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The question has been raised for Marco Rubio, Ted Cruz, Bobby Jindal and even Rick Santorum – as it was for Barack Obama and John McCain before them – as to whether they are “natural born citizens” and thus eligible to be president of the United States.

In helping the formidable Dr. Terry Lakin with his book, “Officer’s Oath,” I did a fair amount of research on this subject as did Lakin.

If you recall, then U.S. Army Lt. Col. Lakin heroically resisted his second deployment to Afghanistan unless and until the man who sent him, Barack Obama, proved he was indeed a natural born citizen.

This term, which comes directly from the United States Constitution, takes some explaining. It is often misunderstood or deliberately twisted. Section 1 of Article II of the Constitution reads as follows:

“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; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.”

The Constitution does not define the term “natural born.” But there is a pretty substantial historical record of what the Founding Fathers meant by the term. Basically, they wanted to assure that no future commander in chief would have divided loyalties.

The problem is that this definition has never fully been tested. There is no official body that determines whether a presidential candidate meets the definition. So the court challenges to Obama’s eligibility made sense.

Many of the delegates to the Constitutional Convention served in the first Congress, which passed the Naturalization Act of 1790.

In this act, they defined “natural born citizen” to include “children of citizens of the United States that may be born beyond the sea, or out of the limits of the United States.”

These founders were less concerned that a child be born in the United States than that he be born to two parents of undivided loyalty.

What is clear is that a person born overseas of foreign parents, like the Austria-born Arnold Schwarzenegger, is not eligible to be president.

John McCain was born in Panama. There is no doubt that his parents were loyal citizens. His father, who would later become an admiral in the U.S. Navy, was stationed there.

Still, in 2008 McCain had to jump through all kind of hoops, including a hearing in the U.S. Senate, to confirm his eligibility.

Although the great majority of African-Americans can trace their ancestry back more than 200 years, Barack Obama cannot, at least not on his father’s side. Obama Sr., who was born in Kenya, was a British

citizen when he came to Hawaii in 1959.

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We know from his history and his INS documents that he had no intention of ever becoming an American citizen.

Unlike any other presidential parents, both Obama Sr. and Obama's white mother spent the great part of their adult lives outside the United States and had little but contempt for the country their son presides over.

Let's go back to the Constitution Dr. Lakin was sworn to uphold and defend. The first sentence of the 14th Amendment reads as follows: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."

Obama supporters insist that the 14th amendment makes anyone born in the United States a natural born citizen. But the two senators who wrote this amendment felt otherwise.

They included the phrase "subject to the jurisdiction" to exclude the children of foreigners who claimed allegiance to another country. Supreme Court rulings have upheld this interpretation.

What this means is that even if Barack Obama had been born in Hawaii his status as a "natural born citizen" is not a given.

The same question hangs over the head of the Republican governor from Louisiana, Bobby Jindal. His parents were citizens of India in the United States on visas when he was born in Baton Rouge in 1971.

No one doubts that Jindal was born in the United States, but what is not clear is where the loyalty of his parents lay and whether Jindal is a natural born citizen under the law.

The fact that he changed his name from "Piyush" to "Bobby" after a character in "The Brady Bunch" would make for interesting testimony in a potential court case.

Marco Rubio was born in Florida. His parents fled Cuba before Castro took power, made a few trips back during the first days of the revolution, the latest being in 1961.

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Rubio was born in 1971. His parents were naturalized in 1975. Clearly, when Rubio was born, they had no other allegiance.

Ted Cruz was born in Calgary, Alberta, Canada, in 1970. Unlike Rubio and Jindal, he was the child of a citizen, his mother, Elizabeth Wilson Cruz.

His father, Rafael, left Cuba in 1957 and has a clear track record throughout his adult life as an enemy of the Castro regime. He was naturalized in 2005.

For a person born outside the United States to be a citizen at birth, at least one parent must have lived in the United States for at least 10 years, five of those years after the age of 14.

Obama's mother was 18 when he was born. She did not fit that definition. Neither obviously did Barack Obama Sr. Ted Cruz's mother did meet that definition.

In other words, if Obama were born in the United States, the courts would have had to determine if he was natural born, and they probably would have.

If he were born outside the United States, the courts would almost certainly have ruled against him.

As to Cruz, Rubio and Jindal, the courts would likely rule in favor of all three of them, Jindal's case being the weakest and Cruz's, despite his Canadian birth, quite possibly the strongest.

To insist at this stage that none of them is eligible is pure supposition, but one that has the full blessing of the Democratic National Committee.

Media wishing to interview Jack Cashill, please contact media@wnd.com.

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