

Westminster Herald

WERE IN OUR 70TH YEAR KEEPING OUR READERS INFORMED

June 11, 2015

Dear Ms. Taitz,

We're waiting for an e-mail announcing your running for Senate, and if you decide to be a U.S. Senator, congratulations.

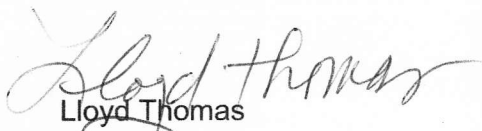
America needs more American-interested representatives.

If you decide to make a run, you'll need a mailing list of California papers. Editors & Publishers, 17782 Cowan, Suite A, Irvine, CA 92614 has the addresses of the nation's newspapers, dailies, weeklies, specialty papers. They're in their 95th year, which says something.

Their listings tell how and who to contact, ad prices,, everything you need to know, and even the editors. Their phone is (800) 873-7327, which is good for news as well as advertising.

If you run, feel free to send us a story with picture. I'm enclosing a British press release on Obama that you might enjoy.

Sincerely,


Lloyd Thomas
Editor/Publisher

5789 Westminster Blvd., Westminster, CA 92683
Phone: (714) 893-4501 Fax: (714) 893-4502 e-mail: westmherald@aol.com

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British Law declares Obama a British subject!

THE FACTS, THE LAW, THE INESCAPABLE CONCLUSION

Legal Analysis by John Charlton



The Union Jack, symbol of British tyranny and oppression to the American revolutionaries, has flown over the head of Barack Obama from his birth.

(Dec. 24, 2009) — Barack Hussein Obama has written 2 biographies about himself and has publicly spoken of his origins in many public speeches. He claims as his biological and legal father, a man who went by the name Barrack Hussein Obama. That is the more common Kenyan spelling of the name. His claimed father also went by the names “Barak” and “Barack”, the former when he penned an article in an journal on economics, in Nairobi, in the 60’s, the latter when he registered at the University of Hawaii. The latter form appears on the electronic image of Obama’s alleged Certification of Live Birth.

If we apply the provisions of British and Kenyan law to the simple facts, which Obama claims about himself — though in truth there is no publically available documentation to confirm the truth of these facts — the inescapable conclusion is that Obama was born a British subject and is now, still to this day, a British subject: a Commonwealth citizen, to be exact. ✓

The laws and regulations which lead to this conclusion are the official British Consular Registry Stipulations, the British Nationality Act of 1948 and of 1981, Kenya Constitution, and the Kenya Independence Act of 1963.

Let’s see how these apply to Barack Hussein Obama, Jr.

The Consequence of Obama’s alleged birth story is that he’d be born a ‘British Citizen by Descent’

The British Consular Registry uses the criteria set forth in the British Nationality Act of 1948 Section 5(1) of the United Kingdom and Colonies to determine who would be qualified as a "British Citizen By Descent."

Section 5-1 reads thus:

5.—(1) Subject to the provisions of this section, a person born after the commencement of this Act shall be a citizen of the United Kingdom and Colonies by descent if his father is a citizen of the United Kingdom and Colonies at the time of the birth:

Provided that if the father of such a person is a citizen of the United Kingdom and Colonies by descent only, that person shall not be a citizen of the United Kingdom and Colonies by virtue of this section unless—

(a) that person is born or his father was born in a protectorate, protected state, mandated territory or trust territory or any place in a foreign country where by treaty, capitulation, grant, usage, sufferance, or other lawful means, His Majesty then has or had jurisdiction over British subjects; or

(b) that person's birth having occurred in a place in a foreign country other than a place such as is mentioned in the last foregoing paragraph, the birth is registered at a United Kingdom consulate within one year of its occurrence, or, with the permission of the Secretary of State, later; or

(c) that person's father is, at the time of the birth, in Crown service under His Majesty's government in the United Kingdom; or

(d) that person is born in any country mentioned in subsection (3) of section one of this Act in which a citizenship law has then taken effect and does not become a citizen thereof on birth.

The man Obama claims as his father is Barrack Hussein Obama, Sr., a man born in the Kenya Colony in 1936. Being born in the Kenya Colony, he was a British subject or citizen. Obama was born after the commencement of this above quoted act, ergo, Obama Jr. is a British citizen-by-descent; the precise nature of his citizenship would be a Citizen of the United Kingdom and Colonies (CUKC). Citizenship by descent is the means of obtaining it.

The Consequence of Obama's alleged birth story is that he'd become a Citizen of Kenya in 1963

✓ According to the Kenya Constitution (87), Obama became a Kenyan citizen in 1963, by virtue of the fact that his claimed father was born in the Kenya colony.

The Constitution of Kenya, Section 87, reads thus:

87*. **Persons who became citizens on 12th December, 1963**

1. Every person who, having been born in Kenya, is on 11th December, 1963, as a citizen of the United Kingdom and Colonies or a British protected person, shall become a citizen of Kenya on 12th December, 1963: Provided that a person shall not become a citizen of Kenya by virtue of this subsection if neither of his parents was born in Kenya.
2. Every person who, having been born outside Kenya, is on 11th December, 1963, as a citizen of the United Kingdom and Colonies or a British protected person, shall, if his father becomes, or would but for his death have become, a citizen of Kenya by virtue of subsection (1), become a citizen of Kenya on 12th December, 1963.

✓ Therefore Obama Jr. became a citizen of Kenya, Dec. 12, 1963, when his father did. Moreover, when his father returned to Kenya, upon graduation from Harvard, he obtained employment with the Kenyan Government as a senior Economist. However, in section 88 it specifies that one who can become a citizen, may only register as such if he is 21 years or older. Whether this means that he is not a citizen unless registered it not clear. If so, then if Obama Jr.'s parent(s) did not register him, he might not have become a Kenyan citizen.

Note, that while the Kenyan constitution prohibits dual citizenship for those 21 years old or older, it does not do so for minors (cf. section 97 of the Kenyan Constitution).

The Consequence of Obama's alleged birth story is that he'd become a Commonwealth Citizen in 1963

According to the Kenya Independence Act of 1963, Obama would have lost his British citizenship status as a Citizen of the United Kingdom and Colonies, if he became a Kenyan citizen on Dec. 11, 1963.

This is the legal conclusion of the provisions of Chapter 54, section 2(2):

(2) Save as provided by section 3 of this Act, any person who immediately before the appointed day is a citizen of the United Kingdom and Colonies shall on that day cease to be such a citizen if on that day he becomes a citizen of Kenya.

Nor is this obviated by the provisions of Section 3 of the Act, because these expressly do not include Kenya, but only the other colonies and protectorates of the British Empire.

However, according to Section 95 of the Kenyan Constitution, all Kenyan citizens become Commonwealth Citizens:

95. Commonwealth citizens

1. Every person who, under this Constitution or an Act of Parliament, is a citizen of Kenya or who, under any law for the time being in force in a country to which this section applies, is a citizen of that country shall, by virtue of that citizenship, have the status of a Commonwealth citizen.

What's happening here, is that Kenya is going from the status of a colony to the status of a Commonwealth Nation. Those who were Citizens of the United Kingdom and Colonies in virtue of their birth or descent from someone born in Kenya, are now Commonwealth citizens, because Kenya has become independent.

Note that a Commonwealth citizen is the modern term which corresponds to the older term, "British subject". This is because a British subject was the category of citizenship which encompassed Citizens of the United Kingdom and Colonies and British Protected Persons. "British subject" as a term is no longer used, but the notion is the same. It would be more accurate not to call Obama a "British subject", but a "Commonwealth citizen," but for Americans they would not understand what the latter is, without an explanation (most don't know what the Commonwealth of Nations is either).

