

Chapter 23

Amendment 14: First-Birth vs. Second-Birth Citizenship

Section 1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the law.

Constitutionality

The Fourteenth Amendment, the second of three postbellum reconstruction amendments, was adopted on July 9, 1868. The first thing usually heard from the patriot community regarding the Fourteenth Amendment is that it was never constitutionally ratified. While this appears to be true, the patriot community needs to recognize their dissent has made no difference whatsoever and it never will. Because all the States have now accepted the Fourteenth Amendment, it is, for all practical purposes, constitutional:

...by 2003, the amendment had been ratified by all of the 37 states that were in the Union in 1868.¹

We are saddled with the Fourteenth Amendment (and the rest of the United States Constitution) until we get rid of it on *Biblical terms*. If you are a Christian,² your concern should not be whether or not this Amendment was constitutionally ratified, but whether or not it is Biblical. If it is not Biblical, does it even matter whether it is constitutional?

Citizenship

Section 1, cited in more judicial decisions than any other section of the Constitution, provides the Constitution's definition for citizenship. It was specifically intended to provide citizenship to the African slaves freed by [Amendment 13](#):

The Civil Rights Act of 1866 had already granted U.S. citizenship to all persons born in the United States; the framers of the Fourteenth Amendment added this principle into the Constitution to prevent the Supreme Court from ruling the Civil Rights Act of 1866 to be unconstitutional for lack of congressional authority to enact such a law or a future Congress from altering it by a mere majority vote.³

The Fourteenth Amendment made citizenship contingent upon birth or naturalization instead of a person's profession of Christianity:

Humanists have written civil covenants (constitutions) that make citizenship the product of physical birth or of a State adoption ("naturalized citizenship") rather than citizenship by ritual subordination to the God of the Bible.⁴

This contingency contrasts with that of 17th-century America. In the Massachusetts Bay Colony, for example, an adult male became a citizen of the Colony by covenant with the

church, by profession of faith in Jesus,⁵ His blood-atoning sacrifice, and resurrection from the grave. The Puritans' earthly citizenship was indistinguishable from their heavenly citizenship: In 1637 the General Court passed an order prohibiting anyone from settling within the colony without first having his orthodoxy approved by the magistrates.... Here was a community formed by free consent of its members. Why should they not exclude dangerous men, or men with dangerous thoughts.⁶

...no one could be a "freeman" of the colony unless he had been admitted to the church. And only "freemen" could vote or hold office.⁷

Gary North clarifies that "without formal church membership, he was merely a town resident, not a citizen."⁸ It was the same in New Haven, Connecticut:

In June of 1639 the leading men of New Haven held a convention in a barn, and formally adopted the Bible as the constitution of the State.... None but church members were admitted to the rights of citizenship.⁹

This was also known as citizenship by covenant:

In Biblical law, neither equalitarianism nor an oligarchy have any standing. God as the source of law established the covenant as the principle of citizenship. Only those within the covenant are citizens. The covenant is restrictive in terms of God's law.... The throne being the ark in the tabernacle, and the tabernacle being also the central place of atonement, membership in the nation-civil and in the nation-ecclesiastical were one and the same. Citizenship rested on faith. Apostasy was treason. The believing alien had some kind of access to the sanctuary (II Chron. 6:32-33), at least for prayer, but this act did not give him citizenship ... there is *no* equalitarianism here. There is an obvious discrimination and distinction made which no straining can eliminate....

...Equalitarianism is a modern politico-religious concept: it did not exist in the Biblical world, and it cannot with any honesty be forced onto Biblical law. Equalitarianism is a product of humanism, of the worship of a new idol, man, and a new image carved out of man's imagination. As a standard in religion, politics, and economics it is a product of the modern era; to read it into the Biblical faith is to do violence to Scripture and to be guilty of dishonesty.¹⁰

The Apostle Paul validates this covenantal, tribal citizenship:

...my brethren, my kinsmen according to the flesh: Who are Israelites; to whom pertaineth the adoption, and the glory, and the covenants, and the giving of the law, and the service of God, and the promises. (Romans 9:3-4)¹¹

Citizenship by birth is further evidence that the United States Constitutional Republic is different from the form of government established in the Bible and in 17th-century America. Biblical and 17th-century American citizenship was based upon a person's second or spiritual birth.¹² The second birth is not only the means to full-fledged New Covenant kingdom citizenship, it is also foundational to leadership in Yahweh's¹³ government. (See [Chapter Five](#) "Article 2: Executive Usurpation" for a list of Biblical leadership qualifications.)

Dual Citizenship

Although the Apostle Paul (being “wise as serpents,” Matthew 10:16) took advantage of his Roman citizenship in some ticklish situations, dual citizenship in discordant kingdoms inevitably leads to a choice of one kingdom over the other, which is equivalent to a choice of one king over another:

[Pilate] saith unto the Jews, Behold your King! But they cried out, Away with him, away with him, crucify him. Pilate saith unto them, Shall I crucify your King? The chief priest answered, We have no king but Caesar. (John 19:14-15)

Most Constitutionalists choose the Constitution over the Bible as the supreme law of the land. Most Christian Constitutionalists would likely object to that statement. However, that this is, in fact, true, is demonstrated by their refusal to condemn the Constitution as antithetical to Yahweh’s morality as found in His law. Yahweh expects our loyalty to Him and to His kingdom, and therefore only to governments that represent His kingdom and His law here on earth (a description that fits neither the government today nor the Constitutional Republic of the late 18th century).

