Why the Elg Ellipsis?

ELIMINATING THE PARENTAL REQUIREMENT FOR "NATURAL BORN CITIZEN" TO "MAKE" OBAMA ELIGIBLE

by Joseph DeMaio, ©2012

The U.S. Supreme Court ruled in Perkins v. Elg in 1939 that a child born in the U.S. to naturalized parents retained her status as a "natural born Citizen" even after being subsequently raised in another country (Wikipedia)

(May 13, 2012) — For some time now, one "nolu chan" — observing the individual's preference for all lower-case letters, like archy the cockroach — has persisted in beating the "if-you-tell-a-lie-long-enough-it-starts-to-sound-like-the-truth" drum on Barack Hussein Obama's purported status as a "natural born Citizen" under the Constitution.

If nothing else, chan has been persistent…and prolific. Prolific not in the sense of producing original work, but in the sense that he/she has managed to upload scores of case decisions, appellate briefs, attorney general opinions, the 1787 letter from John Jay to George Washington and more to the scribd.com website, as seen here.

Indeed, since March 13, 2012 — following the appearance of this post at The Post & Email and noting that no one has offered up an explanation for the alteration of the words of the U.S. Supreme Court decision in *Perkins v. Elg*, 307 U.S. 325 (1939) by Jack Maskell of the Congressional Research Service — chan has uploaded nearly 3,200 pages of documents purporting to shore up the general claim that Monsieur Obama is a "natural born Citizen" as required under the Constitution. That's over 53 pages per day, every day since March 13.

Interestingly as well, the chan scribd.com website has been driven to the top of the "Ask.com" search engine. So…who paid for *that*? And the site itself shows, as of mid-May 2012, nearly 630,000 "reads" or "hits," which, by the way, increase at a regular pace of around 30 "hits" per hour…one every two minutes…day in and day out… 24/7… almost as if they were being automatically choreographed by…a computerized machine. Really?

The vast majority of the chan uploaded documents, of course, are merely copies of pages of cases, memoranda, non-judicial opinions and briefs rather than original chan material. And many of the materials seem to come from an *extraordinarily* comprehensive collection of books, manuscripts and official historical documents…perhaps even as

extensive as, say, the Library of Congress….which oversees the functions of….the Congressional Research Service.

But I digress.

One notable exception to the general "non-original" nature of the chan uploads is the chan article posted on — appropriately — April 1, 2012 and cleverly titled "The Need for Birther Control, Three Years of Imbeciles is Enough." There, chan again recycles the tattered and shop-worn arguments heard in the series of Congressional Research Service memos and reports previously reviewed here at The P&E. Those arguments were unpersuasive back then, and they remain so now.

It would be one thing, of course, if the arguments were merely unpersuasive. But when in addition the arguments become deceitful and/or outright fraudulent, that is a different matter. To this point, it is noted that on November 7, 2011, chan uploaded to the scribd.com website a copy of the U.S. Supreme Court decision in *Perkins v. Elg*, 307 U.S. 325 (1939). However, instead of posting a copy of the "official" decision from the Court, as are many of the other chan uploads, the chan image is of the decision as reformatted and posted by a third-party private commercial online legal research service, "Justia.com."

Interestingly enough, that reformatted version correctly tracks the Supreme Court's discussion of Attorney General Pierrepont's "letter advice" in *In re Steinkauler's Case*, cited in the *Elg* case, unlike the ellipsis-altered version offered by the Congressional Research Service in its April 3, 2009 and November 14, 2011 "products."

Bear in mind as well, of course, that this is the same Justia.com website that Attorney Leo Donofrio identified as having deleted references to the Supreme Court decision in *Minor v. Happersett*, 88 U.S. 162 (1875) from several subsequent "reformatted" reproductions by that website of other U.S. Supreme Court decisions.

These deletions, much like the ellipsis deletions lately in vogue at the Congressional Research Service, paint an altered, false picture of what the Supreme Court has really said, thereby leading casual readers — including many judges and lawyers, not to mention prime-time journalists across the political spectrum — to arrive at a false conclusion as to what the pronouncements of the Supreme Court actually are.

In prior times, this was called yellow journalism or fraud. However, under the regime now in charge in Washington, D.C., it is known as "Chicagoland business as usual." Here, it might be appropriate to ask: "How's that 'hope' and 'change' thing workin' out for you?"

As noted here, although the core ruling in *Happersett* — that the Fourteenth Amendment did not trump a Missouri law limiting the right to vote to males — was abrogated by the Nineteenth Amendment in 1920, 45 years after the decision, that portion of the decision

addressing those who were to be acknowledged as “natural born Citizens” remains as intact today as it was when originally articulated by the Court 137 years ago.

The Court said there (88 U.S. at 167-168): “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. For the purposes of this case it is not necessary to solve these doubts.* It is sufficient for everything we have now to consider that all children born of citizen parents within the jurisdiction are themselves citizens.” (Emphasis added).

No wonder some folks don’t want that sort of language remembered or researched.

As noted above, the linguistic defalcations of the Congressional Research Service as to the *Elg* decision were addressed in March of this year.

And yet, despite the passage of over two months since the ellipsis omissions were *specifically* and *once again* noted to the world (including chan) and following the uploading by chan of nearly 3,200 *additional* pages to scribd.com purporting to shore up the contention that Mr. Obama is eligible to the office, there remains not… one… single… word… of… explanation… from… anyone… as to why the language of *Elg* was ellipsis-altered. Not one.

If, in fact, there exists a reasonable and rational explanation for the alteration *other* than the obvious one — that only by changing the language of the decision could the false conclusion as to its holding be achieved in order to dovetail into the Congressional Research Service’s ratification of Mr. Obama’s eligibility — chan or Maskell or anyone else possessed of that rationale should come forward and lay it on the table. Who knows, maybe Maricopa County Sheriff Joe Arpaio might want to know about it, too.

By now, Mr. Obama, his lawyers and his sycophants across the nation — the obots — must realize that the longer they stonewall, obfuscate and refuse to answer these simple eligibility questions, the worse it will get for them. If there is an explanation, the electorate is entitled to see it. Much like the bumper sticker being seen more and more frequently these days of “Where’s the Real Birth Certificate?” look for a new one soon: “Why the Elg Ellipsis?”

In the absence of an explanation, the electorate will be entitled to conclude that the Congressional Research Service has been and remains complicit in facilitating the occupation of the White House by a usurper since January 2009 and that, at minimum, eviction proceedings should begin on November 6, 2012.