Obama's alleged childhood history raises the question that he was adopted by an Indonesian citizen, and therefore became an Indonesian citizen in 1966-67

According to the laws of Indonesia, in force in the 1960's, Obama would have become a citizen of Indonesia if he was adopted by Lolo Soetero at the age of 5 or younger.

It is not yet known whether he was adopted, or if he was, in what year this may have occurred. Facts to support such an adoption are thus: an Indonesian school record which indicates that he was an Indonesian citizen, bearing the name Barry Soetero, and the Dunham-Soetero Divorce Decree of 1981, which indicates a non-minor as a child of the marriage.

That Obama goes by the name "Barry" was evidenced recently, when he called into a radio show and spoke with the outgoing Governor of Virginia. On that occasion he identified himself as "Barry from D.C.." When questioned about this phone call, the White House said that it "would not be inaccurate" to say the person calling was Barack Hussein Obama, Jr.

The Presumption is that Obama did not revoke his British Citizenship on Aug. 4, 1979

According to the British Home Office: U.K. Border Agency, to renounce British Citizenship one must be at least 18 years of age and fill out a declaration, using form RN.

Therefore, upon reaching the age of 18, on Aug. 4, 1979, Obama could have revoked his citizenship. However, the British Government has never affirmed that he has. Therefore in law we must presume that he has not, if his birth story is true.

There is ground to suppose Obama renewed his Kenyan Citizenship in 1982

The Kenyan constitution establishes that upon reaching the age of 21 years, a Kenyan citizen must renounce all other citizenships, if he wants to retain his Kenyan citizenship. There is a 2 year window in which he must make such a renunciation. In Obama's case this window opened on Aug. 4, 1982, and closed on Aug. 4, 1984. It is known that Obama visited Kenya 2 years after his father's death (which occurred in 1981), and thus in 1983, during this window of opportunity.

The Consequence of Obama's alleged birth story is that in 1983, he'd was born a British subject and

remains such today ✓



✓ Obama acknowledges his British citizenship, by bowing to his Queen, Elizabeth II.

The British Nationality Act of 1981 changed the nomenclature for citizenship status.

The pertinent provision of that act is found in Chapter 61, Part III, and reads as follows:

PART III BRITISH OVERSEAS CITIZENSHIP

s 26 Citizens of U.K. and Colonies who are to become British Overseas citizens at commencement.

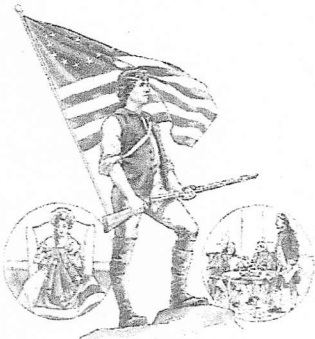
Any person who was a citizen of the United Kingdom and Colonies immediately before commencement and who does not at commencement become either a British citizen or a [British overseas territories citizen] [FN1] shall at commencement become a British Overseas citizen.

By “commencement”, the Act signifies Jan. 1, 1983, the date upon which it went into force.

Hence according to this Act, if Obama Jr. , did not become a Kenyan citizen, because his parent(s) did not register him as such, he would have gone from being classified a Citizen of the United Kingdom and Colonies by descent, to a British Overseas Citizen. If he did become a Kenyan citizen, then he became also a Commonwealth Citizen on Dec. 11, 1963, and that is the modern term for a British subject.

In summary, Obama was born a British subject, and remains either a British Overseas Citizen or a Commonwealth Citizen, that is, in either case, a British subject even today — that is, if his birth story is true. He was also a citizen of Kenya prior to age 21, and may still be one. He seems also to have been a citizen of Indonesia from 1966-1980's, but his Indonesian citizenship status is uncertain. ✓

✓ ✓ Editor's note: There was another article at The Post & Email with a similar title and subject, but which I was asked to pull by its author, since the author feared being attacked by Obama supporters. I owe nearly all the research to this author, but this article is entirely my own creation, inasmuch as I have not cited the author in anything, and wrote all the above myself, excluding the cited laws. I have however, altered the argument, since now with further study, I find that it is more correct to say Obama was born a British subject and now remains such.



Westminster Herald

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British say Obama alien

The opinion editor for Washington Times, Monica Crowley was allowed a full page in the March 2 Washington Times, under "The stranger in the White House. She says that after 6-years the question is asked, "Does Barack Obama love America?"

At election times in 2008, he told in his own bio of being born to a British subject, Barack Obama Sr., in Mombassa, E. Territorial Africa, 20 Years later area becoming Kenya. His grandmother substantiated Barack being African born, "I was there," she said. It was the cover-up press that said Obama was born in Hawaii, there-fore American.

Hawaii needed 6,000 population to qualify for statehood and passersby, parents harvesting crops, signed for statehood and passersby, signed their children on even though most were born elsewhere. Had he been born in Hawaii he would have qualified for his own Social Security card and number.

Instead, raised in Indonesia by his step, father Lolo Soetoro Mangunbarjo, adopted young Obama for citizenship to enter Indonesian public schools, where, wrote the Chicago Tribune, the book studied most seriously was the Quran, that country being Muslim. Obama's African family was Muslim say his brothers and sister. His high school years were with his grandparents in Honolulu and working for an ice cream shop he needed a Soc. Sec. card.

He was provided one that originated in Connecticut, the owner having died in Hawaii and leaving no family, the card became "available." The Constitution is very explicit and direct, both parents for a presidential candidate must be American citizens. His mother was, not his father. Disqualified. Make no difference where he was born. The media in its cover-up of Obama pretended that the Hawaii entry sufficed. It did not.

A London newspaper, The Post & Email in 2010 sent a news release, probably getting to every mainline U.S. paper, most perhaps, overlooking this information. The release said that the British Nationality Act of 1948 Sec. 5 (1) of the Kingdom and Colonies determines who would be qualified as a "British Citizen by Decent if this father is a citizen of the United Kingdom and Colonies by descent since his father, Barack Hussein Obama Sr., was born in the Protectorate in 1930, he became a British subject or citizen.

Obama Jr. has a British citizenship by descent, the means of obtaining it. He is a Commonwealth citizen. Obama Jr. came to the U.S. on a student Visa, providing grant money for foreign students, studying at Occidental.

(Continue on page 4 British say Obama alien)



(Appreciation Day- Congregants at Springdale Baptist held a luncheon after service Sunday to note their value of Dori and Gary Rebak for their time serving the Church.)



(Academic Acknowledged- Westminster's famed Decathlon Academic team winning another county championship and contending now at Sacramento against statewide the champion run-off. Mayor Tri Ta and Mayor Pro Tem Mergie Rice greet the "brainy" squad at a council meeting.)

GROWTH PLAN RANKLES THE NEIGHBORS

City Hall took a closer a population growth almost unequalled elsewhere in Westminster. A "cluster" 79 home tract on the north side of Maple St., and directly across Maple St., 37 living quarters above work places on the lower floor. The area is in an area just west of Westminster mall. The 79 two-story houses will barely have drive-ways, 5ft., not enough for even one car sideways.

Off-street parking will not amount to much say the neighbors. Lot sizes will be where five homes and a church stand. 13 houses per acre vs. four houses on an acre some years ago, but within memory of the neighbors who sit on 4-home per acre lots. Maple Industries, the south side of Maple, is to have 37 condos above business.

