

[Law of Nations, 1758 law book defines "natural born citizen"](#)

by [Mountain Publius Goat](#) on Fri Dec 12, 2008 1:43 am

Law of Nations, 1758 law book defines "natural born citizen"

Legal scholars and studiers of the founding of our country and the framers of our Constitution reference this book as a core, contemporaneously written legal reference book, [The Law of Nations, used by the framers of our Constitution](#). It was written in 1758 and was used as a college text book in America from c1770 on. Ben Franklin received three copies of the French edition from the editor Dumas in [1775](#) for use by Franklin and the Continental Congress. It has a section #212, in Book 1 Chapter 19 thereof, which deals with defining "natural born" citizenship. Here is the link to the book at Amazon. I just ordered mine.

http://www.amazon.com/LAW-NATIONS-Natural-Law-Paper/dp/0865974519/ref=pd_bbs_sr_1?ie=UTF8&s=books&qid=1229063894&sr=8-1

Quote of section 212, Chapter 19, Book 1, Law of Nations, by Vattel, written in 1758:

"§ 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. "

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à traiter de l'amour de la patrie, vertu si excellente et si nécessaire dans un État. Supposons donc cette définition connue, il nous reste à expliquer diverses choses relatives à la matière et à développer les questions qu'elle présente.

§ 212. — Des citoyens et **naturels**.

Les citoyens sont les membres de la société civile : liés à cette société par certains devoirs et soumis à son autorité, ils participent avec égalité à ses avantages. Les **naturels**, ou *indigènes*, sont ceux qui sont nés dans le pays, de parents citoyens. La société ne pouvant se soutenir et se perpétuer que par les enfants des citoyens, ces enfants y suivent naturellement la condition de leurs pères, et entrent dans tous leurs droits. La société est censée le vouloir ainsi, par une suite de ce qu'elle doit à sa propre conservation; et l'on présume de droit que chaque citoyen, en entrant dans la société, réserve à ses enfants le droit d'en être membres. La patrie des pères est donc celle des enfants, et ceux-ci deviennent de véritables citoyens par leur simple consentement tacite. Nous verrons bientôt si, parvenus à l'âge de raison, ils peuvent renoncer à leur droit, et ce qu'ils doivent à la société dans laquelle ils sont nés. Je dis que pour être d'un pays, il faut être né d'un père citoyen; car si vous y êtes né d'un étranger, ce pays sera seulement le lieu de votre naissance, sans être votre patrie ¹.

litique, t. I, p. 68; GUIL. ROSCHER, *Les Colonies, la politique coloniale et l'émigration*.

D'après l'art. 27 de la Constitution de 1852, le Sénat règle la constitution des colonies et de l'Algérie; et c'est en vertu de cette prérogative que, par le sénatus-consulte du 3 mai 1854, il a réglé la constitution de la Martinique, la Guadeloupe et la Réunion. — Abolition du *pacte colonial*. 26 juin 1861. — Sur les réformes anglaises dans les Indes, pendant l'année 1861, et sur les discussions agitées en Hollande pendant la même année au sujet des réformes coloniales, voir : J. ZELLER, *L'Année historique*, t. III (1862), p. 234 et 261. — P. P. F.

¹ En règle générale, l'enfant fait partie de la nation à laquelle appar-

BOOK 1, CHAPTER 19
**Of Our Native Country, and Several Things That
Relate to It**

§ 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.

Section 212, Chapter 19, Book 1, The Law of Nations, Vattel, 1758, (1797 English translation), defines the meaning of "natural born citizen".

