

# STANDING IS NOT STANDING

Among the top news for December 22, 2011 was that a federal appeals court has ruled that none of the plaintiffs in a suit concerning Obama's eligibility to run for President had standing to file the suit. The three-judge panel unanimously ruled that the plaintiffs lacked standing, despite the fact that several of them had run against Obama in the 2008 election, including major Republican candidate Alan Keyes, who appeared in several early debates, and Libertarian candidate Gail Lightfoot.

The court ruled that, "Once the 2008 election was over and the President sworn in, Keyes, Drake, and Lightfoot were no longer 'candidates' for the 2008 general election." In other words, to have standing, they would have had to sue before the election.

Many taxpayers and voters were also part of the suit, as well as military personnel. The panel ruled that none had standing.

This ruling runs counter to clear and concise US law and US precedent in so many ways it is difficult to know where to start. To begin with, these judges are basically ruling that there was an informal or unstated statute of limitations on this alleged crime that ended with the President's election. But in fact, no such statute of limitations exists or is in any way implied. An alleged crime's criminality is not voided at the completion of the crime. That would be like a judge ruling that a theft was only a crime while the crime was being committed, but that once completed, the theft was no longer a crime. The police would then have to arrest the thief during the crime or not at all, since after the crime, the thief could argue that the victim was no longer a victim. "A victim is only a victim while being victimized. After the theft is over, no victimizing is being done."

In fact, the ruling is completely illogical, since until Obama was elected, the crime hadn't been fully committed. The plaintiffs *could not* have brought the suit before the election, because until then they still had some hoping of winning. Until they did in fact lose the election, Obama's ineligibility could not have been said to finally affect them. In fact, this would no doubt have been the argument of the judges before the election. "You haven't lost yet, come back when you lose."

Only upon being elected President had Obama completed his alleged crime.

Furthermore, much new evidence has come out since Obama's election, evidence that did not exist before the election. As we know, cases *that have already been decided* are reopened all the time when new evidence is found. And yet here the judges are trying to tell us that all this new evidence is voided by a pre-existing informal statute of limitations, an informal statute that they just decided to make up on the spot. These "judges" are basically ignoring all case law back to the time of the Magna Carta. They are denying standing only by flouting all the rules of logic as well as all the rules of law. In a fair society, these judges would be immediately arrested for acting in manner contrary to all law.

That's right: judges who clearly do something that is against the law should be arrested like anyone else. If I steal a candybar, and am caught with the candybar in my hand, I am arrested. I don't get arrested after I am found guilty, I get arrested on the spot, since the *prima facie* evidence is so strong. "It is clear to any child what just happened." This case is precisely like that. The judges are denying standing to people that clearly have standing according to the laws that are written down, and according to historical precedent that goes back centuries. In doing so, these judges are breaking the law. They

should be arrested. The only reason they aren't is that there isn't anyone to sign the arrest warrant.

This also applies to their denial of standing to taxpayers and military personnel, whose standing is obvious to any child. If voters, taxpayers, and military personnel don't have a tangible interest in the election of a President, then "tangible interest" has no meaning. The panel ruled that the taxpayers "failed to show how the citizenship question affected any federal taxing and spending provisions." Is the panel suggesting that the choice of President has no affect on taxing and spending? Are they implying that every candidate for President in 2008 had an equivalent taxing and spending plan? To make this argument, the panel must be implying that choice of President has no affect on anything, which would be a curious argument. If the choice of President doesn't affect anything, they why vote? Why have an election? Since we do vote and do have a Presidential election, it must be assumed that the choice of President matters. And if it matters, then a voter automatically has an interest in the eligibility of the President who is elected.

Of course this also applies to the military personnel, whose standing is clear. To deny them standing, the panel would have to argue that all candidates were equally likely to send them to war, to assign them to combat in the same way, in the same numbers, and for the same reasons. In fact, Obama has used the military in ways even more egregiously illegal and unconstitutional than Bush, and if Obama did this without any legal authority as Commander-in-Chief, the military certainly has a tangible interest in that. We all do, but the military has the most tangible interest of all, since their lives are on the line.

It is incredible that judges can be so corrupt as to dare to put such a ruling in print, and equally incredible that the mainstream press can be so corrupt as to publish the story without questioning the logic or lawfulness of it. It simply stands as more proof that the media is controlled by the same people controlling the courts. The vast majority of both judges and reporters in this country are not doing the jobs we are paying them to do. They are doing the jobs someone else is paying them to do.

It is clear that this suit and all the suits like it in the past several years had to be thrown out of court before any testimony was given, since that testimony had to be suppressed. The case cannot be given a fair hearing, because any airing of the evidence would be fatal. Therefore, instructions were given from upon high to ensure no testimony was heard and no evidence submitted to a jury. It was decided that denying standing was the best way to throw these suits out. However, it must be clear to anyone who looks at this ruling that it is stonewalling by a kangaroo court. Denying standing to voters in a Presidential election is like denying that the Sun comes up in the morning. According to these judges: "The Sun *doesn't* come up in the morning, it comes up at the end of night. By the time it is morning, the Sun is already up, by definition."

It reminds me of a recent encounter I had at the airport. I chose not to go through the naked body scanner, and so the TSA agent came over to grope me. During the feeling up, this agent informed me that the scanner was not an X-ray machine. I looked at him blankly, and then said, "Right, and that isn't carpet," pointing at the carpet. He was so astonished by that reply, he didn't know what to do. He didn't say another word.

This is what we get now from our governors and overseers: X-rays are not X-rays, free speech is not free speech, and standing is not standing.