It lies east of The Hebrew Academy, a Jewish school for ages 2 to 17. That worries the area that has reached accommodation for everyone. Planning Commissioners recommended approval to City Council, that mitigated-solutions will take care of everything that goes wrong, like, after mistakes are built, these are to be acknowledged after the fact... a rule that tenants park inside the garages.

That didn't work out in the Sol Vista Tract, near Bolsa Chica, where residents store furniture and dogs in the garages, park on narrow streets that then prohibit fire apparatus from passing by to get to a trouble-scene. Nothing done as governing is by a homeowners group that appears to overlook the dangerous situation.

The south side is called "Maple Industries," and the north side, (979 homes) as The Preface Development." Publication for this was in the Journal, its ownership-general offices in Cypress. Allegedly it has no home delivery routes except to leave 2-3 copies at businesses.

Police toughen its emergency communications

Westminster along with 33 other Orange County cities, the County Fire Authority have an 800 MHz coordinated radio system, all sharing a common radio system. In the Westminster it is linked to the police and public works.

This city's cost over three years is \$3,031,755, the funds already set aside. It upgrades 73 radios and is a complete replacement to 274 others. The life expectancy is somewhere between 2028 and 2033. City Council was expected to give its approval.

The Many Costs of Obama's Amnesty

BY PHYLLIS SCHLAFLY
RELEASE: TUESDAY, MARCH 24, 2015

Seeing as the costs will come due only after Barack Obama has left the White House, I guess he doesn't care how high those costs are. But the costs are horrendous, as just added up by our country's foremost authority on such things, Robert Rector of The Heritage Foundation. Rector told the House Oversight and Government Reform Committee last week that the lifetime costs of Social Security and Medicare benefits paid to the millions of immigrants to whom Obama is granting legal status will be about \$1.3 trillion.

Rector's calculation is based on his assumption that at least 3.97 million immigrants will receive legal status under Deferred Action for Parents of Americans and Lawful Permanent Residents, and the average DAPA beneficiary has only a 10th-grade education. DAPA recipients, according to Rector's calculations, will receive \$7.8 billion every year once they get access to the refundable earned income tax credit and the refundable additional child tax credit.

Those EITC and ACTC recipients will also be allowed to claim credit for three years of illegal work, which will soak U.S. taxpayers for another \$23.5 billion. This was confirmed by IRS Commissioner John Koskinen, who told Congress on Feb. 11 that immigrants who didn't pay any taxes or who used fake Social Security numbers will nevertheless be able to claim back refunds under EITC once they get new Social Security numbers under Obama's amnesty.

Koskinen said that he doesn't know how much these tax refunds will cost and that the White House never checked with him before announcing the amnesty. The average DAPA-eli-

gible family already receives about \$6,600 a year in means-tested welfare benefits. That includes food stamps, school lunch (and breakfast), Medicaid, the State Children's Health Insurance Program and the Special Supplemental Nutrition Program for Women, Infants and Children.

Many Americans labor under the false assumption that because most immigrants are hardworking, they do not depend on welfare assistance. In fact, as Rector patiently explains, most welfare benefits go to households with children headed by a low-income employed adult. Rector estimates that the combined cost of means-tested welfare benefits the immigrants who came here illegally now receive, plus other goodies such as EITC and ACTC cash, will encourage increased illegal immigration in the future.

The average American, whose children and grandchildren will end up burdened with this enormous debt, must ask whether someone is trying to destroy America. The Government Accountability Office has already reported that even the debate over legalizing the presence of certain immigrants was "a primary cause" of last summer's surge of Central Americans crashing our southern border.

Even if those teenagers were not eligible for asylum or legal status when they arrived, they knew that deportations could take years, giving them the chance to disappear into the shadows. Look at California for a preview of our future under Obama's immigration plan. The Hispanic population is now almost equal to the white population, and almost 50 percent of babies born in California are Hispanic.

Nearly a third of "English learners" in U.S. public schools are third-generation Americans who still are not speaking English at home, and the Hispanic illegitimacy rate is 53 percent. The cheap labor welcomed by employers is not only a huge impediment for American job seekers but also a big expense to taxpayers, who are hit with new costs of schools, hospitals and prisons.

The agency charged with approving the applications for Obama's amnesty is getting ready for more than 800,000 applications in the first couple of months. This agency is facing the prospect of trying to process at least 4 million pieces of mail connected with the new amnesty, and all applications are supposed to be opened in the presence of two workers, one with a "secret" security clearance.

Obviously, we need a new bureaucracy for this awesome task, and U.S. Citizenship and Immigration Services has already started to hire several hundred new employees and train them. Luke Bellocchi, a former deputy ombudsman for USCIS, told the Senate Homeland Security and Governmental Affairs Committee in February, "It's going to be hard to tell how much fraud there is."

Kenneth Palkins, president of the National Citizenship and Immigration Services Council, said: "How you could have proper adjudications this way is beyond my scope of reason. They want to clericalize the job, and they're really not concerned about whether the documents entered are fraudulent or not. They just want to push the papers along." The two factors that Americans are most concerned about are jobs and voter fraud.

The United States has accepted two new immigrants for each additional job created since 2000, according to federal data, and expert witnesses have testified that once the amnestied immigrants are given Social Security numbers and driver's licenses, there will be no way to stop them from registering to vote.

Phyllis Schlafly is a lawyer, conservative political analyst and author of two new books published last year, "Who Killed the American Family" and the 50th anniversary edition of "A Choice Not An Echo."

She can be contacted by email at phyllis@eagleforum.org. To find out more about Phyllis Schlafly and read features by other Creators Syndicate writers and cartoonists, visit the Creators Syndicate website at www.creators.com. COPYRIGHT 2015 CREATORS.COM

British say Obama alien

(Continuing from page 1)

On June, 19, 2009 Obama's legitimacy may have been cracked, see Daily Paul, the AP article datelined Washington, DC, "a group Americans for Freedom of Information has released copies of Pres. Obama's college transcripts from Occidental College, under name of Barry Soetoro, who received financial aid as a foreign student from Indonesia as an undergraduate at the school."

The transcript was released by Occidental College in compliance with a court order brought by the group in the Superior Court, Santa Ana, Calif.... The transcript shows that Obama (Soetoro) applied for financial aid and was awarded a fellowship for foreign students from the Fulbright Foundation Scholarship program."

Along with the evidence that he was first born in Kenya and there is no record of him ever applying for US citizenship, this is looking pretty grim to Obama supporters." The Brits: The US Supreme Court utterly failed in their duty to uphold its US Constitution and order a hearing where Obama has to be the one to show Just Cause as to why he is qualified. Congress avoided its duty also. The Brits ask the paper's attorney, "Is he a usurper?" attorney's reply: "I believe he is."

Brit's conclusion: "There is no president and all the Congressional bills 'signed into law' after Jan. 19th of 2009 are null and void. He remains an alien." It appears as he was here on a student Visa, he is an alien, and as the Visa has expired (long ago) an illegal alien. On a further note, the British say, The British has a law that natives and Caucasians cannot marry, therefore the marriage was considered ended, hence Obama's mother meeting Soetoro in Hawaii, marrying, becoming Indonesian citizen, Obama Jr. an unlawful product, illegitimate, but a foreigner.

He must hate America or else why would he and his enablers want to "transform America" into a horror socialist state like Hitler created?


Bridge closed between Seal Beach-Westminster

One won't be able to travel to Seal Beach any time soon as an important link will be closed, a bridge shut down by Caltrans. Its supporting structures need be rebuilt. County escorts will provide connection to Seal Beach and beyond when an emergency is considered.