In Matthew 7:21-23, the will of God is contrasted with *anomia* (lawlessness, “iniquity” in the KJV). For any man or group of men to fulfill their commission as Yahweh’s ambassadors, they must individually and corporately pursue Yahweh’s kingdom laws.

For many walk, of whom I often told you, and now tell you even weeping, that they are enemies of the cross of Christ, whose end is destruction, whose god is their appetite, and whose glory is in their shame, who set their minds on earthly things. For our citizenship is in heaven.... (Philippians 3:18-20, NASB)

Although our citizenship is in the heavenly kingdom from where our King reigns over heaven and earth, our heavenly citizenship requires we pursue and advance His kingdom *here on earth*.

Thou therefore endure hardness, as a good soldier of Jesus Christ. No man that warreth entangleth himself with the affairs of this life; that he may please him who hath chosen him to be a soldier. (2 Timothy 2:3-4)

Any government that is not an extension of Yahweh’s government and does not endorse His commandments, statutes, and judgments as the supreme law of the land is a competing and hostile kingdom that does not deserve our allegiance.

Ye adulterers and adulteresses, know ye not that the friendship of the world is enmity with God? Whosoever therefore will be a friend of the world is the enemy of God. (James 4:4)

The previous three passages are often misinterpreted as authorizing and even encouraging Christians to opt out of government and other earthly affairs. Through such misguided and dangerous teachings, Christians have lost dominion. The three previous passages promote our King’s kingdom instead of man’s kingdoms. Citizenship in heaven, as depicted by Paul in Philippians 3:20, is not meant to remove Christians from civil involvement. Paul was describing a citizenship in the kingdom *of* heaven that is put into action here *on* earth. Christians are supposed to be Yahweh’s ambassadors (2 Corinthians 5:20), who represent, promote, and advance His kingdom (2 Corinthians 10:4-6) here and now. (See [Chapter 2](#) “The

Kingdom: Yesterday, Today, and Forever” for the Scriptural evidence demonstrating Yahweh’s kingdom is extant here on earth.)

Jurisdiction

Citizenship is ultimately determined by the laws a person keeps (Matthew 7:21-23), and is therefore demonstrated by the jurisdiction to which he ultimately submits:

Citizenship, of course, does not exist by nature; it is created by law, and the identification of citizens has always been considered an essential aspect of sovereignty.... Although the Constitution of 1787 mentioned citizens, it did not define citizenship. It was in 1868 that a definition of citizenship entered the Constitution, with the ratification of the Fourteenth Amendment. ...[T]here are two components to American citizenship: birth or naturalization in the U.S. and being subject to the jurisdiction of the U.S. ...[D]uring debate over the amendment, Senator Jacob Howard of Ohio, the author of the citizenship clause, attempted to assure skeptical colleagues that the new language was not intended to make Indians citizens of the U.S. Indians, Howard conceded, were born within the nation’s geographical limits; but he steadfastly maintained that they were not subject to its jurisdiction because they owed allegiance to their tribes. Senator Lyman Trumbull, chairman of the Senate Judiciary Committee, rose to support his colleague, arguing that “subject to the jurisdiction thereof” meant “not owing allegiance to anybody else and being subject to the complete jurisdiction of the United States.” Jurisdiction understood as allegiance, Senator Howard interjected, excludes not only Indians but “persons born in the United States who are foreigners, aliens, [or] who belong to the families of ambassadors or foreign ministers.” Thus “subject to the jurisdiction” does not simply mean, as is commonly thought today, subject to American laws or American courts. It means owing exclusive political allegiance to the U.S.¹⁴

Exclusive allegiance applies as much, in fact more, to citizenship in Yahweh’s kingdom as it does to the United States. While tenaciously defending one’s loyalty to Yahweh, selective allegiance can and should be applied to any government in power wherever it is in compliance with or not antagonistic to Yahweh’s law. Romans 12:18 instructs us that “if possible, so far as it depends upon [us], be at peace with all men.”

Due Process of Law

Although Amendment 14 prohibits the United States government from depriving its citizens of life, liberty, and property *without* due process of “law,” this clause allows government to deprive its citizens of life, liberty, and property *by* due process of “law.” Yahweh’s law allows Biblical government to deprive a person of his life and liberty – but not his property. All the earth belongs to Yahweh and He has given man stewardship over it. However, He never allows the land in man’s possession to be permanently sold (or confiscated):

The land shall not be sold for ever: for the land is mine.... (Leviticus 25:23)

Under Yahweh’s law, all leased land was to be returned to its rightful earthly owners every fifty years:

In the year of this jubilee ye shall return every man unto his possession. (Leviticus 25:13)

Because taxation demonstrates ownership, Yahweh’s law does not allow government to tax and thereby confiscate land. Conversely, Amendment 14 empowers the Constitutional Republic to confiscate private land when, among other reasons, property taxes are not paid. The Fourteenth Amendment retroactively legalized King Ahab’s theft of Naboth’s vineyard (1

Kings 21:1-16). The only difference between King Ahab and today's government is that the Constitutional Republic does so on a comprehensive scale.

Under America's current ungodly tax system, land "owners" are merely temporary tenants. This is made abundantly clear in Senate Document 43 of the Congressional Record of the 73rd Congress:

The ultimate ownership of all property is in the State; individual so-called "ownership" is only by virtue of Government, i.e., law, amounting to mere user; and that use must be in accordance with law and subordinate to the necessities of the State.

