

My Translation and Analysis from Vattel's
"The Law of Nations of Principles of Natural Law"
Volume 1, Chapter 19, Section 212 – "Des citoyens et naturels."
Analysis and Translation of the Key Sentence in Section 212
Regarding Natural Born Citizens

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The key sentence in the original 1758 French edition written by Vattel:

"Les naturels, ou indigènes, sont ceux qui sont nés dans le pays, de parents citoyens."

First let's do a direct translation of the key sentence using this online French to English site:

https://translate.yandex.com/?source_lang=fr&target_lang=en&text=Les%20naturels%2C%20ou%20indigenes%2C%20sont%20ceux%20qui%20sont%20nes%20dans%20le%20pays%2C%20de%20parents%20citoyens

The key sentence translated to English by that online translation site is:

"The natural, or indigenous, are those who were born in the country, from citizen parents."

Further, in trying to see how the key sentence evolved in various English translations, we see that if one substitutes a synonym for indigenous which is natives we get the below sentence. But be forewarned, the word natives is a very confusing term today when taken out of the context it was used in. The word "natives" brings to mind two very different meanings to modern readers. And it becomes even more confusing, when some people (some on purpose to mislead) misquote the key sentence with out the 's' on the word "natives", falsely making it "native" and then try to argue it meant solely where one was born without reference to the citizenship of one's parents. We must really look to what Vattel meant the words to mean back when he wrote them. And he told us. In the sentence Vattel used the two nouns, he defined what he meant by those two nouns immediately thereafter in the very same sentence. But continuing with the evolution of the key sentence, and using the synonym for indigenous, which is "natives", for the online direct translation we get:

The natural, or natives, are those who were born in the country, from citizen parents.

Now for the 1760 English translation edition: If we compare that literal in-line word after word translation done online to the translated wording of the key sentence in the 1760 edition, we see the translator/editor used two ambiguous English word synonyms, and switched them around in order, and then subsequently in error, did not use the proper English word for the French word Vattel used, i.e., "naturels", which is "naturals" or the "natural born" in the context of discussing citizenship and allegiance to one's country in section 212. Thus, the editor/translator changed the word "natural" to "natives" and used the synonym for "natives", i.e., "indigenes" in the key sentence in 1760. Thus 1760 English edition key sentence reads:

"The natives, or indigenes, are those born in the country of parents who are citizens."

A historical research note is provided at this point in the translation process: Many of the Founders such as Jefferson, Franklin, and Washington and key Framers such as Madison, Franklin, and Washington, as well as key “influencers” of that time such as John Jay, were fluent in French which was the diplomatic language of the day and thus they used the French editions of Vattel, i.e., reading it in the original source language which learned individuals such as our Founders and Framers preferred to do, i.e., the 1758 French edition, but also three copies of the newly edited and printed 1775 French edition sent that year by [Dumas to Benjamin Franklin](#). The founders and framers were reading the French word “naturels” when they read the key sentence in section 212 of Vattel’s treatise. And they knew what it meant because Vattel told them in the very same sentence. And they knew it meant “natural born” in English.

Here is an example to prove they knew what “naturels” meant in English. In 1781 it is absolutely documented in history that the founders and framers knew the French word “naturels” clearly meant “natural born” in English. This is years before the U.S. Constitution was written in 1787. That fact is documented and found in the records of the Continental Congress where a 1781 treaty correspondence document from the Minister of France was translated into English for the records of the Continental Congress. In that document the French word “naturels” was translated to the English term “natural born”. For the 1781 full treaty correspondence in French and English see: <https://cdrkerchner.wordpress.com/2015/04/17/absolute-proof-the-founders-knew-and-accepted-vattels-french-naturels-to-mean-natural-born-before-constitution-was-written/>

The 1797 [English translation edition](#): In the 1797 English translation the nouns used by Vattel are also switched around from their positions in the French sentence. But the French word “naturels” was correctly translated and used. Thus the key sentence nouns “naturels” and “citoyens” are correctly translated into English as to Vattel’s meaning and intent in the key sentence as the term “natural-born citizens”. Thus in this English translated edition the key sentence is clearly, correctly, and properly translated into English. And the key sentence once again clearly defines what the nouns meant within the very sentence they are used. And it has been that way in English translations ever since. It is also should be considered that the translation was corrected and made clearer in the 1797 edition as to what Vattel was saying in his legal treatise of 1758 in French because that key term in English, i.e., “natural born” was being used since 1781 in English in international legal and diplomatic affairs and also in the 1787 U.S. Constitution, i.e., “natural born Citizen” in the presidential eligibility clause, and it was understood by that time that the prior English translations were poorly done and a re-do was needed.