The work is being coordinated between Westminster, Seal Beach and the U.S. Navy, which owns the property. These with questions may contact Shannon Widor, Strategic Communications Officer at Orange County Public Works, 714-438-9707.

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#4 Denver Omelet w/ Bacon Cheese, 100% Fruit 7.45

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#5 1/2 Sub with Soup or Salad 6.25

#6 Hamburger Combo w/ Fries 6.55

#7 Fish Sandwich w/ Fries 8.05

#8 1/2 Sub w/ Soup or Salad (1.25 extra) 8.05

#9 1/2 Sub w/ Soup or Salad (1.25 extra) 8.05

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After 4pm Baked Pastries & Our Homemade Complimentary Dessert

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#11 Fish & Chips 7.99

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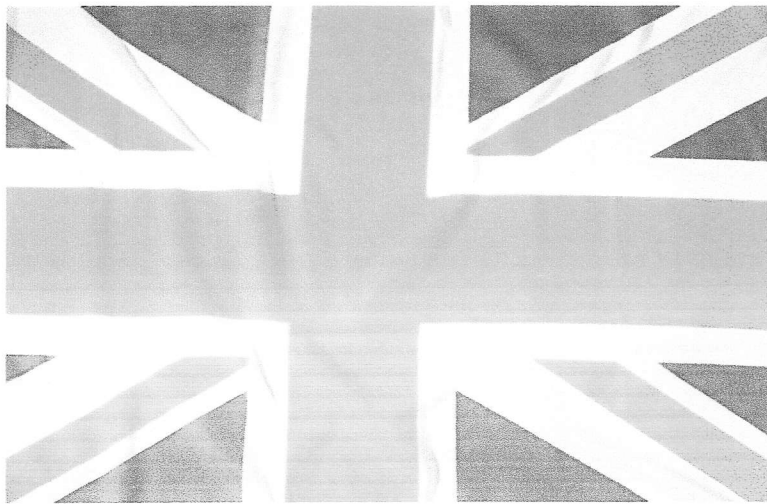
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Section 5-1 reads thus:

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Provided that if the father of such a person is a citizen of the United Kingdom and Colonies by descent only, that person shall not be a citizen of the United Kingdom and Colonies by virtue of this section unless—

(a) that person is born or his father was born in a protectorate, protected state, mandated territory or trust territory or any place in a foreign country where by treaty, capitulation, grant, usage, sufferance, or other lawful means, His Majesty then has or had jurisdiction over British subjects; or

(b) that person's birth having occurred in a place in a foreign country other than a place such as is mentioned in the last foregoing paragraph, the birth is registered at a United Kingdom consulate within one year of its occurrence, or, with the permission of the Secretary of State, later; or

(c) that person's father is, at the time of the birth, in Crown service under His Majesty's government in the United Kingdom; or

(d) that person is born in any country mentioned in subsection (3) of section one of this Act in which a citizenship law has then taken effect and does not become a citizen thereof on birth.

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87*. Persons who became citizens on 12th December, 1963

1. Every person who, having been born in Kenya, is on 11th December, 1963, as a citizen of the United Kingdom and Colonies or a British protected person, shall become a citizen of Kenya on 12th December, 1963: Provided that a person shall not become a citizen of Kenya by virtue of this subsection if neither of his parents was born in Kenya.
2. Every person who, having been born outside Kenya, is on 11th December, 1963, as a citizen of the United Kingdom and Colonies or a British protected person, shall, if his father becomes, or would but for his death have become, a citizen of Kenya by virtue of subsection (1), become a citizen of Kenya on 12th December, 1963.

✓ Therefore Obama Jr. became a citizen of Kenya, Dec. 12, 1963, when his father did. Moreover, when his father returned to Kenya, upon graduation from Harvard, he obtained employment with the Kenyan Government as a senior Economist. However, in section 88 it specifies that one who can become a citizen, may only register as such if he is 21 years or older. Whether this means that he is not a citizen unless registered it not clear. If so, then if Obama Jr.'s parent(s) did not register him, he might not have become a Kenyan citizen.

Note, that while the Kenyan constitution prohibits dual citizenship for those 21 years old or older, it does not do so for minors (cf. section 97 of the Kenyan Constitution).

The Consequence of Obama's alleged birth story is that he'd become a Commonwealth Citizen in 1963

According to the Kenya Independence Act of 1963, Obama would have lost his British citizenship status as a Citizen of the United Kingdom and Colonies, if he became a Kenyan citizen on Dec. 11, 1963.

This is the legal conclusion of the provisions of Chapter 54, section 2(2):

(2) Save as provided by section 3 of this Act, any person who immediately before the appointed day is a citizen of the United Kingdom and Colonies shall on that day cease to be such a citizen if on that day he becomes a citizen of Kenya.

Nor is this obviated by the provisions of Section 3 of the Act, because these expressly do not include Kenya, but only the other colonies and protectorates of the British Empire.

However, according to Section 95 of the Kenyan Constitution, all Kenyan citizens become Commonwealth Citizens:

95. Commonwealth citizens

1. Every person who, under this Constitution or an Act of Parliament, is a citizen of Kenya or who, under any law for the time being in force in a country to which this section applies, is a citizen of that country shall, by virtue of that citizenship, have the status of a Commonwealth citizen.

What's happening here, is that Kenya is going from the status of a colony to the status of a Commonwealth Nation. Those who were Citizens of the United Kingdom and Colonies in virtue of their birth or descent from someone born in Kenya, are now Commonwealth citizens, because Kenya has become independent.

Note that a Commonwealth citizen is the modern term which corresponds to the older term, "British subject". This is because a British subject was the category of citizenship which encompassed Citizens of the United Kingdom and Colonies and British Protected Persons. "British subject" as a term is no longer used, but the notion is the same. It would be more accurate not to call Obama a "british subject", but a "Commonwealth citizen," but for Americans they would not understand what the latter is, without an explanation (most don't know what the Commonwealth of Nations is either).

Obama's alleged childhood history raises the question that he was adopted by an Indonesian citizen, and therefore became an Indonesian citizen in 1966-67

According to the laws of Indonesia, in force in the 1960's, Obama would have become a citizen of Indonesia if he was adopted by Lolo Soetero at the age of 5 or younger.

It is not yet known whether he was adopted, or if he was, in what year this may have occurred. Facts to support such an adoption are thus: an Indonesian school record which indicates that he was an Indonesian citizen, bearing the name Barry Soetero, and the Dunham-Soetero Divorce Decree of 1981, which indicates a non-minor as a child of the marriage.

That Obama goes by the name "Barry" was evidenced recently, when he called into a radio show and spoke with the outgoing Governor of Virginia. On that occasion he identified himself as "Barry from D.C.." When questioned about this phone call, the White House said that it "would not be inaccurate" to say the person calling was Barack Hussein Obama, Jr..

The Presumption is that Obama did not revoke his British Citizenship on Aug. 4, 1979

According to the British Home Office: U.K. Border Agency, to renounce British Citizenship one must be at least 18 years of age and fill out a declaration, using form RN.

Therefore, upon reaching the age of 18, on Aug. 4, 1979, Obama could have revoked his citizenship. However, the British Government has never affirmed that he has. Therefore in law we must presume that he has not, if his birth story is true.

There is ground to suppose Obama renewed his Kenyan Citizenship in 1982

The Kenyan constitution establishes that upon reaching the age of 21 years, a Kenyan citizen must renounce all other citizenships, if he wants to retain his Kenyan citizenship. There is a 2 year window in which he must make such a renunciation. In Obama's case this window opened on Aug. 4, 1982, and closed on Aug. 4, 1984. It is known that Obama visited Kenya 2 years after his father's death (which occurred in 1981), and thus in 1983, during this window of opportunity.

