



Written by [Wallis W. Wood](#) on April 10, 2015

An Outrageous Abuse of the Constitution

In "[‘Birth tourism’ Is Another Immigration Scam](#)," I discussed "a very twisted interpretation of the 14th Amendment" that has led to the insane policy of granting U.S. citizenship to any babies who are born in this country — even if their mothers are illegal immigrants who sneaked across our border a few hours before they were born.

Today, I want to raise an issue that is even more controversial — and is almost never part of this discussion. And that is the possibility that the 14th Amendment was never legally adopted in the first place.



Now, before you denounce this suggestion as the feverish ravings of a right-wing lunatic, bear with me for a few moments as I share some history with you — history that has been carefully suppressed from all of the conventional history books.

Let me begin by stating something you may have never considered: The Southern states that formed the Confederacy never left the union. Yes, they certainly tried to do so. Many people, then and now, think they had every legal and moral right to secede. But Abraham Lincoln refused to recognize the Confederacy as a separate, legitimate government. And the country fought a terrible war over the issue. When the North won, Lincoln said he was ready to welcome the South back "with malice toward none." But if the Southern states never left the Union, then as soon as hostilities ended, those states and their citizens were entitled to all of the promises and protections of the U.S. Constitution.

Remember, the Constitution guarantees every state "a republican form of government." So when the war ended, all of the states that had comprised the Confederacy formed new state governments, including both branches of their state legislatures.

When the federal Congress approved the 13th Amendment to the Constitution, which abolished slavery, and submitted it to the states, it was promptly ratified by most of the states that had comprised the Confederacy. Thus, it became part of the Constitution.

But that wasn't enough for the Radical Republicans, as they were called, who controlled the federal government. They were determined to punish the South. They certainly didn't want the Southern states sending people to Congress who would oppose their plans for Reconstruction. So they proposed the 14th Amendment.

There is some question whether that amendment was actually approved by two-thirds of the members of both branches of Congress, as the Constitution requires. In fact, several contemporaries back in 1878 said it was not. Nevertheless, the Radical Republican majority passed a resolution saying it had been and submitted it to the states.

Ah, but this time, six states that had approved the 13th Amendment refused to approve the 14th. The legislatures of Alabama, Arkansas, Georgia, Louisiana, North Carolina and South Carolina all said "no!"



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(So too, incidentally, did New Jersey and Ohio.)

The Radicals in Washington were furious. They promptly approved a series of bills, called the Reconstruction Acts, that divided the former Confederacy into 10 military districts. The legislatures of each state were forcibly dismissed and replaced by political hacks appointed by the federal army of occupation. Seven of these military-controlled bodies then did as they were told and “ratified” the 14th Amendment.

But these dictatorial regimes weren’t “the republican form of government” that the Constitution guarantees each state. They most emphatically did *not* represent the wishes or the will of the citizens they ruled. Our Founding Fathers wouldn’t have agreed for a second that any “vote” by these bodies could authorize a change to the Constitution.

And that is why a handful of very brave historians insist that the 14th Amendment was never legally ratified.

By the way, there is a lot more involved here than citizenship for a few million children of illegal immigrants. The 14th Amendment has been used by the Supreme Court as the legal justification for banning prayers in public schools, authorizing abortion on demand, requiring the forced busing of children and scores of other usurpations of power by the federal government.

As I said when I first wrote about this subject many years ago, I can understand why those who benefit from today’s Goliath government want to keep this issue swept under the heaviest rug they can find.

But where have the conservative and libertarian talk shows, think tanks, advocacy groups and tax-free foundations been for the past 50 years? Have any of them written about this issue, filed lawsuits in the courts raising it, or made even a peep of protest about what happened?

If they have, I’m not familiar with it. If you know otherwise, please let tell me. Because I don’t see how we will ever restore the Constitution without exposing the deceit that led to this incredible abuse.

Until next time, keep some powder dry.

Chip Wood was the first news editor of The Review of the News and also wrote for American Opinion, our two predecessor publications. He is now the geopolitical editor of Personal Liberty Digest. This article first appeared on [PersonalLiberty.com](#) and has been reprinted with permission.



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