challenge President Trump. But the fact that the issue may become moot as to him does not mean that the underlying problem has evaporated as to others. Stay tuned... this could get interesting.