

Gutting The 10th Amendment

Prior to 1868, the US government did not interfere in the domestic affairs of the States, nor a State's right under the 10th Amendment of the US Constitution.

After 1868, with the pronounced passage of the 14th Amendment, this would change and the US government would involve itself in the affairs of the States and their 10th Amendment protections.

What would bring about this change? The establishment of a **national citizenship**, created and defined by the 14th Amendment. With national citizens, citizens of the US government, now "residing" within each State, the doorway **had been opened** for the US government to involve itself in the affairs of a state and the 10th Amendment. Prior to the 14th Amendment and its creation of a national citizenship, the US government had been powerless in the domestic affairs of the states. The amendment was to be the **foundation** for establishing the centralization of power and authority in the US government. Listen to the voices of those during the years when the 14th Amendment was but a proposal of Congress on the following page. Hear well their words and look at your system of government today.

The Tenth Amendment

By Bill Ivy

Sovereignty Resolutions, can they stand against the powers of the 14th Amendment? What has this single amendment done to the system of government established by our Founders?

From the Sec. of Interior, under Andrew Johnson, Orville Browning, *The Diary of Orville Hickman Browning*, 1865-1881.

"Be assured that if this new provision (14th Amendment) be engrafted in the Constitution, it will, in time, change the entire structure and texture of our government, and sweep away all the guarantees of safety devised and provided by our patriotic sires of the Revolution."

And, "It is to subordinate the State judiciaries to federal supervision and control; to totally annihilate the independence and sovereignty of State judiciaries in the administration of State laws, and the authority and control of the States over matters purely domestic and local concern. If the State judiciaries are subordinate, all the departments of State Government will be equally subordinated, for all State laws let relate to whatever department of government they may, or to what domestic and local interest, will be equally open to criticism, interpretation and adjudication by the Federal tribunals, whose judgments and decrees will be supreme and will override the decisions of the State Courts and leave them utterly powerless."

New Jersey, having adopted the amendment earlier, rescinded that vote, changing it to a rejection stating, "it enlarges the judicial power of the United States so as to bring every law passed by the state and every principle of common law relating to life, liberty, or property, within the jurisdiction of the Federal tribunals..." they continued to state, "...was intended to overthrow the system of self-government (state sovereignties) under which the people of the United States have for eighty years enjoyed..."

Even New Jersey, a northern state, was seeing through the intentions of this amendment. The United States wanted the supreme power, and centralized national government would deliver.

"It changes the character of the government by transferring to Congress the supreme power over the states." Charleston Daily Courier, Nov. 27th, 1866.

Governor Bramlette, speaking before the Kentucky Legislature in 1867 had this to say of the 14th Amendment proposed by Congress, "The just balance of power between the state and federal government is sought to be destroyed and the centralization of power to be established in the federal government through amendments to the Constitution, which, if successful, will destroy those rights reserved to the states and people (9th and 10th Amendments), and which are essential to the preservation of free government"

The 14th Amendment is the most often used amendment in the federal court system. Now your homework. Federalist Paper #39, eleventh paragraph, last two sentences and seventh paragraph, second sentence.

Unless a State converts their resolution into State Law, such amounts to a mere bag of wind. Then the States will have a reaction of the US Supreme Court against their actions, as stated in the above quotes.

Red republicans and Lincoln's Marxist www.olesouthbooks.net (A MUST, MUST, MUST READ!)
www.civil-liberties.com/cases/14con.html
www.14th-amendment.com, scroll down to 14th Main Menu, look for miscellaneous Documents, find South Carolina Law Review
Present questions to: Article V Group (843) 875-3597 or rorie8th@bellsouth.net

"I cannot believe that any Court, in full possession of its faculties, could honestly hold that the amendment (14th) was properly approved and adopted." State V. Phillips, 540 P. 2d 936,941, Supreme Court of Utah, Sept 15, 1975.