The Consequence of Obama's alleged birth story is that in 1983, he'd was born a British subject and

remains such today ✓



✓ Obama acknowledges his British citizenship, by bowing to his Queen, Elizabeth II.

The British Nationality Act of 1981 changed the nomenclature for citizenship status.

The pertinent provision of that act is found in Chapter 61, Part III, and reads as follows:

PART III BRITISH OVERSEAS CITIZENSHIP

s 26 Citizens of U.K. and Colonies who are to become British Overseas citizens at commencement.

Any person who was a citizen of the United Kingdom and Colonies immediately before commencement and who does not at commencement become either a British citizen or a [British overseas territories citizen] [FN1] shall at commencement become a British Overseas citizen.

By “commencement”, the Act signifies Jan. 1, 1983, the date upon which it went into force.

Hence according to this Act, if Obama Jr. , did not become a Kenyan citizen, because his parent(s) did not register him as such, he would have gone from being classified a Citizen of the United Kingdom and Colonies by descent, to a British Overseas Citizen. If he did become a Kenyan citizen, then he became also a Commonwealth Citizen on Dec. 11, 1963, and that is the modern term for a British subject.

In summary, Obama was born a British subject, and remains either a British Overseas Citizen or a Commonwealth Citizen, that is, in either case, a British subject even today — that is, if his birth story is true. He was also a citizen of Kenya prior to age 21, and may still be one. He seems also to have been a citizen of Indonesia from 1966-1980's, but his Indonesian citizenship status is uncertain. ✓

✓ Editor's note: There was another article at The Post & Email with a similar title and subject, but which I was asked to pull by its author, since the author feared being attacked by Obama supporters. I owe nearly all the research to this author, but this article is entirely my own creation, inasmuch as I have not cited the author in anything, and wrote all the above myself, excluding the cited laws. I have however, altered the argument, since now with further study, I find that it is more correct to say Obama was born a British subject and now remains such.

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Categories: People

Tags: Barack Hussein Obama, Barrack Hussein Obama Snr., British Citizen, British Citizen By Descent, British Commonwealth Office, British Consular Registry, British Foreign & Commonwealth Office, British Nationality Act of 1948, British Nationality Act of 1981, british subject, Claire McIntosh, Kenya Colony, Kenya Independence Act of 1963, Kenyan Constitution

29 Responses for “British Law declares Obama a British subject!”

1. *Krist* says:

Tuesday, January 5, 2010 at 6:03 PM

Great article! It is sad that all these different approaches have to be found by Americans. The US Supreme Court utterly FAILED in their duty to uphold its US Constitution and order hearing where obama has to be the one to show just Cause as to why he is qualified. ✓✓

It is totally ridiculous that the Congress committed Treason against our Country. No matter from what angle this is viewed, obama from his own many admissions in his books, etc. could never by any stretch be a “natural citizen” of the U.S.

Of the 3 branches it is a given the Executive will not help. The Congress has abetted Obama. Now it looks like the US Supreme Court is not upholding the Constitution either. ✓✓

2. *JeanWTPUSA* says:

Tuesday, January 5, 2010 at 12:55 AM

It appears that Hawaiian officials want to commemorate Barry’s Hawaiian birthplace. I’m sure they will use taxpayer dollars to do this, so that leaves them open to more FOIA requests.

Mr. Charlton replies: Where did you hear that, Jean? And why the insistence on creating the appearances of a real bc existing, and yet refusing to show it...??

3. *Joss Brown* says:

Monday, January 4, 2010 at 10:18 PM

Obama still a Brit? No kidding! See the official White House photo!

o *CJ* says:

Tuesday, January 5, 2010 at 3:17 AM

the pic here is photo shopped and is take from a pic done Jan 14th, 2009 release in LA Times. Really now where did you get that, or what are you trying to pull. I do not believe he is a Natural Born Citizen but stuff like this disinformation hurts the cause so I red flag you. <http://latimesblogs.latimes.com/washington/2009/01/barack-obama-fo.html>)

4. *The Right Side of Life » Eligibility Update: Obama British Subject: "Barry from D.C.;" Obamacare Opponents Birthers says:*
Monday, January 4, 2010 at 9:52 PM

[...] Charlton at The Post & Email posted a great analysis that explains how it's quite possible that Mr. Obama continues to be a British subject. As [...]

5. *Bruce Town says:*
Tuesday, December 29, 2009 at 3:43 AM

✓ So is Obama a Usurper? or not? I believe he is! ✓

✓ If the Constitution mandates Article 2 NBC, then the Constitution says he isn't the President. ✓

So who is?

Mr. Charlton: When no candidate is eligible, the Congress must select a president pro tem, until it provides otherwise; there is a strong argument that McCain was eligible, since he was born of a father in military service; yet it was not war time, so that is debatable. Anyhow, Congress must make the selection, and has not, therefore technically, there is no president and all the Congressional bills "signed into law" after Jan 19th of 2009 are null and void. ✓✓✓

As for Obama not being a natural born citizen; even if his parents and place of birth are as he claims, he is not: its not a matter of I believe or I do not believe; its a fact; and those who "don't believe" are in denial or nuts.

6. *thinkwell says:*
Sunday, December 27, 2009 at 1:46 AM

As many have already stated, a minor child US citizen who has been conferred foreign citizenship via adoption can only lose their US citizenship upon reaching the age of majority (18) and then only by renouncing their US citizenship through an official volitional act as an autonomous adult.

✓ Assuming Obama was indeed legally adopted by Soetoro AND he never formally reasserted his US citizenship during his 18th or any other year (i.e., no legal paperwork of such exists) does anyone know if the act of renewing his Indonesian passport after the age of 18 (as some have claimed) would constitute an official renunciation of his US citizenship? Also, would presenting himself at Occidental College as an Indonesian citizen (for admission and/or grant purposes) legally count as renunciation (or if not, be considered a disqualifying criminal act of fraud)? ✓

Leo Donofrio completely dismissed these sorts of questions as too speculative to even consider, yet all or part of this scenario is at least reasonably possible even if not most likely. Has anyone ever seen these sorts of questions seriously addressed? Does any precedent exist?

Obama's life story is more mixed up than a fresh load of wash just after the spin cycle.

7. *John Galt says:*
Saturday, December 26, 2009 at 10:37 AM

✓ The whole argument of this post is based on the assumption that Barack Obama Sr. was Barack Obama Jr's father. There is no proof of that other than Obama's, who we knows lies all the time, word. The strongest evidence supports the idea that Frank Marshall Davis as Obama's father. If that were the case then Obama would not have been a British citizen at birth and not one today. Last know documented publicly available evidence indicates that Obama remains even today an Indonesian citizen and an American illegal alien. ✓✓

- o *Robin N says:*
Saturday, December 26, 2009 at 7:09 PM

<http://octaman.com/comments/MalcolmO.html>
How about this one? Quite a strong resemblance

- o *stcraig* says:

Tuesday, January 5, 2010 at 7:30 PM

I could not argue against any possibility you suggest I've come up with a number myself.

Except that, 'legally' it would be correct to say that the 'Big0' is the 'little0's' father, whether he was the 'actual' biological father or not, by the mere 'volume' of public pronouncements of that being the fact.

Also, although his long form BC has not surfaced along with a marriage cert, there is a 'divorce decree' floating around that would be sufficient in court to establish the legality of parentage, barring any other contradictory evidence being admitted.

