

# LIBERTY TREE

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## IS A CONSTITUTIONAL CRISIS LOOMING?

In recent issues, we've discussed the lawsuits over the Constitutional requirement that the President of the United States must be a "natural born citizen." The October issue looked at John McCain's ineligibility for this office because he was born outside the geographical boundaries of the United States, but within its jurisdiction. The November issue referred to a suit filed by Pennsylvania's former Deputy Attorney General Phillip Berg, challenging whether Barack Obama was a natural born citizen. After being dismissed for lack of standing, Berg filed for a writ of certiorari from the Supreme Court, and is waiting to see whether that court will deign to hear the case.

While McCain's eligibility is a function of law, Obama's is a function of fact — that is, whether or not he was born in Hawaii, as he claims. The citizenship status of his parents are such that unless Obama was born within the geographical boundaries of the United States,<sup>1</sup> he would *not* be a natural-born citizen, and thus ineligible for the office of President.

Imagine that. Out of the millions of people who might have been chosen, both major-party candidates for the office of President have been challenged as to their eligibility for the position. Considering that most Americans voted for one or the other, you'd think we'd be hearing all about these lawsuits in the national news. After all, the corporate-controlled media made plenty of noise about whether Sarah Palin was fit to be *vice*-president — and yet, virtually nothing was said about the possible Constitutional unfitness of the *presidential* candidates.

### A USURPER IN OFFICE?

While McCain's lack of eligibility may now be moot, president-elect Obama's ineligibility is of prime importance. Dr. Edwin Vieira has provided an excellent explanation of the crisis that will result from a "president" who is not Constitutionally eligible for the office.<sup>2</sup> Two major implications he points out are the lack of a valid Commander In Chief of the armed forces and the roadblock to

These days, Obama makes news announcements behind the placard below. This prop conveys a false image, because Obama is not the "president-elect" until the electoral college convenes after the second Wednesday in December to elect him, as set forth in the Constitution. Might the college elect a constitutionally unqualified person?



any legislation becoming law by virtue of having no valid president to whom to present such legislation for approval or disapproval, as required by Article 2, §7, clause 3 of the Constitution.<sup>3</sup> Surely the American public deserves to know about these vital issues.

With such important issues at stake, you would expect to be hearing about the progress of the multitude of lawsuits challenging Obama's eligibility on the local and national news programs. Investigative reporters would be trying to out-manuever each other to get the scoop on the facts surrounding Obama's birth, obtaining exclusive interviews with people who could prove or disprove the allegations raised in the lawsuits. But any such expectations would be unfounded, as the major media remains oblivious to, or at least stands mute on, this and other news critical to an understanding of the serious problems — and the constitutional solutions — facing our country today. We have allowed our airwaves to be monopolized by mega-corporate interests and their big-government agendas for way too long. That's why it is crucial to get Liberty Works Radio Network on the air NOW. Without this outlet for Patriot-oriented programming, where the issues that really affect our lives can be heard and discussed, the general public will continue to be unaware of any alternative views. They will be left with nothing but the propaganda spewed out by those

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1. Obama's father was not a U.S. citizen and his mother was too young to confer citizenship outside the U.S.

2. See Dr. Vieira's article, "Obama must stand up or stand down," October 29, 2008, at [www.newswithviews.com/Vieira/edwin84.htm](http://www.newswithviews.com/Vieira/edwin84.htm).

3. Even though the latter situation may well be seen by many as a good thing, by reducing the avalanche of unconstitutional laws coming out of Congress, the administration and public would of course operate as if passage of such "laws" were valid.

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who want to see America turned into just another subdivision in a totalitarian system of global socialism.

Imagine the impact that Constitution-based programming could have had on millions across the country in the last election cycle. Not only would Representative Paul have received the air time his campaign's message of individual liberty and limited government so richly deserved, but McCain and Obama's lack of eligibility for office, as well as the similarity of their big-government-spending socialist agendas, would also have been brought to the public's attention. Perhaps we wouldn't even have needed to consider the impact of an ineligible candidate usurping the office of president, as people may have naturally gravitated towards voting themselves *more freedom* instead of *more of the same oppression*.

