

#1 THE 14th AMENDMENT: ITS PLACE IN PROPHECY

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So, I want to begin our studies with some thoughts from someone that I discovered. This person is part of the LGBT community, and they want to give their perspective of things. So, this person's story begins in 2005. Elder Tess has done two presentations so far, and if you have watched her second presentation, she is beginning to lay out the history of the line of 144K, but from a new perspective; a new story. I believe she got up to around 2001.

I am going to jump a few years ahead to 2005. We know that there are 50 states in the USA, and this portion of the story in 2005 focuses on the state of Kansas which is in the middle of the United States. In 2005, there was a constitutional amendment. We should know what the constitution of the USA is. The constitution that you heard teachers and speakers speak about is a federal document.

A federation or a federal state is composed of groups of people or bodies that come together in unity. For example, the board of a church is made up of members that have some agreement and come together but often disagree with one another on many issues. So, the federation of the USA is composed of 50 countries. We call them states. Each state has its own government, its own legislature, own police, and even its own military. What the US does is, on top of all those 50 governments and all their bureaucracies, they have a federal layer that has all the same components: federal government, legal system, police, and army. The constitution that most presenters speak about is the federal constitution.

What we may not be aware of is that each state, each country, has its own constitution. There are three branches in the government: the lower house, the upper house, and the president's office. That's just the government. Then you have the legal system. The Supreme Court is the highest court of the land. Those

two bodies are supposed to work together. The government make law, and they can make any law they want to. The Supreme Court is supposed to be the guardians of the USA.

There are three components: the government, the legislature, and the third one is the constitution. What the judiciary are going to do is the following. They cannot make laws, so the job of the judiciary or the Supreme Court judges is to check. What do they check? They will take a law and cross reference the law against the constitution. They will make judgment whether the law agrees or disagrees with the constitution. So, the question is, what is the highest authority in the USA? It is not the president. It is not the Supreme Court judges. It's the constitution.

Understanding this is of vital importance. Everything gets cross referenced back to the constitution. The constitution is not law. The constitution is above the law. The constitution has the supreme authority.

As of now, we just spoke about the federal system, the president and the Supreme Court. But, there are 50 Supreme Courts, each state having their own Supreme Court. What do these Supreme Courts do? They are going to check for state laws against the state constitution. The highest authority is the state constitution. Governor is not the highest authority of the state, and neither is the Supreme Court judges.

In 2005, Kansas did something that is "tricky", very clever, very sneaky. It looks straight forward when you read it. They want to make an amendment to the constitution. The amendment they want to make agrees with the current law. Kansas has a law. It's on the law books. So, the law is legal, but what they want to do, they say that this law is not enough. They want to change the constitution of Kansas so that the constitution agrees with the law. Why do they want to do this?

We'll move on to another story. Two people have a legal fight. They go to court. One wins and the other loses. The loser says, "I don't like the result". What is the solution? You can't say tough luck. In the USA, there is an appeals system. The constitution is above everything. When the country was created, they agreed upon a constitution. So, when they start making laws, all the laws have to be subservient in obedience to the constitution. The judges are below the constitution. Everyone is below the constitution. The constitution is above everything.

So, two people have a fight. One wins and the other loses. The loser has the opportunity to go to the Appeals Court to appeal his case. The loser didn't agree with the first court's decision. They lose their appeals case. So, the next step is to take your case to the Supreme Court. (There are some stipulations to get to this stage and it is very expensive). If you take it to the Supreme Court, you file your case, and the Supreme Court will decide whether they will accept or not accept your case. If they reject your case and not hear you, then you must abide by the lower court's results. If they agree to listen to your case, then they will decide if you win or lose based upon their understanding of the constitution.

The Supreme Court judges have an obligation. So, when we talk about the Obama's, Clinton's, or Trump's judges, in theory, all of that is meaningless because all that the judges are supposed to do is to read the constitution, understand what it says, compare the case against the constitution, and then make a decision whether the case agrees with or disagrees with the constitution. But, these judges are like Christians, like you and us. We open up a Bible verse, and we can't agree on anything. Why can't we agree? Because we have a different methodology. So, these judges have different methodologies in their understanding and interpreting of the constitution.