Senate Document 43, Page 9, April 1933

Senate Document 43 sounds all too similar to another government's immoral land laws: Abolition of property in land and application of all rents of land to public purposes.

Communist Manifesto, Plank Number 1, 1848

The land, its mineral wealth, waters, forests ... are state property....

Article 6, Constitution of the USSR, 1936

(See [Chapter Twenty-Five](#) "Amendment 16: Graduated Income Tax vs. Flat Increase Tax" for additional information regarding the unbiblical nature of property taxes.)

State-Mandated Polytheism

In several cases, the Supreme Court has employed the Due Process Clause and applied most of the "privileges or immunities" enumerated in the Bill of Rights, including the First Amendment's prohibition against any favored religion, to the individual States. David Barton explains:

In *Everson [v. Board of Education, 330 U.S. 1 (1947)]*, the Court took the Fourteenth Amendment (which dealt with specific State powers) and attached to it the First Amendment's federal provision that "congress shall make no law respecting an establishment of religion." The result of merging these two Amendments was twofold: first, the court reversed the bedrock constitutional demand that the First Amendment pertain only to the federal government; second, the court declared that federal courts were now empowered to restrict not only the religious activities of the federal government but also those of States and individuals as well.¹⁵

Thanks to the Fourteenth Amendment, all fifty States are now as polytheistic as the federal government. Many States were officially polytheistic long before the Fourteenth Amendment was ratified.¹⁶ Returning to the Articles of Confederation is no more a solution to America's polytheistic state than is returning to a purer form of constitutionalism. Because none of the States have ever upheld the First Commandment ("Thou shalt have no other gods besides me.") nor prosecuted its offenders, they were all polytheistic *in practice* long before 1868. (See [Chapter Eleven](#) "Government-Sanctioned Polytheism" for additional information regarding the Constitution's promotion of polytheism.) Gregg Singer commented upon the woeful effects of merging the Fourteenth and First Amendments:

It was this process of enlarging the scope of the Fourteenth Amendment and reducing the power of the Tenth Amendment which laid the foundation for the alleged power of the courts to re-interpret the rights of the states in the areas of religion in the schools, capital punishment, abortion, and related matters.¹⁷

Barton's and Singer's concerns are well-founded. However, their concerns do not change the fact that *Everson* and similar Supreme Court decisions are now, in effect, constitutional law, made so by constitutional judiciaries. These decisions are unlikely to be overturned. In *Abington School District v. Schempp*, the Supreme "court ... decisively settled that the First Amendment's mandate that 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof' has been made wholly applicable to the States by the Fourteenth Amendment.... The Fourteenth Amendment has rendered the legislatures of the States as incompetent as Congress to enact such laws."¹⁸ Our only option to defeat the Fourteenth Amendment and the Supreme Court's abuse is to replace the entire Constitution with Yahweh's perfect law.

Infanticide

In *Griswold v. Connecticut* (1965), the Due Process Clause was employed to ensure the right of married couples to use birth-control devices, most of which are infanticidal. It was also cited by Justice Harry Blackmun in *Roe v. Wade* (1973), which legalized infanticide:

...right of privacy, whether it be founded in the Fourteenth Amendment's concept of personal liberty and restrictions upon state action, as we feel it is, or, as the District Court determined, in the Ninth Amendment's reservation of rights to the people, is broad enough to encompass a woman's decision whether or not to terminate her pregnancy.¹⁹

In his concurring statement, Justice Potter Stewart also referred to the Fourteenth Amendment:

Clearly, therefore, the Court today is correct in holding that the right asserted by Jane Roe is embraced within the personal liberty protected by the Due Process Clause of the Fourteenth Amendment.²⁰

Nothing better demonstrates the outrageous and ungodly nature of the Constitution better than the Fourteenth Amendment. Instead of the Equal Protection Clause defending the life of the unborn, the Due Process Clause has been employed to justify their murder. Infanticide was made legal by constitutional law in a constitutional court. This could not have occurred were we living by Yahweh's law. If right to life organizations truly hope to completely rid America of her infanticide mills, they need to work toward replacing the Constitution with Yahweh's law.

Constitutionalists do not have the liberty to pick and choose which constitutional laws they support. If you promote the Constitution, its three branches of government, and its amendment process, you must take all of it, including the Fourteenth Amendment and its extant judicial decisions, such as *Roe v. Wade*. To promote the Constitution is to promote infanticide.

Equal Protection Under the Law

Amendment 14's Equal Protection Clause became the means by which the Supreme Court, in *Brown v. Board of Education* (1954), dismantled racial segregation in the United States:

The Civil Rights Act of 1964 made it illegal to discriminate on the basis of race, gender, or ethnicity in “public accommodations,” such as restaurants, hotels, and theaters, even though these businesses might be owned privately. Prior to 1964, prevailing law held that the owner of a business had the right to serve whom he chose....²¹

Collective racial rights now trump personal privacy rights. Fox News analyst John Stossel stated the government went too far in *Brown v. Board of Education*:

I said this: “Private businesses ought to get to discriminate....” Individuals should be surrounded by a sphere of privacy where government does not intrude. Part of the Civil Rights Act violates freedom of association. That’s why I told Fox’s Megyn Kelly, “It’s time now to repeal that part of the law.” America’s fundamental political philosophy has deteriorated quite a bit if we can’t distinguish between government and private conduct....