Switching around noun positions in translations often is done for a clearer meaning translation into the target language. Very good interpreters do this on the fly. By doing that and correctly translating Vattel’s meaning and wording from French to English of that key sentence of Section 212 as is provided in the 1797 corrected English edition of Vattel’s legal treatise “The Law of Nations or Principles of Natural Law” we see the below key sentence therein:

“The natives, or natural-born citizens, are those born in the country, of parents who are citizens.”

And that English translation and wording as shown above of the key sentence in Vattel’s treatise has been recognized as the correct one from 1797 to [now](#) and was even paraphrased with that meaning for the term “natural born Citizen” without any doubt in the U.S. Supreme Court holding for the case of [Minor v Happersett \(1875\)](#). Again, repeating the key sentence again after this paragraph that is how that key sentence read in 1797 and reads now to this day. And it clearly defines the meaning of the word “natives” and the term “natural-born citizens” as used in that sentence in the very same sentence they are used in. So again, the meaning of the nouns used in the

key sentence is defined therein and is very clear as to what Vattel meant in his legal treatise for that key sentence when he wrote it in French in 1758 and when it was correctly translated to English in 1797:

“The natives, or natural-born citizens, are those born in the country, of parents who are citizens.”

And historically we know that John Jay, a key Founder and who was one of the writers of the [Federal Papers](#) and later became the first Chief Justice of the United States Supreme Court, was a descendant of French Huguenots, who was fluent in French, and was quite familiar with Vattel’s treatise as he used it in legal and diplomatic negotiations, thus sourced and translated Vattel’s French to the English term “natural born Citizen” from Vattel’s treatise and sent that term via a letter to George Washington in July of 1787 hinting/suggesting that the term “natural born Citizen” be added to the presidential eligibility clause of our new Constitution being written under the leadership of George Washington who was the President of the Constitutional Convention convened at that time in Philadelphia PA. The strong hint/suggestion was made by John Jay as a national security term in the presidential eligibility clause to prevent anyone born with foreign influence on them from ever gaining command of our military forces since under the new Constitution the President would also be the Commander in Chief of our military. George Washington agreed with John Jay per his return letter to Jay. Washington then submitted it to the appropriate committee and it was put into the new Constitution with a grandfather clause added for then existing original Citizens, the current generation who of course were not born to U.S. Citizen Parents, and thus they were not a “natural born Citizen” of the new United States. This natural security clause was intended for future generations who of course would not have been not part of the revolution, i.e., when the founding generation was gone, to prevent anyone born with foreign influence on them, i.e., a dual or triple citizen at birth from gaining control of our military forces. The Founders and Framers by adding this term wanted future persons in the new singular and most powerful office for our new nation, that of President and Commander in Chief, once they were gone, to be a person born with sole allegiance to the USA at and by birth for national security reasons. For a copy of the original letter by John Jay and a clearer side-by-side transcription see:

<http://www.kerchner.com/images/protectourliberty/johnjay1787lettertogeorgewashington-original+transcription.jpg>

In a full reading of [Vattel’s Section 212](#), we should note that the first sentence in section 212, which is immediately before the key sentence focused on in my paper about the key sentence, says:

“The citizens are members of the civil society; bound to this society by certain duties, and subject to its authority, the equally participate in its advantages.”

Then the key sentence analyzed and translated in this paper is found:

“The natives, or natural-born citizens, are those born in the country, of parents who are citizens.”

And following that key sentence, Vattel goes on to say in the rest of section 212:

“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 consequences 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.”

For more of Vattel’s legal treatise writings on citizenship and Natural Law see:

<https://lonang.com/library/reference/vattel-law-of-nations/vatt-119/>

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