So, you want to write the constitution really, really clearly. Can you challenge a law? Yes. Can you challenge the constitution? No. So, in 2005, what we are seeing is that the Kansas government, they want to change the constitution so that it comes in an agreement with an existing law. Why? Because if they change the constitution, they amend it, it can't be challenged. This legal issue is very important. At the federal level, it is very, very difficult to change the constitution. We call it an amendment.

So, 2005, Kansas. In Kansas, the government just can't change the constitution. They have to have a referendum. That means that all the people vote. In order for the government to amend the constitution, there must be a referendum. The ballots go out to the people, and people vote on whether they want to amend the constitution or not. Seventy percent of the people voted yes. Seventy percent of the people wanted to amend the constitution.

What was the existing law that Kansas wanted the constitution to agree with? The law forbids same sex marriage. If you live in Kansas, and you don't like that law

because you are a homosexual or that you agree with the rights of LGBTQ, you can take the Kansas government to court. What do you have to prove? That the law is unconstitutional. In America, everybody can take anybody to court. It's a good system. If you disagree with the law, you just take them to court and prove that the law is unconstitutional according to the Kansas constitution.

So, what does the government of Kansas have to do? Before the law could be challenged they change the constitution. So, now, the government cannot be taken to court. If you take them to court because you don't like the law, you will lose because the law is in the constitution. What does the new constitution say? You cannot have same sex marriage. The law forbidding same sex marriage was amended to the constitution. You may not have heard this before because Kansas is not on many people's radar. There are other states that are more famous. Furthermore, there are other states that are also doing this.

Let's discuss the 14th Amendment. There are five sections to the 14th Amendment of the United States Constitution. Here is the brief review of the amendments. The first ten amendments are not really amendments. They are actually called "The Bill of Rights." Remember the analogy about the board members? Some people are more independently minded than others. They don't like being told what to do. Think about the members in the church when the board tells them what to do. They don't like it.

Amendments 101. The constitution is a federal document, and it gives wide sweeping power to the federal government. The leaders of the states, some of them, didn't want to accept that. They already got rid of one king of England, and they didn't want another one. The constitution makes the president the king of the USA. The states want to limit the president's power. From 2016 to 2020, we saw that those people who worried about the king and created a constitution, whatever measures they took in the amendments didn't work very well. Look how easy it was for the president of the USA to do whatever he wanted. The king could do no wrong, and no one could stop the king.

An amendment is there to limit federal power. It's also there to protect the rights of the individual. From whom? The federal government. In short, the amendments are there to protect the individual states and its people from the federal government.

The 14th Amendment is possibly the most important amendment. Everything clusters around this amendment. Also, the 14th Amendment is the longest amendment. It has the most words. Here is a trivia question. How many federal constitutional amendments have been proposed? 11,000. But, only 27 had been ratified. Of the 27, the 14th is possibly the most important. There are five sections to the 14th Amendment, but section 5 can be ignored because all it says is that the government, the congress, has the power to enforce this amendment by writing proper laws. So, essentially, there are four sections.

Section one is the main part of this amendment. Section one has three parts to it: 1) Citizenship, 2) Due process, and 3) Equal protection or rights. Due process means how the legal system treats you. The 14th Amendment was passed by the government, congress, June 13, 1866, just after the Civil War. Remember what this amendment was all about – citizenship, due process, and equal protection. Just after the war, you can see why these issues are important. It took two years for it to be ratified, to go into law, on July 9, 1868.

In summary, the 14th Amendment was passed in 1866 and ratified in 1868, just after the Civil War, dealing with three main issues. Citizenship. If you get into trouble, you have the right to go to court. It's called due process. You have access to the legal system, i.e. you have the right to a lawyer, you have the right to remain silent, you are not forced to incriminate yourself, etc. This is called due process. Most civilized countries have this. The last part is the equal protection.

Why is this amendment possibly the most important amendment? What does section one say? It defines what citizenship is. The 14th Amendment gives an important definition of citizenship. Anyone born in the USA is a citizen and has the right of the citizen. This was important because it ensured that the freed slaves were officially the citizens of the USA. They were given the rights that every other US citizen has. Once you become a citizen, no one can take that away from you. This is section one about citizenship.