I just don’t trust government to decide what discrimination is acceptable.... Today, because of government antidiscrimination policy, all-women gyms are sued and forced to admit men ... and a Christian wedding photographer is fined thousands of dollars for refusing to take photos of a homosexual wedding.²²

Integration vs. Segregation

Amendment 14 overturned *Dred Scott v. Sandford* (1857), which held that people of Negro descent were not entitled to United States citizenship or constitutional rights:

They [Africans] are not included, and were not intended to be included, under the word “citizens” in the Constitution, and can therefore claim none of the rights and privileges which the instrument provides and secures to citizens of the United States....²³

This decision agreed with the constitutional position found in The Naturalization Act of 1795, enacted by the First Federal Congress of the United States of America:

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, that any alien, being a free white person, may be admitted to become a citizen of the United States, or any of them....²⁴

Both *Dred Scott* and this early act of Congress agreed with Yahweh’s law, but because they did not acknowledge Yahweh’s law as their source and authority, they were nothing more than the opinions of man. Consequently, they were easily overturned by subsequent man-made judicial decisions.

Since *Brown v. Board of Education*, most people have been convinced that integration is a good thing, but this only further proves America’s departure from Yahweh’s law. Being politically correct has become more expedient than being Biblically correct – even to those who claim to be pronomians. The following passages demonstrate Yahweh intends His people to live separately:

When the most High divided to the nations their inheritance, when he separated the sons of Adam, he set the bounds of the people according to the number of the children of Israel. (Deuteronomy 32:8)

And [Yahweh] hath made of one blood all nations of men for to dwell on all the face of the earth, and hath determined the times before appointed, and the bounds of their habitation. (Acts 17:26)

See also Exodus 33:16, Leviticus 20:24, Numbers 23:9, Deuteronomy 33:28, 1 Kings 8:51-53, Ezra 9:1-2, and Nehemiah 9:2.

Resident aliens (foreign slaves, etc.) and temporary foreign sojourners (immigrant laborers, etc.) are two exceptions to this important [First](#) and [Seventh Commandment](#) statute. (See [Chapter Twenty-Two](#) “Amendment 13: Constitutional Slavery” for additional information regarding Biblical slavery versus constitutional slavery.) Open borders are oxymoronic as well as unbiblical. Most of America’s current immigration regulations are also Biblically unlawful. The Prophet Hosea described one of the consequences of unbiblical integration:

Ephraim, he hath mixed himself among the people.... Strangers have devoured his strength, and he knoweth it not.... (Hosea 7:8-9)

Hosea 7 might just as easily have been written about America. Egalitarians (non-Christians and Christians alike) would have us believe integration (which always results in pluralistic multiculturalism) is a good thing. However, the integration of Israel with other nations was a judgment from Yahweh, not a reward:

If thou wilt not observe to do all the words of this law that are written in this book ... it shall come to pass, that ... YHWH²⁵ shall scatter [integrate] thee among all people, from the one end of the earth even unto the other; and there thou shalt serve other gods.... (Deuteronomy 28:58-64)

Therefore thou [Yahweh] hast forsaken thy people the house of Jacob, because ... they please themselves in the children of strangers. (Isaiah 2:6)

The consequences of breaking Yahweh’s laws do not change. R.J. Rushdoony pointed out one of those consequences:

Segregation or separation is thus a basic principle of Biblical law with respect to religion and morality. Every attempt to destroy this principle is an effort to reduce society to its lowest common denominator.²⁶

Rushdoony’s comments regarding civil rights groups are also apropos:

The law has often been used as an ostensible weapon to gain equality, but such attempts represent either self-deception or an attempt to deceive by the group in power. The “civil rights” revolutionary groups are a case in point. Their goal is not equality but power. The background of Negro culture is African and magic, and the purposes of magic are control and power over God, man, nature, and society.²⁷

This “power drive” is also evident in the Hispanic anti-American La Raza (The Race) movement. The same is true of Islam, which has all but taken over Europe and has an ever increasing stronghold in America.

At the time the Fourteenth Amendment was added to the Constitution, segregation was commonplace. “The gallery of the U.S. Senate was itself segregated by race during the debate of the Equal Protection Clause.”²⁸ Twenty-eight years after the ratification of the Fourteenth

Amendment and fifty-eight years before *Brown v. Board of Education*, the Supreme Court, in *Plessy v. Ferguson* (1896), ruled that State-mandated segregation did not violate the Fourteenth Amendment's Equal Protection Clause and that the States could enforce segregation, provided similar facilities were afforded people of different races. This "separate but equal" doctrine was more Biblically compatible than was *Brown v. Board of Education*. But today's politically correct, racially sensitive society would be aghast if such "racist and hateful" legislation were proposed today. It would be well for anyone so inclined to consider the following from the *Plessy* court:

We consider the underlying fallacy of the plaintiff's argument to consist in the assumption that the enforced separation of the two races stamps the colored race with a badge of inferiority. If this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it.