8. *IceTrey* says:

Saturday, December 26, 2009 at 1:53 AM

Assuming Obama was born in Hawaii, even if he was adopted by Soetoro he would not have lost his US citizenship if he returned and established residency here before the age of 18. Supposedly he did return and live with his grandparents at age 10. Indonesian law has no effect on his US citizenship under US law. This line of research is a dead end.

- o *12th Generation AMERICAN* says:

Saturday, December 26, 2009 at 9:58 AM

"Indonesian law has no effect on his US citizenship under US law."
Nor his British/Kenyan citizenship?!?!?"

- o *KarenInIllinois* says:

Saturday, December 26, 2009 at 4:32 PM

That is true IceTrey but.....since Barry was a minor upon his return to Hawaii from Indonesia, only his legal guardian could re-instate his natural born status. His mother did not return with him, nor did she return to Hawaii in the 2 year time period. This is what makes many of us believe he is not a legal citizen since he was never put back properly through customs. Face it.....he's a lying usurper.

Mr. Charlton replies: Look, if I am correct in my understanding of this issue, US law does not recognize renunciations of US citizenship of minor US citizens, made by either them or their parent(s) or legal guardian(s). So regardless of any such renunciation or adoption in Indonesia, Obama would retain his citizenship status, which he acquired at birth. If his father was Obama Sr., he never was a natural born citizen, but if he was his father, and Dunham gave birth in the USA, he'd be able to acquire U.S. citizenship if his Mother filed for such, on the grounds of jus sanguinis from her; though in many places in a seemingly erroneous manner, many such births are considered ipso facto to confer citizenship on the grounds of jus soli, but in this case since the claimed father was never had legal domicile in the USA, that would not be the case.

- *IceTrey* says:

Sunday, December 27, 2009 at 12:47 AM

Actually, assuming he was born in Hawaii, he gets his US citizenship from Section 305 of the Immigration and Naturalization Act.

Sec. 305. [8 U.S.C. 1405] A person born in Hawaii on or after August 12, 1898, and before April 30, 1900, is declared to be a citizen of the United States as of April 30, 1900. A person born in Hawaii on or after April 30, 1900, is a citizen of the United States at birth. A person who was a citizen of the Republic of Hawaii on August 12, 1898, is declared to be a citizen of the United States as of April 30, 1900.

- *tminu* says:

Sunday, January 3, 2010 at 12:30 PM

and he was never natural born anyway, so that could not be reinstated

o *RobL* says:

Sunday, December 27, 2009 at 6:17 PM

He most likely would not have lost his US Citizenship, if indeed he did have it at birth, by being adopted by Lolo Soetero. That is true. However, if he had dual American/Indonesian Citizenship, as a result of the adoption, and did return to Indonesia as an adult to reaffirm his Indonesian passport, as is suspected, then he would have been renouncing American Citizenship at that point. It is believed he may have done this as his travels to Pakistan on an American passport may or may not have been possible at that point, that is also unclear. If this did happen, and he has not naturalized subsequently, he is still an Indonesian, and is an illegal alien here in the US.

Mr. Charlton replies: Certainly if he renounced his U.S. citizenship (there is no such thing in law as "American citizenship") before an Indonesian official it would impact his political career, but I believe that in U.S. law that itself does not result in a loss of U.S. citizenship, since the latter requires that such a renunciation be made before a U.S. official.

9. *British Law: Obama is a British Subject* « says:

Friday, December 25, 2009 at 5:08 PM

[...] Article: The Post & Email Barack Hussein Obama has written 2 biographies about himself and has publicly spoken of his origins in The Union Jack, symbol of British tyranny and oppression to the American revolutionaries, has flown over the head of Barack Obama from his birth. [...]

10. *ksdb* says:

Friday, December 25, 2009 at 1:26 AM

In 1990, a story about Obama being the first black editor of the Harvard Review gave some background on his childhood and said he moved to Indonesia two years after he was born when his parents separated. It doesn't mention Lolo Soetero as his father, but it means that Obama's own backstory is a little muddled. If he were adopted before the age of 5, he automatically became an Indonesian citizen at the exclusion of any other citizenship (they didn't recognize dual citizens). Nothing in the naturalization law at that time would have prevented Obama from losing U.S. citizenship by adoption, so it makes sense that the story would change later that he didn't move there until he was 6.

"His own upbringing is a blending of diverse cultures. Born in Hawaii, where his parents met in college, Obama was named Barack (blessed in Arabic) after his father. The elder Obama was among a generation of young Africans who came to the United States to study engineering, finance and medicine, skills that could be taken back home to build a new, strong Africa. In Hawaii, he married Obama's mother, a white American from Wichita, Kan.

Two years later, Obama's parents separated and he moved to a small village outside Jakarta, Indonesia, with his mother, an anthropologist. There, he spent his boyhood playing with the sons and daughters of rice farmers and rickshaw drivers, attending an Indonesian-speaking school, where he had little contact with Americans."

Source: <http://latimesblogs.latimes.com/thedailymirror/2008/09/barack-obama-ha.html>

11. *Elizabeth* says:

Thursday, December 24, 2009 at 9:01 PM

Just one thing that might need to be addressed. Regarding adoption in Indonesia. You state: "According to the laws of Indonesia, in force in the 1960's, Obama would have become a citizen of Indonesia if he was adopted by Lolo Soetero at the age of 5 or younger."

Obama was 6 at the time he moved to Indonesia.

Mr. Charlton replies: Stanley Ann Dunham and Lolo Soetero were going together as early as perhaps the fall of 1963, when Dunham returned to Hawaii, after "finishing" her studies in Washington state. By 1964 they were going together, and Obama was still but 3 years. When they moved to Indonesia does not affect the issue. Ostensibly it can also be presumed that after the age of 5, a child could also be adopted.

Once source who contacted me from Indonesia said that the children of every marriage followed the citizenship of the father, even when adopted, for at least the time of the marriage. How the School record came to indicate Barry Soetero was Indonesian is yet unknown. You could not get enrolled without a govt issued identification card; to get such a card for Barry, Lolo Soetero and Stanley Ann had to present some documents; one of which ostensibly was either an adoption record (or an amended Birth certificate, indicating Lolo as the father), otherwise Barry could not be identified as an Indonesian citizen.

12. *tminu* says:

Thursday, December 24, 2009 at 8:39 PM

KENYA INDEPENDENCE ACT 1963 3(2)

both Obama's father and grandfather were born in Kenya Colony "a person shall not cease to be a Citizen of the United Kingdom and Colonies under section 2(2) of this Act if he, his father or his father's father- (a) was born in the United Kingdom or in a colony"

Mr. Charlton replies: Tminu, John and I have discussed this below; and I concede that he has read 3(1) correctly, as indicating that the word "colony" in 3(2) and 3(3) does not refer to Kenya. Hence sections 2 & 3 indicate Obama lost his Citizenship status as a Citizen of the United Kingdom and Colonies IF he became a Kenyan Citizen.

I don't want to belabor it, but if anyone else cited 3(2) claiming otherwise, I wont post the comment, since I don't want to have to intervene 20 times and say the same thing. The links are in the article above, alll can read them.

13. *George* says:

Thursday, December 24, 2009 at 6:08 PM

I think by Barry's own admission in his writings prior to running for office that he has told us of his heratige, regardless of the complexity of the law argued here? Think about it. He and Bill Ayres were runing the woods foundation, the annenberge foundation and trying to make ends meet; the fartherest thing from Barry's mind was having to be a natural born citizen to run for President. In my opinion Barry is just a street hustler with a law degree.