Understanding the next section is really important. Section one, the requirements of the states. Before the 14th Amendment was passed, the Supreme Court said that the Bill of Rights only applied to the federal government. They didn't apply to the state governments. In the 14th Amendment, it says that the Bill of Rights, the

first ten amendments, in fact do apply to the state governments. This may seem technical, but it becomes vital because today, the 14th Amendment is being used.

This is the key amendment. One of the things that make it significant is because the first ten amendments, when they were applied to amend the constitution, the 14th Amendment clarifies one important point. It says that the Supreme Court was doing something wrong before. The 14th Amendment tells the Supreme Court to interpret the amendments also at the state level and not just at the federal level.

Without getting into technicalities, which famous fight were there between the state rights and federal government and its power? What year? 2015. So, the 14th Amendment becomes critical in understanding the relationship between the states and the federal government.

Section one. Privileges and immunities. The amendment guarantees that the states cannot take away the privileges and the immunities of the citizens. The federal constitution gives you some rights and the states cannot take them away. The state constitution cannot override the federal constitution. When did this come in? The same issue, 2015. The issue of 2015 was the same sex marriage. The state government cannot take away certain rights that the federal government gives to its citizens.

Section one. Due process. The amendment guarantees due process of law by the state government. Due process means your legal rights. Due process is not something new. It was written in the earlier amendment, number five. In amendment number five, it talks about a person's rights to due process. Remember that due process means how the law treats you. In the 14th Amendment, due process is at the state level, and in the 5th Amendment, due process is at the federal level.

Section one. Equal protection. The amendment also guarantees the equal protection of the laws. It was put there to make sure that every person regardless of age, race, and religion, would be treated the same way by the government.

Section two: The House of Representatives. This section describes how the states would send people into government. This is about state representation, how the states send their representatives, their members of the federal government to the congress. It's all about numbers. The more people in the state, the more

members of the government you can send. So, this section talks about how you count the people.

The state sends their people to the House of Representatives in order for them to represent their state. During the era of slavery, slaves were counted as $3/5^{\text{th}}$ of a person. People have manipulated this to say that black people were only considered to be $3/5^{\text{th}}$ of a person, human being, or compared to a white person. However, this is a function of a slave economy. This is an economic issue. Although slavery was ugly, racist, etc., considering a black person to be $3/5^{\text{th}}$ had more to do with slave economy. This was an economic issue.

In the slave states they had so many slaves, if they counted them as individuals, (in fact, the slave states wanted to count a black person as a whole person) it's the people who were against slavery that wanted them counted as $3/5^{\text{th}}$. In the states where they had slaves, the population would be so large, they would be able to send more representatives to the House of Representatives, and there would be an imbalance. There would be more members from the southern states than from the northern states. So, no more slavery, free movement of the people, everyone is counted as an individual person.

Section three: Concerning rebellion. Anybody who has participated in rebellion against the government cannot hold an office in the government. This applies to both the state and the federal level. (The 14th Amendment applies to the insurrection that occurred in the USA on Jan 06, 2021). Anyone who was involved in the Civil War was not allowed to hold a government office in the state or the federal level.

Section four: Anybody who was a former slave owner will not receive any help.

In summary, there have been important court cases, and the 14th Amendment has been used as a main point or argument where people have focused their attention in these court cases. The most important part where all these cases have come have been, have used the 14th Amendment is on the following phrase: Equal protection under the law. The following list is of the famous court cases that have applied the 14th Amendment:

- 1) Brown versus the Board of Education. (racial discrimination in the school system)

- 2) Roe versus Wade. (reproductive rights)
- 3) Bush versus Gore. (election recounts)
- 4) Reed versus Reed. (gender discrimination)
- 5) UC versus Bakke. (racial quotas in higher education)

Without the 14th Amendment, none of these five cases would have been able to be litigated. The 14th Amendment deals with citizenship, due process, and equal protection under the law. They are all in section one. Five famous cases have all applied the 14th Amendment.

Prayer: Heavenly Father, we thank you. We pray that you would help us to understand the American legal system. Help us to see how the amendments have protected your people and they have been used to shield and defend the truth. We thank you for the privileges that they have afforded your people. In Jesus' name. Amen.