... Legislation is powerless to eradicate racial instincts or to abolish distinctions based upon physical differences, and the attempt to do so can only result in accentuating the difficulties of the present situation.²⁹

Although Section 1's provision for equal citizenship (and thus unrestricted racial integration at all levels of society) is not Biblical, its stipulation for equal protection is Biblical:

God's law has established the foundational principle of all civil rights: *one civil law code for all residents*. Not just one law for all *citizens*; one law for all *residents*. This is what distinguished ancient Israel from all ... pagan societies. Pagan societies did not give non-citizens full legal access to their civil courts. Strangers therefore had no civil rights.... In Israel, everyone had equal access to the civil courts, for everyone was under the same civil law.... But the concomitant to this extraordinary civil liberty was *political discrimination*: the resident alien could not ... serve as a civil judge [or own land permanently inside the nation³⁰].³¹

Yahweh demands judicial equity for Israelites and non-Israelites alike:

And I charged your judges at that time, saying, Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. Ye shall not respect persons in judgment.... (Deuteronomy 1:16-17)

See also Exodus 12:49, 20:10; Leviticus 16:29-30, 18:26, 20:2, 24:16-22; Numbers 15:15-16, 29-30, 35:15; and Deuteronomy 27:19. These magnanimous laws were an exception to how other nations treated strangers living among them:

The principle of equal justice was not universally practiced in the ancient Near East. In the code of Hammurabi and other Mesopotamian legal traditions, for example, people are classified as priests, citizens, two lower-class groups (*mushkenum* and *khupshu*), and slaves. Penalties for the same crime differed depending on one's social or class status. Furthermore, aliens are not even mentioned as a legally protected group of individuals in the law codes.³²

Equal justice under Yahweh's law requires non-Israelites residing or sojourning in Israel's land to be taught Yahweh's law:

When all Israel is come to appear before YHWH thy God in the place which he shall choose, thou shalt read this law before all Israel in their hearing. Gather the people together, men, and women, and children, and thy stranger that is within thy gates, that they may hear, and that

they may learn, and fear YHWH your God, and observe to do all the words of this law. And that their children, which have not known any thing, may hear, and learn to fear YHWH your God.... (Deuteronomy 31:11-13)

See also Joshua 8:30-35. Teaching Yahweh's laws to strangers made them accountable to them while living in or visiting Israel's land.

Although Yahweh's law provides for equal *justice* under His law, there are exceptions to equal *application*: Deuteronomy 15:3 excludes non-resident foreigners from the sabbatical year release; Deuteronomy 17:15 prohibits non-Israelites from ruling over Israelites; Deuteronomy 23:20 permits usury loans to non-Israelites; and Leviticus 25:44-46 provisionally allows non-Israelites to be taken as permanent slaves.

Biblical Discrimination

Equal justice and equal status are not the same thing. That Yahweh chose one people above others is made clear throughout the Bible. Among other endearing terms, the Israelites are identified as Yahweh's inheritance and the apple of His eye:

For YHWH's portion is his people; Jacob is the lot of his inheritance. ...[H]e led him about, he instructed him, he kept him as the apple of his eye. (Deuteronomy 32:9-10)

Yahweh's special relationship with the nation of Israel is made especially clear in the passages that identify the Israelites as His special treasure and possession:

For thou art an holy people unto YHWH thy God: YHWH thy God hath chosen thee to be a special people unto himself, above all people that are upon the face of the earth. (Deuteronomy 7:6)

See also Exodus 19:5-6; Deuteronomy 14:2, 26:18-19; 2 Samuel 7:23-24; and Psalm 135:4. These passages describe Yahweh's marital relationship with the Israelites:

And YHWH said ... Israel ... I am married unto you.... (Jeremiah 3:11-14)

Exodus 19:5-6 is Yahweh's marriage proposal to the nation of Israel. (See [Chapter Two](#) "The Kingdom: Yesterday, Today, and Forever" for a more thorough discussion of Yahweh's marriage to the nation of Israel under the Old Covenant and a remnant of Israel under the New Covenant.) Rushdoony explains this favored status:

The principle of "one law" for all is basic to Biblical law. On the other hand, there is a definite partiality to the Biblical law. In instances too numerous to cite, God "intervenes" in history to overthrow the enemies of His covenant people; the weather is used, plague is used, and a variety of means, from the plagues against Egypt on. Moreover, the law as given to Israel is partial in that it protects an order, God's law-order, and the people of that order.³³

That "there is a definite partiality to the Biblical law" is established throughout the Bible, particularly in the following passages:

Moses commanded us a law, even the inheritance of the congregation of Jacob. (Deuteronomy 33:4)

He [Yahweh] sheweth his word unto Jacob, his statutes and his judgments unto Israel. He hath not dealt so with any nation: and as for his judgments, they have not known them. Praise ye YH. (Psalm 147:19-20)

...my kinsmen according to the flesh: Who are Israelites; to whom pertaineth the adoption, and the glory, and the covenants, and the giving of the law.... (Romans 9:3-4)

This is just as true for a redeemed remnant of physical Israelites under the New Covenant:

Behold, the days come, saith YHWH, that I will make a new covenant with the house of Israel, and with the house of Judah: Not according to the covenant that I made with their fathers in the day that I took them by the hand to bring them out of the land of Egypt; which my covenant they brake, although I was an husband unto them, saith YHWH. But this shall be the covenant that I will make with the house of Israel; After those days, saith YHWH, I will put my law in their inward parts, and write it in their hearts; and will be their God, and they shall be my people. (Jeremiah 31:31-33)