14. *John Charlton* says:

Thursday, December 24, 2009 at 5:07 PM

John,

If you look a tthe Kenyan Constitution, it specifies in section 88, that someone who is entitled to Kenyan Citizenship in section 87, can register as a citzien of Kenya, but must be 21 years of age or older to do so; if a minor, his parent or legal guardian must do it for him.

However, in section 95 it reads:

"95. Commonwealth citizens

1. Every person who, under this Constitution or an Act of Parliament, is a citizen of Kenya or who, under any law for {he time being in force in a country to which this section applies, is a citizen of that country shall, by virtue of that citizenship, have the status of a Commonwealth citizen."

That means, that though one becomes a Kenyan, he also becomes a Commonwealth Citizen.

All this is a bit confusing, because whereas the Kenyan Independence Act, pased by the parliament in London, says you lose your CUKC, the Kenyan Constitution passed by the Kenyan parliament in Nairobi, grants Commonwealth citizenship to all Kenyan citizens.

Because what is happening is this: Kenya is moving from being a protectorate/colony, to a Commonwealth Nation. Therefore, the article as I wrote it needs a minor correction, he does not retain his CUKC, he gets Commonwealth citizenship instead... I will make the corrections...

15. *tminu* says:

Thursday, December 24, 2009 at 4:44 PM

The KIA63 is very specific in retaining UK Citizenship for those children whose fathers were born in Kenya Colony. If Obama chose to become a Kenyan Citizen between the ages of 21-23—and he did go there then, then that's all he is... Kenyan.

We've all wondered if he traveled to Pakistan on an Indonesian passport, which all but prevented any American passport traveler from going there in 1981, but couldn't he have also traveled there on a Kenyan passport?

✓ ✓ Barack Obama is still a British Citizen, unless he's either solely a full fledged Kenyan or Indonesian. Undeniable. Natural Born Citizen of USA means NO other possible citizenships can enter in to the equation.

16. *citizenscott* says:

Thursday, December 24, 2009 at 11:07 AM

It seems Barack Obama was not the first admitted British Subject to run for President.

That distinction goes to Republican Candidate Charles Evans Hughes (1916). And he was challenged by Democrat Breckinridge Long.

Yes that Breckinridge Long! http://en.wikipedia.org/wiki/Breckinridge_Long

Breckinridge Long, Is Mr. Charles Evans Hughes a "Natural Born Citizen" Within the Meaning of the Constitution?, 49 Chi. Legal News 146 (1916); ... [couldnt find this article on the internet]

<http://www.fdlaw.com/articles/The%20Presidential%20Qualification%20Clause%20in%20this%20Bicentennial%20Year.pdf>

[The papers of Charles Evans Hughes (1862-1948) span the years 1836 to 1950 with the bulk of the collection concentrated between the years 1905 and 1940. The papers focus chiefly on Hughes's public service and consist of the following series: Family Papers, Correspondence, Subject File, Speeches and Writings File, Biographical File, Miscellany, and Oversize. The Correspondence series is organized in subseries of family correspondence, general correspondence, secretary of state files, and Supreme Court correspondence. The Addition contains a campaign song book from Hughes' 1916 presidential bid.

The earliest items in the collection relate to Hughes's father, David Charles Hughes. Located in the Family Papers, these items include letters of introduction by ministers and members of Wesleyan Methodist societies which Hughes brought with him when he immigrated to the United States from Great Britain in October 1855; documents attesting to his service as a minister of the New York Conference, New Windsor Circuit, Newburgh District; a letter acknowledging his voluntary withdrawal from Wesleyan University while in good standing; and several papers reflecting his affiliation with Baptist churches, including at Glens Falls, New York, where he was ordained as a Baptist minister. Other items include his certificate of naturalization in 1864 and a letter written by him in 1907 to the Sons of the American Revolution presenting genealogical documentation entitling Charles Evans Hughes to become a member of that organization.]

http://www.loc.gov/rr/mss/text/hughes_ce.html

As you can see above, Hughes father was not naturalized until after his birth. Charles Evan Hughes was a Natural Born British Subject.

So I guess that makes the Democrats the original Birthers, oh the irony...

17. *syel959* says:

Thursday, December 24, 2009 at 8:36 AM

✓ Obama IS a foreign national and Kenya knows it ✓

<http://nobafack08.wordpress.com/2009/06/03/obama-is-a-foreign-national-and-kenya-knows-it/>

NATIONAL ASSEMBLY OFFICIAL REPORT

Wednesday, 5th November, 2008

The House met at 9.00 a.m.

Dr. Khalwale: On a point of order, Mr. Deputy Speaker, Sir. You have heard none other than the Leader of Government Business acknowledge that because of Obama's win in the United States of America (USA), the House is crippled.

✓ Could we allow him to move a Motion for Adjournment so that we could also continue the celebrations of having a Kenyan ruling the USA? I humbly request! *****[note - "having a Kenyan ruling the USA"!]

and this little gem;

✓ Kenyan historian Ali Mazrui states Obama Kenyan Citizen

<http://www.archive.org/details/OtunnuOnLuoTribeMemberBeingElectedPresidentOct.252008>

Otunnu on Luo Tribe Member Being Elected President, Oct. 25, 2008

✓ Olara Otunnu (Harvard Law, 1978) relating the remark of Kenyan historian Ali Mazrui on the oddity that a member of Kenya's Luo tribe (Barack Obama, a Kenyan citizen and Luo tribe member from birth) may become president of the United States before a Luo tribe member becomes president of Kenya.

18. *John says:*

Thursday, December 24, 2009 at 8:07 AM

I'm afraid your reading of the Kenya Independence Act is not correct. The preamble to the section that you highlighted, which you also quoted, reads:

3.—(1) Any reference in subsection (2) or subsection (3) of this section to a colony, protectorate or protected state shall, subject to subsection (7) of this section, be construed as a reference to a territory which is a colony, protectorate or protected state (within the meaning of the British Nationality Act 1948) on the appointed day, and, accordingly, shall not include a reference to Kenya or any part thereof.

The key phrase is "one the appointed day". On the appointed day, Kenya ceased to be a colony, and this section only refers to people in Kenya who had Citizenship of the UK and colonies due to birth in a place that was still a colony after Kenyan independence. This is standard working for most independence acts.

Mr. Charlton replies: John, it all depends, I suppose, on the effect of both the Independence Act and the Kenyan Constitution. By 1963, Obama Junior was no longer under the parental care of his father, and at least in U.S. law, since the marriage was bigamous, was never under his parental authority. The Kenyan Constitution grants citizenship to sons of Kenyans. The Independence Act converts British citizenship of Kenyans who become Kenyan citizens, into British Citizenship, but not all who get Kenyan Citizenship loose British Citizenship; because those born outside the Kenyan Colony can still keep British Citizenship.

✓ ✓ ✓ Where was Obama Jr. born? if he was born in Mombasa, then I could see a strong argument for his loss of citizenship, even though he would also be illegitimate there, because British colonial law forbade a native marrying a Christian under native law, and so the second marriage would be bigamous. ✓ ✓

If he was born in Hawaii, his father or mother might very well have registered the birth. According to section 3(c), such a registration if of Obama Jr as a British subject, rather than a Colonial subject, would have opted him out of the provision.

The question remains, whether Obama gets the benefit of Kenyan citizenship, without the loss of British Citizenship, on the grounds that he was illegitimate and not a resident in Kenya on the appointed day, just like those who were born outside of Kenya, or whose fathers or grandfathers were born outside of Kenya, but who became Kenyans on the appointed day.