## **WE NEED THE FACTS**

Some may think that the lawsuits against Obama were ignored because they're too ridiculous to merit coverage, or brought as a last-ditch mud-slinging attempt. Yet if Berg, a former gubernatorial candidate, were trustworthy enough to exercise the prosecutorial powers of Pennsylvania, surely his allegations deserve consideration. The fact that the U.S. District Court for Eastern Pennsylvania dismissed Berg's suit for lack of standing<sup>4</sup> has no value in determining the merits of his claims, since "standing" is a jurisdictional prerequisite, and its lack prevents the court from deciding on the merits.

Essentially, Obama's citizenship status boils down to a simple fact which should be able to be proven beyond a reasonable doubt: Where exactly was he born? In Hawaii or in Kenya? If it was Hawaii, being born within the geographical boundaries of the United States of a citizen mother, then §301(a)(1) of the Immigration and Nationality Act of June 27, 1952 (66 Stat. 163, 235) makes him a natural born citizen. If it was Kenya, then §301(a)(7) of that same act limits the grant of citizenship depending on whether his citizen mother resided in the U.S. for a minimum of five years after age 14. Since his mother Ann Dunham was born November 29, 1942, she was only 18 when Barack was born on August 4, 1961, so that condition wasn't met. Thus, the question of Obama's citizenship comes down to *where* he was born.

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## **WHERE EXACTLY WAS HE BORN?**

Obama's campaign website published a copy of an "Hawaiian Certificate of Live Birth" in the name of Barack Hussein Obama II,<sup>5</sup> obviously hoping to put questions as to his citizenship to rest. Assuming its accuracy, the copy indicates Obama was born in Honolulu. Yet details such as the names of the hospital and delivering doctor, and the time of his birth, do not appear on this certificate. Such information (and more) is contained on a longer version, sometimes called a "vault" copy. With a certified copy of the 'vault' certificate, Obama could put this matter to rest. To date, however, he hasn't seen fit to produce a copy of it, apparently content to leave the controversy swirling.

To counter Obama's claims of Hawaiian birth, attempts have been made to confirm his (alleged) Kenyan birth. Obama's paternal grandmother in Kenya, Sarah Obama, claims she was present at his birth there. Since her statements must be translated, it is difficult to be objective about her claim. But Peter Ogego, Kenya's Ambassador to the U.S., is not as hard to understand: he was interviewed on WRIF's "Mike in the Morning" show in Detroit, Mich., where the following interchange took place:<sup>6</sup>

**Q:** "Our President-Elect Obama's birthplace over in Kenya, is that going to be a national spot to go visit, where he was born?"

**A:** "It's already an attraction. His paternal grandmother is still alive."

**Q:** "But his birthplace. They'll put up a marker there?"

**A:** "It will depend on the government. It's already well known."

Of course, this evidence needs to be weighed against all other evidence for and against the claims being made, but with courts dismissing these cases left and right, that time may never come. There's still a chance — on December 5, the Supreme Court is scheduled to decide whether to hear a suit filed by retired attorney Leo Donofrio and dismissed by the Superior Court of New Jersey.

## **WE MUST REACH MILLIONS**

The point remains that, as important as this issue is, the major media has virtually blacked out any mention of it. And to expect anything different from those propagand-

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4. "Plaintiff does not, and we believe cannot, establish an injury in fact. Therefore, he does not have standing to pursue this matter and we do not have jurisdiction to hear it." Memorandum and Order in Berg v. Obama, Civil Action No. 2:08-cv-04083-RBS (East.Dist. PA).

5. [www.fightthesmears.com/articles/5/birthcertificate](http://www.fightthesmears.com/articles/5/birthcertificate)

6. For the whole interview, see [my.wrif.com/mim/?cat=9](http://my.wrif.com/mim/?cat=9). The quoted portion occurs at approximately 12:30 minutes into the audio.