The New Covenant was Yahweh's means of fulfilling the prophecies (Isaiah 62:2-4; Hosea 1 and 2, etc.) in which He promised to remarry a remnant of physical Israel (Isaiah 10:20-22, 11:11, 16; Romans 9:25-27, 11:5; etc.). To change the recipients of these prophecies under the New Covenant effectively makes Yahweh a liar. Yahweh's election of one people for this special relationship does not nullify it as an act of grace. The claim that Hebrews 8:8-10 is racist is baseless. Yahweh's New Covenant with Israel is a covenant of grace:

Even when we were dead in sins, hath quickened us together with Christ, (by grace ye are saved;) and hath raised us up together, and made us sit together in heavenly places in Christ Jesus: That in the ages to come he might shew the exceeding riches of his grace in his kindness toward us through Christ Jesus. For by grace are ye saved through faith; and that not of yourselves: it is the gift of God: Not of works, lest any man should boast. (Ephesians 2:5-9)

The *ethne* (Greek for "nations" or "peoples"; poorly translated "Gentiles") in Ephesians 2:11 are often misidentified as non-Israelites. Most people are unaware that Ephesians 2 is a fulfillment of several Old Testament prophecies regarding the reunion of the house of Israel with the house of Judah through Jesus' blood-atoning sacrifice and resurrection from the grave.³⁴

Equal justice under Yahweh's law is not the same as equal status under the law, particularly as it pertains to citizenship and ecclesiastical and civil leadership. (See [Chapter Twenty-Four](#) "Amendment 15: Colorblind Voting" for a more thorough explanation regarding civil leadership.)

Identifying Israel

Few people recognize that, like the Old Covenant, the New Covenant was made exclusively with physical descendants of the two houses of the nation of Israel:

...Behold the days come [quoted from Jeremiah 31:31-33 when the New Covenant was yet future], saith the Lord, when I will make a new covenant with the house of Israel and with the house of Judah: Not according to the covenant that I made with their fathers in the day when I took them by the hand to lead them out of the land of Egypt; because they continued not in my covenant, and I regarded them not, saith the Lord. (Hebrews 8:8-9)

This prophecy is not about an alleged “spiritual Israel” out of all nations, but a spiritual remnant out of the nation of Israel.³⁵ Verse 9 depicts the New Covenant beneficiaries as the physical descendants of both the house of Judah and the house of Israel whom Moses led out of Egypt. Try as some might, the Israelites in this passage cannot be spiritualized into someone other than the descendants of the original twelve tribes. The Bible never says the New Covenant was made with anyone but Israel (although non-Israelites may become proselytes). This is because the New Covenant was a marital covenant with redeemed Israelites (1 Peter 1:1-3, 2:9-10) in fulfillment of Old Testament prophecies (Isaiah 10:20-22, 11:11, 16; 62:2-4; Hosea 1 and 2, etc.).³⁶

Because the Old and New Covenants alike discriminate on behalf of Israel, it is imperative to correctly identify today’s Israelites. Go back and read Hebrews 8:8. The historical record does not lie. When you take a map and draw circles around the landmasses in which true Christianity has flourished for the past two millennia, the identity of today’s Israelites should be self-apparent – unless, of course, Yahweh has not been true to His promise in Jeremiah 31 and Hebrews 8. Either the Celtic, Germanic, Scandinavian, Anglo-Saxon, and related peoples (hereafter identified as Celto-Saxons) comprise Israel, or Yahweh has not been true to His Word. Because Yahweh is *always* true to His Word, He has made the New Covenant with Israelites.

For whatever reason, God clearly intended that His message be directed toward the West. In the book of Acts, chapter 16, verses 6-10, the apostle kept seeking to take the message of Christ to the East into Asia, but he was forbidden to do so by the Holy Spirit. Instead, Paul received a vision in which he was led to understand that God’s purpose was for Paul to go west into Europe.... From this point forward, the Gospel would make an external impact on societies that lay toward the West. Paul made plans to go to Italy and then on to Spain in obedience to this westward calling of God. As a result, the flame of liberty would spread west to many locations in Europe, before it would be carried across the Atlantic to America.³⁷

The gospel did not go west by chance. It went west by providence, by prophecy, and by covenant (Jeremiah 31:31). Yahweh’s word never fails and therefore the peoples of the West, namely the Celto-Saxons, are today’s true descendants of the Israelites of old.

Over the last 2,100 years, Celto-Saxons have predominantly been most responsive to Jesus’ call to salvation. Other nations would be oblivious to Christianity if not for the Celto-Saxons’ proliferation of the gospel. Only the Celto-Saxons fulfill the dozens of Biblical markers for Israel. Additionally, some fourteen hundred Assyrian cuneiform tablets provide various names the house of Israel assumed during their Assyrian captivity. These names have been linked to the Celto-Saxon peoples.³⁸

Today’s Jews do not fit any of the Biblical markers, and, in fact, they admit in their almanacs, encyclopedias, historical writings, and other literature that they are not physical Israelites:

Strictly speaking, it is incorrect to call an ancient Israelite a “Jew” or to call a contemporary Jew an “Israelite” or a “Hebrew.”

The Jewish Almanac (1980)³⁹

Here’s a paradox, a paradox, a most ingenious paradox: an anthropological fact, many Christians ... have much more Hebrew-Israelite blood in their veins than most of their Jewish neighbors.

