

Is Tammy Duckworth a Natural Born Citizen?

“A REVISITING OF THE ISSUE”

by [Joseph DeMaio](#), ©2020



U.S. Sen. Tammy Duckworth (D-IL), from official website

(Jul. 4, 2020) — Although it pains your faithful servant – grievously – to sully this post with a link to the electronic pages of *The Washington Post* (“Propaganda-Thrives-in-Darkness”) once again the issue of presidential eligibility [raises its head](#) in connection with the potential candidacy of Illinois Senator Tammy Duckworth as a vice-presidential running-mate for Slow Joe Biden. It appears that she is ineligible under the 12th Amendment.

As a preliminary matter, for those who continue to argue that the question of who is – and more importantly who is *not* – eligible to the presidency as a “natural born citizen” under the Constitution is irrelevant, just remember that much of the chaos the nation is now experiencing was originally set in motion by another individual whose constitutional bona fides – even today – remain in question: Barack Hussein Obama, Jr., the Second Usurper-in-Chief (“SUC”) of the United States.

The SUC’s open hostility to law and order, evidenced by his silence over the destruction being wrought by [Antifa and BLM2](#); his insouciance as to the requirements of the Constitution; and his now-revealed seditious involvement in the groundless prosecution

of General Michael Flynn in the effort to torpedo – before and during – President Trump’s [first term](#) in office..., were and remain despicable. Had he been properly excluded from the office from the outset, an argument could be made that the history of the nation would be a lot different.... and *far* better.

But I digress.

The WaPo article in question is another in a series of opinion pieces by “data analyst and political columnist” David Byler. His series has addressed a number of rumored Biden vice-presidential candidates, including, to name a few, Kamala Harris (also constitutionally [ineligible](#); Amy Klobuchar (out, too many George Floyd tragedy [skeletons](#); Tammy Baldwin (who?) and hyper-disastrous Wuhan COVID19 [Governor](#) Gretchen (“Michigan’s Mussolini”) Whitmer.

To begin with, and to be perfectly clear, Tammy Duckworth’s service to this Nation – and [huge sacrifice](#), having lost both legs in 2004 to combat injuries as a Blackhawk helicopter pilot in the Iraq War – must never be forgotten or marginalized. Ever. Even the worst Democrat officeholder or candidate for public office, if they are an honorably discharged military veteran, must always be thanked for their service before challenging them on their political views. *Always...* with the possible notable [exception](#) of John (“Take-these-medals-and-shove-it”) Kerry.

Back to text.

The WaPo Duckworth opinion piece author asserts: “Duckworth easily meets the basic requirements for the job.” Your faithful servant begs to differ: no, she doesn’t, because she was [born](#) in Bangkok, Thailand rather than in the United States. At the time of her birth, her mother, Lamai Sompornpairin, was a Thai-Chinese citizen and her father, Franklin Duckworth, was a U.S. citizen tracing his roots back to participants in the American Revolutionary War.

The Illinois Senator’s personal story is inspiring and a model for perseverance and determination to overcome adversity. But those qualities and characteristics cannot trump or invalidate the language of Art. 2, § 1, Cl. 5 of the Constitution, the “natural born Citizen” clause. That clause, not a word of which has changed since 1789, states, in relevant part: “No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President....”

While no U.S. Supreme Court decision has yet directly addressed the question of what the clause means in the context of a live “case or controversy” involving a sitting president or candidate for president, it has addressed the issue in the context of what the Founders intended when they selected the restriction.

Specifically, in [Minor v. Happersett](#), 88 U.S. 162 (1875), the Supreme Court stated that “[t]he Constitution does not, in words, say who shall be natural-born citizens. Resort

must be had elsewhere to ascertain that. At common-law, with the nomenclature of which the framers of the Constitution were familiar, it was never doubted that all children born in a country of parents who were its citizens became themselves, upon their birth, citizens also. These were natives, or natural-born citizens, as distinguished from aliens or foreigners. Some authorities go further and include as citizens children born within the jurisdiction without reference to the citizenship of their parents. *As to this class there have been doubts, but never as to the first.*” (Emphasis added).

Because Tammy Duckworth (1) was not born on U.S. soil, and because (2) from the available records, it appears that her mother was of Thai-Chinese ethnicity at the time of the birth, she would not meet the commonly understood “nomenclature” and meaning of a “natural born citizen” relied upon by the Founders when they drafted the Constitution. That definition, as explained [here](#), was extracted by the Founders from § 212 of *The Law of Nations* authored by a contemporary Swiss jurist and legal philosopher, Emmerich de Vattel.

Section 212 of de Vattel’s treatise provides, in relevant part, that “natural-born citizens, are those born in the country, of parents who are citizens.” Stated otherwise, to be a natural born citizen, one must be born on the soil of the birth country to two parents who are already citizens of that country.

While under the 14th Amendment, Tammy Duckworth is deemed to be either a “native-born” or “naturalized” U.S. citizen, that status does not meet the Art. 2, § 1, Cl. 5 presidential eligibility requirements. And because the [12th Amendment](#) specifies that “no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States,” Senator Duckworth would be ineligible to serve as Vice-President under a President Biden.

If, nonetheless, Senator Duckworth were to be named as Slow Joe’s running mate – the Democrats and the mainstream media being unconcerned, not to mention ill-informed, about the issue – look for challenges to her candidacy and a revisiting of the “natural born citizen” issue. Unless and until the U.S. Supreme Court discovers the collective backbone to take up the eligibility question, the issue will continue to fester.

Moreover, if the recent rulings of Chief Justice John Roberts are any indication – and assuming Duckworth (or Kamala Harris) is named as Slow Joe’s running mate – do not be surprised if a concocted and reverse-engineered 5-4 decision, with the majority opinion cobbled together by Roberts and confirming Senator Duckworth’s (or Senator Harris’s) eligibility is forthcoming, say, in mid-October..., just in time for the November 3 general election.

Is this a great country or *what?*