

The So-called 14th Amendment Was Not Lawfully Adopted or Ratified!

Our April 12, 2011 handout included the statement: "Until after the War between the States and the unconstitutional 14th Amendment ...". This may have caused some reader uncertainty. The following are some of the many factual, evidentiary sources that emphatically prove the total lack of validity of the so-called 14th Amendment:

There are many unconstitutional actions that have contributed to the destruction of constitutional governments in the States of the Union and the United States of America, but the so-called "14th Amendment" was the first major unconstitutional step taken after the "War between the States". The statement that "the 14th Amendment is and always has been unconstitutional" is supported by extensive and compelling documented evidence. We offer the following as a starting point and suggest that you obtain copies of the remaining referenced documents herein either in a law library or on the internet:

- 1) **State of Utah, Plaintiff, v. Kipp Phillips, et al.**, Defendants, 540 Pacific Recorder, 2d Series, 936, 941 & 942 (1975)

Justice Ellett (concurring & commenting on the dissenting opinion) states, in part:

... The dissenting opinion asserts that "the Fourteenth Amendment is a part of the Constitution of the United States." While this same assertion has been made by the United States Supreme Court, that court has never *held* that the amendment was legally adopted. I cannot believe that any court, in full possession of its faculties, could honestly hold that the amendment was properly approved and adopted. ³

Footnote 3 states: See Dyett v. Turner, 20 Utah 2d 403, 439 P.2d 266 (1968).

- 2) **Dyett v. Turner**, 20 Utah 2d 403, 439 P.2d 266 (1968)
(This is an excellent discussion of the history of the so-called 14th Amendment.)

- 3) Tulane Law Review 28 (1953)

"THE DUBIOUS ORIGIN OF THE FOURTEENTH AMENDMENT"

By: Walther J. Suthon, Jr., Esquire

- 4) South Carolina Law Quarterly - Vol. 11 (1959)

"THE 14TH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES AND THE THREAT THAT IT POSES TO OUR DEMOCRATIC GOVERNMENT"

By: Pinckney McElwee, Esquire

- 5) Congressional Record
Proceedings and Debates of the 90th Congress First Session
Volume 113 - Part 12 June 12, 1967 to June 20, 1967
Pages 15309 to 16558

From -Pages 15641 thru 15646 - June 13, 1967

"THE 14TH AMENDMENT - EQUAL PROTECTION OR TOOL OF USURPATION"

This June 13, 1967 entry in the Congressional Record ends on page 15646 by stating the following:

It should need no further citations to sustain the proposition that neither the Joint Resolution proposing the 14th Amendment nor its ratification by the required three-fourths of the States in the Union were in compliance with the requirements of Article V of the Constitution.

When the mandatory provisions of the Constitution are violated, the Constitution itself strikes with nullity the Act that did violence to its provisions. Thus, the Constitution strikes with nullity the purported 14th Amendment.

The Courts, bound by oath to support the Constitution, should review all of the evidence herein submitted and measure the facts proving violations of the mandatory provisions of the Constitution with Article V, and finally render judgment declaring said purported Amendment never to have been adopted as required by the Constitution.

The Constitution makes it the sworn duty of the judges to uphold the Constitution which strikes with nullity the 14th Amendment.

And, as Chief Justice Marshall pointed out for the unanimous Court in *Marbury v. Madison* (1 Cranch 138 @ 179)

“The framers of the constitution contemplated the instrument as a rule for the government of courts, as well as the legislature.”

“Why does a judge swear to discharge his duties agreeably to the constitution of the United States, if that constitution forms no rule for his government?”

“If such be the real state of things, that is worse than solemn mockery. To proscribe or to take the oath, becomes equally a crime.”

“Thus, the particular phraseology of the constitution of the United States confirms and strengthens the principle, supposed to be essential to all written constitutions ... courts, as well as other departments, are bound by that instrument.”

The federal courts actually refuse to hear argument, on the invalidity of the 14th Amendment, even when the issue is presented squarely by the pleadings and evidence as above.

Only an aroused public sentiment in favor of preserving the Constitution and our institutions and freedoms under constitutional government, and the future security of our country, will break the political barrier which now prevents judicial consideration on the unconstitutionality of the 14th Amendment.

(Bold print added for emphasis)

The so-called “14th Amendment” is and always has been unconstitutional. All actions taken based on these unlawful, null and void actions, are likewise null and void. It is well past time to recognize and understand the importance of these facts and law and to nullify all actions based on the so-called 14th Amendment. For a house build on sand must surely fall. We are experiencing the fall of our State and federal governments.

“And ye shall know the truth and the truth shall make you free” (The Holy Bible -John 8:32)