Non-Israelite Privileges

That Yahweh chose Israel to be His covenantal wife under both covenants is Biblically incontestable. This does not mean He hates other nations, anymore than a man who loves his wife hates other women. Husbands are to love their wives above other women, so why should we be shocked Yahweh loves Israel above other nations? Although Israel has been given a special relationship with Yahweh, this does not mean He condones unjustified discrimination. Non-Israelites do not share the same covenantal rank and citizenship as Israelites do. Nevertheless, Yahweh holds non-Israelite residents in the same regard as the widows, orphans, and poor for whom He demands special protection and provision:

Thou shalt neither vex a stranger, nor oppress him: for ye were strangers in the land of Egypt. Ye shall not afflict any widow, or fatherless child. If thou afflict them in any wise, and they cry at all unto me, I will surely hear their cry; and my wrath shall wax hot, and I will kill you with the sword; and your wives shall be widows, and your children fatherless. (Exodus 22:21-24)

See also Leviticus 25:6; Deuteronomy 10:17-19, 14:28-29, 24:17-21; and Psalm 146:9. James Hoffmeier sums up these benefits for non-Israelite strangers:

The alien, though not fully a citizen, was included in many of the blessings as well as the obligations of the covenant community ... the alien received all the legal protections, social benefits, and religious inclusion offered by the law.⁴¹

Rushdoony sheds light on the evil of unlawful discrimination:

Israel was reminded of the discrimination and persecution it experienced in Egypt and asked therefore to beware of placing other men under similar sufferings.... The evil in that experience was not their segregation into Goshen: that was a favor and an advantage. The evil was in the oppression and enslavement, in the legal [but unlawful] discriminations against them.⁴²

North expounds upon what is most likely Yahweh's reason for these special provisions for widows, orphans, and strangers:

Why does God single out the widow, the orphan, and the resident alien? They must be representative of a general class of people. If we search for the distinguishing characteristic of all three – their representative feature – we find there is only one: *their lack of covenantal representation*.... The widow has no husband, the orphan has no parents; the resident alien has no tribe and legal status in the assembly. The first two have no family head above them; the third has no ecclesiastical or judicial place in the hierarchy. No earthly agent *speaks* for the resident alien in the assembly. No one listens to the widow and orphan. No one has a major cultural incentive to protect them.⁴³

Yahweh requires discrimination as it pertains to citizenship and ecclesiastical and civil leadership, but He forbids all unlawful discrimination.

Sodomy Promotion

By promoting the Constitution, Constitutionals promote sodomy. The Fourteenth Amendment's Equal Protection Clause was employed by the Supreme Court in *Romer*

v. Evans (1996) to protect sodomites. The Court held that Amendment 2 of the Colorado State Constitution, which prohibited Colorado courts from recognizing sodomites as a protected class of citizen, was unjust discrimination. The Constitutional Republic's Supreme Court would also consider Leviticus 20:13 ("If a man also lie with mankind, as he lieth with a woman, both of them have committed an abomination: they shall surely be put to death...") inadmissible discrimination. Although the Supreme Court has yet to rule in favor of sodomite marriages, such a ruling is certainly coming. This, of course, would be impossible if America were living by Yahweh's law.

Section 2

Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, *excluding Indians not taxed*.⁴⁴ But when the right to vote at any election for the choice of electors for President and Vice President of the United States, representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state being of twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

Section 2's primary purpose was to change the method for apportioning Representatives from each State in Congress. Instead of counting only three-fifths of each State's slave population (as was previously the case according to Article 1, Section 2, Clause 3), the Fourteenth Amendment stipulated that every Negro citizen would be counted as one whole person. Had Amendment 14 been Biblical, it would have annulled the three-fifths citizenship apportionment rather than adding two-fifths.

This section also sets the age of citizenship (and thus the age of manhood) at twenty-one years. Because the United States was drafting eighteen-year-old boys to fight in Vietnam, the age of citizenship was changed to eighteen by [Amendment Twenty-Six](#), adopted in 1971. Those who drafted and ratified Amendment 14, as well as later congressmen, completely ignored Yahweh's law or thought they knew better than Yahweh. Yahweh set the age of military service (and thus manhood) at twenty years:

Take ye the sum of all the congregation of the children of Israel ... every male by their polls; from twenty years old and upward, all that are able to go forth to war in Israel.... (Numbers 1:2-3)

Section 3

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who having previously taken an oath, as a member of Congress, or as an officer of the United States, or as member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

Section 3 addresses insurrection and rebellion of public officials against the Constitution, which should concern Constitutionalists. On the other hand, *Christians* should be troubled –

in fact, outraged – at the insurrection and rebellion committed against Yahweh and His perfect law by the framers in the late 1700s and by presidents, congressmen, and judges ever since the inception of the Constitutional Republic. Which outrages you most: Insurrection and rebellion against WE THE PEOPLE and its constitution? Or insurrection and rebellion against Yahweh and His constitution?

No man can serve two masters: for either he will hate the one, and love the other; or else he will hold to the one, and despise the other. Ye cannot serve God and mammon. (Matthew 6:24)

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End Notes

1. “Fourteenth Amendment to the United States Constitution,” *Wikipedia*, http://en.wikipedia.org/wiki/Fourteenth_Amendment_to_the_United_States_Constitution.
2. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.
3. “Fourteenth Amendment to the United States Constitution,” *Wikipedia*, http://en.wikipedia.org/wiki/Fourteenth_Amendment_to_the_United_States_Constitution.
4. Gary North, *Tools of Dominion: The Case Laws of Exodus* (Tyler, TX: Institute for Christian Economics, 1990/1997) p. 846.
5. Yeshua is the English transliteration of our Savior’s given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, “[The Third Commandment](#)” may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested \$4 donation.*
6. Daniel J. Boorstin, *The Americans: The Colonial Experience* (Norwalk, CT: The Easton Press, 1958/1987) p. 7.
7. *Ibid.*, p. 25.
8. North, p. 393.
9. John Clark Ridpath, *History of the United States*, 4 vols. (New York, NY: The American Book Company, 1874) vol. 1, p. 181.

10. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) pp. 99-100.
11. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.
12. Not everyone claiming to be “born again” in the 17th century was properly instructed in what is Biblically required to be born from above. The same is true today. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; and 1 Peter 3:21 should be studied to understand what is required to be born from above and thereby covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.
13. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, “[The Third Commandment](#)” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested \$4 donation.*
14. Edward J. Erler, professor of political science at California State University, San Bernardino, “Birthright Citizenship and Dual Citizenship: Harbingers of Administrative Tyranny,” *Imprimis*(Hillsdale, MI: Hillsdale College Press, July 2008) pp. 2-3.
15. David Barton, *Original Intent: The Courts, the Constitution, & Religion* (Aledo, TX: WallBuilders, 1996/2005) p. 17.
16. *State v. District School Board of Edgerton* (1890), 76 Wis. 117, 44 NW 967, 20 ASR 41, 57.
17. C. Greg Singer, *A Theological Interpretation of American History* (Phillipsburg, NJ: Presbyterian and Reformed Publishing Co., 1964/1981) p. 317.
18. *Abington School District v. Schempp*, 374 U.S. 203, 215-16 (1963).
19. *Roe v. Wade*, 410 U.S. 113 (1973).
20. Ibid.
21. International Information Programs, USINFO.STATE.GOV, “Equal Protection Under the Law,” *Rights of the People: Individual Freedom and the Bill of Rights*, <http://usinfo.org/enus/government/overview/equal.html>.
22. John Stossel, “Fight Bigotry Without Government,” Townhall.com, 2 June 2010, <http://www.mediaite.com/online/john-stossel-revives-civil-rights-act-debate-to-defend-himself-against-racism-allegations/>.
23. *Dred Scott v. Sandford*, 60 U.S. 393 (1856).
24. The Naturalization Act of 1795, An Act to establish an uniform Rule of Naturalization..., *Archiving Early America*, http://www.earlyamerica.com/earlyamerica/milestones/naturalization/naturalization_text.html.
25. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English

translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, "[The Third Commandment](#)" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested \$4 donation.*

26. Rushdoony, *The Institutes of Biblical Law*, p. 294.

27. Ibid., pp. 60-61.

28. "Fourteenth Amendment," *The Free Dictionary*, <http://legal-dictionary.thefreedictionary.com/fourteenth+amendment>.

29. *Plessy v. Ferguson*, 163 U.S. 537, May 1896.

30. North, *Tools of Dominion: The Case Laws of Exodus*, p. 676.

31. Gary North, *Political Polytheism: The Myth of Pluralism* (Tyler, TX: Institute for Christian Economics, 1989) p. 72.

32. James K. Hoffmeier, *The Immigration Crisis: Immigrants, Aliens, and the Bible* (Wheaton, Illinois, Crossway Books, 2009) p. 77.

33. Rushdoony, *The Institutes of Biblical Law*, p. 89.

34. For a more thorough explanation regarding the Old Testament prophecies concerning the reunion of the house of Israel with the house of Judah as fulfilled in Ephesians 2, *The Mystery of the Gentiles: Who Are They and Where Are They Now?* may be read online, or the [book](#) may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested \$10 donation.*

35. For a more thorough explanation regarding the erroneous teaching concerning a spiritual Israel out of all nations, *Spiritual Israel: Out of All Nations or Out of the Nation of Israel?* may be read online, or the [book](#) may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested \$4 donation.*

36. For a more thorough explanation regarding the Old Testament prophecies concerning Yahweh's remarriage to a remnant of believing Israelites under the New Covenant, *The Mystery of the Gentiles: Who Are They and Where Are They Now?* may be read online, or the [book](#) may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested \$10 donation.*

37. Mark A. Beliles, Douglas S. Anderson, *Contending for the Constitution: Recalling the Christian Influence on the Writing of the Constitution and the Biblical Basis of American Law and Liberty* (Charlottesville, VA: Providence Foundation, 2005) pp. 81-82.

38. For a more thorough explanation regarding the deciphering of the Assyrian Cuneiform tablets, *Missing Links Discovered in Assyrian Tablets* by archeologist Raymond Capt may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested \$10 donation.*

39. Richard Siegel, Carl Rheins, eds., "Identity Crisis," *The Jewish Almanac* (New York, NY: Bantam Books, 1980) p. 3.

40. Dr. Alfred M. Lilienthal, Jr., *What Price Israel* (Chicago, IL: Henry Regnery Company, 1953) p. 223. For additional admissions by today's Jews that they are not Israelites, *God's Covenant People: Yesterday, Today and Forever* (which includes over 700 documented quotations, many of them from Jewish sources) may be read online, or the [book](#) may be

ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested \$14 donation.*

41. Hoffmeier, p. 101.

42. Rushdoony, *The Institutes of Biblical Law*, pp. 530-31.

43. North, *Tools of Dominion*, pp. 669-70.

44. All American Indians are now subject to federal taxation.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.