Citizenship Terms Used in the U.S. Constitution -- Defined & Some Legal References to Same						
Constitutional Term	U.S. Citizenship Status of the Parents at Time of Child's Birth	Conjunction (And, Or)	Location of Birth	Conjunction (And, Or)	Other	Legal Reference
"Citizen" of the United States (Referenced many places in Constitution)	Born to at least one U.S. citizen parent (citizenship given by law via Federal Statutes)	OR	Born in the USA.	OR	Naturalized Citizen (citizenship given by law via Federal Statutes)	U.S. Constitution, 14th Amendment, Section 1. U.S. v. Wong Kim Ark, 169 U.S. 649 (1898). Perkins v. Elg, 307 U.S. 325 (1939). U.S. Federal Statutes
"Citizen of the United States at time of Adoption of this Constitution" aka "the Grandfather Clause" aka "Original Citizen" (Stated in Article II)					Citizen of the United States at time of Adoption of the Constitution	U.S. Constitution, Article II, Section 1, Clause 5.
"Born Citizen" of the United States (Referenced, established, and rights clarified in the 14th Amendment)			Born in the USA.			U.S. Constitution, 14th Amendment, Section 1. U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)
"Naturalized Citizen" of the United States (Referenced and rights clarified in the 14th Amendment)			Not Born in the USA	AND	Citizenship rights obtained by processes governed by Federal Statutes including person swearing an Oath of Allegiance to the USA & renouncing any and all foreign allegiances such as to any Prince or Potentate	U.S. Constitution, 14th Amendment, Section 1. U.S. Federal Statutes
"Natural Born Citizen" of the United States (Referenced only in Article II as one of the specific qualification requirements to serve as the President and Commander in Chief of the USA) Note: This type of citizen of a nation is a citizen via "natural law" and cannot be given by any man made law. The acts of nature itself gave this person natural born citizenship of the nation. This is typically the largest group in any nation which has been in existence for a couple generations of more. It is also the group which innately has the strongest natural allegiance to the nation and the least potential foreign familial or other foreign influences on them.	Both parents are U.S. citizens of any type when child is born	AND	Born in the USA.			U.S. Constitution, Article II, Section 1, Clause 5. Law of Nations, Book 1, Chapter 19, Section 212. Perkins v. Elg, 307 U.S. 325 (1939). Also, comments by Congressman and Judge John Bingham a framer of the 14th Amendment.
Originally Prepared in Fall 2008. New Version Prepared: 02 Feb 2009 Last Updated: 06 Feb 2009 Copyright © 2009 M Publius Goat. All Rights Reserved.						

Citizenship Terms used in U.S. Constitution

ConstitutionalCitizenshipTermsChart 1001x1107 JPG (183.6 KB) viewed 609 times

Note the emphasis where it says. "... natural born citizens, are those born in the country of parents who are citizens." ... note it says parents, not parent. And later on the father's citizenship too is mentioned as being crucial, not so much as the mother's. And the last

sentence, "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." This contemporaneous legal reference and scholarly book used as a college textbook in the 1700s is relevant to the thinking of our framers when they wrote the U.S. Constitution. And this applies to Obama's case today in several ways. I sure hope the Justices are reading this book lately when it comes to determine the framer's intent for the meaning of "natural born citizen" in our Constitution. Certainly with the facts as we know them about Obama, and common sense, and reading this quote from the 250 year old book tells me that Obama is NOT a natural born citizen of the USA. First, **both** his parents were not citizens of the USA, only one was. Second, the one who was a citizen of the USA was not his father. Third, where Obama was actually born has not been conclusively proven beyond any doubt.

Atty Apuzzo of NJ blog:

<http://puzo1.blogspot.com/2009/03/natural-born-citizen-discussion-thread.html>

Atty Taitz of CA blog:

<http://drorly.blogspot.com/2008/12/law-of-nations-or-principles-of-law-of.html>

Atty Donofrio of NJ blog:

<http://naturalborncitizen.wordpress.com/2008/12/11/natural-born-citizen-defined-by-14th-amendment-framers-and-in-treatise-relied-on-by-scalia/>

Atty Berg of PA blog:

<http://www.obamacrimes.com>

(original link no longer active and has been taken over by some foreign entity)

<http://www.obamacitizenshipfacts.info>

(no longer active – see <https://obamacitizenshipfacts.blogspot.com/2019/>)

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P.S. A simple, downloadable, printable chart defining the various types of citizenship terms used in the U.S. Constitution:

<http://www.scribd.com/doc/11737124/>

Last edited by [Mountain Publius Goat](#) on Wed Jan 14, 2009 2:42 pm

Some links checked and updated Sat May 13, 2023 9:49 pm

"The American people will never knowingly adopt Socialism. But under the name of liberalism they will adopt every fragment of the Socialist program, until one day America will be a Socialist nation without knowing how it happened."
Norman Thomas



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