# END THE FED RALLIES HELD ACROSS AMERICA!

**But news media *absent*.**

On November 22, 2008, thousands rallied across the United States to bring attention to the evil of the Federal Reserve Bank.<sup>1</sup> Amid economic crisis “bailouts,” the rallies coincided with the 98th anniversary of the Jekyll Island meeting at which top bankers met to plan the unconstitutional Federal Reserve coup. In Philadelphia, about 200 marched from City Hall to the Federal Reserve on Independence Mall chanting “End the Fed,” and passing out informational leaflets to onlookers. Alas, the rally did not appear to attract media attention; but marchers observed men on the roof of the Independence Visitor Center just opposite taking pictures of attendees-- more evidence of the police state America has become. Afterwards, over a hundred gathered in the visitor center for speeches, a common feature of the rallies.

Meanwhile, at the 500-strong Houston rally, former presidential candidate Ron Paul spoke about the problem facing patriots: “The economic crisis is the top agenda in the whole country, *but our job is to make sure the people come to the full realization and understanding of the relationship of who controls the money and why we have the economic crisis, and that is what the job is of campaigns and organizations and rallies like this.*” Since patriots have the necessary information, it follows that they hold a responsibility to educate their fellow Americans. But without patriot-controlled media, it is difficult to reach the sheer mass of people needed to make the “campaigns and organizations” called for effective.

In fact, although a few news media, including a local Chicago news station, briefly mentioned the rallies,<sup>2</sup> it does not appear that they garnered *any* national atten-

1. You can read more about this effort at [www.endthefed.us](http://www.endthefed.us).

2. Extremely short mentions were also made in local media around the country, including a few local TV stations. Most reporters and editors of news media do not understand the issues behind the Federal Reserve Bank, so they are also uninterested in covering such news, and usually miss the point in their coverage.

tion. Clearly, the five major corporations who own the media outlets in this country have interests more in common with the Federal Reserve than with the plight of the American people.

And Americans’ prospects are getting worse, unless the people can be roused to understand what is happening and how to stop it. As Ron Paul put it: “Believe me, [governments] are working very hard to devise a new system. And they’re talking about an international fiat currency paper system, with the loss of U.S. sovereignty

... And our goal has to be not only to restore the integrity of our money, and our dollar, and our constitution, we have to stop this move toward one-world government and one-world currency.”

In any event, it is a given that the media is unlikely to oppose the setting up of new monetary systems to fleece the people. The same money powers behind the Fed ultimately influence and even control the media outlets.

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The time for political action is now, Paul said. “Periodically, the money issue soars to the forefront, it’s there right now today. But there is a lot of work and a lot of danger, because if we don’t win, we lose our liberties and we further lose our constitution.”

Liberty Works Radio Network couldn’t agree more. We must have a voice, and soon. Or there will come a time when we cannot speak. Let’s get to work!



One of many signs held at the Chicago Rally to “End the Fed” on November 22, 2008.



“End the Fed” rally-goers in Charlotte, N.C. Charlotte is often called the “second largest banking center” in the United States.





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dists would be an exercise in futility. They routinely ignore anything and everything that challenges the status quo of big government's penchant for fascist collusion with big business on their way to global socialism. This, of course, includes the monopoly of the Federal Reserve System's fraudulent fiat currency. Or perhaps you saw some news reports about the demonstrations on November 22 in **39 cities** across the country to "End the Fed"? No? Since you won't learn about it on your TV or radio, we have written about it in this edition of Liberty Tree (see page 3).

Think about the interest that could be generated for the cause of ending the Federal Reserve throughout the country if the public could tune into a local radio station and hear programs about the evils of fractional reserve banking and privately owned corporations controlling our money supply — not just news about the demonstrations, but a steady diet of information on this issue. That is what **Liberty Works Radio Network** is offering! A forum for airing any patriot group's particular issue of interest on a regular basis. Once these groups realize the value of this opportunity to expand the public's consciousness on their cause, they should be flocking to join LWRN Fellowship, and helping to bring the network to reality.

**FOR MORE INFORMATION ON HOW TO GET FREE AIR TIME ON LIBERTY WORKS RADIO NETWORK FOR YOUR GROUP, CONTACT FIDUCIARY JOHN KOTMAIR, JR. AT (410) 239-7621 OR (410) 746-5563.**



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