So, if my grandfather was born outside of Kenya, my father in Kenya, and on the appointed day I was outside of kenya and my legal guardian did not claim Kenyan citizenship, would I be a Kenyan citizen or not?

British laws are murky...

If both my grandfather and father were born inside Kenya, and became Kenyan citizens, but I am illigitimate, and residing outside of kenya, under the legal guardianship of an American citizen, do I become a Kenyan or not; do I cease

beign a British citizen by descent or not?

If you go back to the 1948 Nationality Act, Obama Jr. was a british citizen, not a colonial subject. If Obama Sr. did not act to make him Kenyan, he may not have become a Kenyan citizen; contrariwise if his birth was not registered as a Brit, he may not have remained a Brit.

The 2 Acts don't spell this out.

If you find something let me know...

When writing this article, I followed the argument of the original author, who argued in favor of multiply citizenships, but who also did not consider these points.

o *John says:*

Thursday, December 24, 2009 at 10:29 AM

One correction: "British Citizenship" did not exist until 1983 (when British Nationality Act 1981 took effect). Before that the citizenship was known as "Citizenship of the United Kingdom and Colonies (CUKC)". CUKC was split into 3 categories – "British Citizen", "British Dependent Territories Citizen", and "British Overseas Citizen" by BNA 1981. (British Dependent Territories Citizen was recently renamed British Overseas Territories Citizen).

I don't know every aspect of British Nationality Law (you are right, this is one of most complicated nationality laws out there – what other country has 6 categories of citizenship?). But I am pretty sure illegitimate birth did not confer citizenship by descent until fairly recently. So if he was illegitimate, he would not have been a Citizen of the United Kingdom on Colonies by descent.

If you think he was born in Kenya, he would be CUKC by birth, but would have lost it upon Kenyan independence.

If he was born outside of Kenya, and acquired CUKC by descent from his father, he would have lost it upon Kenyan independence. (The withdrawal of CUKC includes people like Obama who were CUKCs by descent from a father who got his CUKC status by birth in Kenya).

This is all pretty deliberate. The British government did not want an immigration problem and has since the early 60s tried its best to restrict the number of people who had a right to live or work in the UK. The withdrawal of CUKC from those who acquired the citizenship of an independent country is standard, and there are only a few exceptions. The main ones are

(1) Those who were connected to more than one colony. (Eg born in one colony and then moved to another). One generally retains CUKC when the first colony became independent (although CUKC was generally lost when the second colony became independent as well).

(2) Those who fell through the cracks and did not acquire the citizenship of the newly independent country. The classic case of this is Indians who moved to Africa. When Idi Amin expelled the Indians from Uganda in the early 70s, they moved en masse to the UK (because they had the appropriate CUKC passports), prompting the UK to further tweak its laws to prevent something like this from recurring.

(3) There were some colonies that negotiated a special exemption to the automatic loss of CUKC. Penang and Malacca are the most well known cases – this was negotiated because people from Penang and Malacca had reservations about being made part of a newly independent but Muslim country (Malaya, which became Malaysia upon later expansion).

(4) Hong Kong is also an interesting case. Hong Kong didn't become independent, it was absorbed into China, and there was some controversy over this, since BDTs (this is after 1983 so no more CUKCs) from Kong Kong were not given an independent citizenship, but were made citizens of the Republic of China. In the end there was some compromise. BDT was still withdrawn, but people with BDT connected to Hong Kong could apply for a new category of British Nationality called "British National (Overseas)" which they could keep for life but could not be passed down.

Mr. Charlton replies: If what you say was true, then all the relatives of Obama who live in the U.K. today (and there are quite a few), how did they become British citizens, or how did they retain British citizenship?

I do not see how without a positive act of a BOS declaring his son, who does not reside in Kenya, a Kenyan citizen, that son would lose his BCbyD merely through the Kenyan Constitution. Do you mean to say that all those who had fathers and grandfathers born in Kenya, lost their British overseas citizenship, even if they wanted nothing to do with Kenya...I'd like to see the statute on that one...such an interpretation does not even seem logical.

From the little history I know of Kenya, the impending independence cause a great flight of trained personnell out of the colony, prior to the independence. It would make sense if that had something to do with their desire to retain their BOS or BCbyD.

As for not being a BCbyD if you were illegitimate, many sources say the opposite that BCbyD is by biological descent in British common law, not legal paternity. Sources for your interpretation?

■ John Charlton says:
Thursday, December 24, 2009 at 4:46 PM

OK, I found it... in the British Nationality Act of 1948, Part III (Supplemental), Section 32(2):

"Subject to the provisions of section twenty-three of this Act, any reference in this Act to a child shall be construed as a reference to a legitimate child; and the expressions "father", "ancestor" and "descended" shall be construed accordingly."

"Subject to the provisions of"....what does this phrase mean? Does it mean, "as conditioned by the restrictions or determinations of", or "only as applicable to"?

It seems to mean the former. Hence, illegitimate children would not inherit citizenship, yet British common law did consider illegitimate children capable of inheriting citizenship, at least in England. Hmm...

19. Toni K says:
Thursday, December 24, 2009 at 6:11 AM

Thanks John for publishing this critically important information. It just doesn't make sense that an issue as critical as this has been left unanswered by our whole judicial system. It is even more disturbing to think about since he is doing things like this that I found at http://threatswatch.org/analysis/2009/12/print/wither_sovereignty/ :

AMENDING EXECUTIVE ORDER 12425 DESIGNATING INTERPOL AS A PUBLIC INTERNATIONAL ORGANIZATION ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 1 of the International Organizations Immunities Act (22 U.S.C. 288), and in order to extend the appropriate privileges, exemptions, and immunities to the International Criminal Police Organization (INTERPOL), it is hereby ordered that Executive Order 12425 of June 16, 1983, as amended, is further amended by deleting from the first sentence the words "except those provided by Section 2©, Section 3, Section 4, Section 5, and Section 6 of that Act" and the semicolon that immediately precedes them.

BARACK OBAMA

THE WHITE HOUSE,
December 16, 2009.

Why, please tell me why the mainstream media have not said a word about this?

Mr. Charlton replies: The Main Stream Media are all public stock companies, I think...when they are controlled by the wealthy, they put out the news the wealthy want you to hear....

If Americans don't start supporting alternative media, they will lose freedom of information and their liberty...

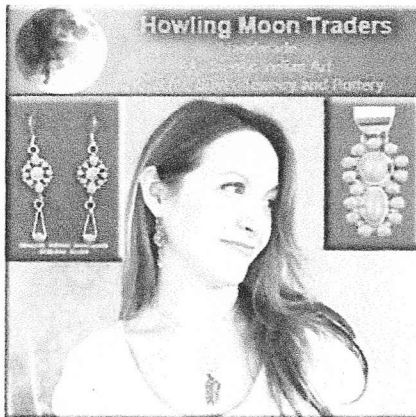
I am especially thankful that a number of patriots came forward and volunteered to help as writers and editors here at The Post & Email. I could not do it alone forever.

I am also very glad that readers & patriots came forward and helped The Post & Email get off the ground, with about \$1200 in donations. We now have the ability to expand on our own, though private investors are always welcome...

We have just established a legal fund to defray the expense of citizens who want to take legal action against the Department of Health in Hawaii or the AGs office there, to force the release of information regarding Obama's vital records, and we shall shortly begin a petition campaign to selected govt. leaders to demand the release of those records...all this because a few patriots came forward...think what can be done with more help...

See our title bar, left for link to the Legal Fund...stay tuned for the petition campaign...

Comments are closed



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