

The Most Obvious Lesson.

The most obvious lesson learned from the Terre Haute litigation is that Oklahoma is not recognized as a State by the "United States" judicial system.

(The term "United States," in quotes, is used to identify and distinguish between a judicial system that derives its authority from Article III of the Constitution, i.e., a United States trial court, and the reality that various business entities use the name "United States" as the first part of their business name. In other words, the term "United States," in quotes, is used where it's possible that we're not talking about the United States Government, which name (without the quotes) is used here to refer to the Government formed and brought into existence by the Constitution. Said another way, the United States Government and the "federal government," which is popularized these days by that very name, i.e., "federal government," are two completely different governmental entities.)

There are six courts and two different White House administrations that did not flinch or bat an eye over the fact (1) that the criminal conduct committed in Oklahoma was tried in Colorado or (2) that the "murder" cases were tried in a "United States" judicial system, rather than the Oklahoma State judicial system.

In brief summary of the arguments in the law suit, two of the three claims are State Sovereignty-based claims: (1) No crime committed in one State can be tried in another State, which follows from Article III, section 2, Article IV, section 2, and the Sixth Amendment, and (2) A "murder" case can only be tried in a State court, which follows from the absence of any authority granted to Congress to define and punish "murder," for purposes of "Law of the United States," and the specific absence in Article III of any authority to try, in an Article III court, anything that "arises under" the "Law of the District of Columbia." (This should explain to most why DC also has "county" courts.)

Six courts, in particular three trial courts, the one in Oklahoma City, the one in Denver, and now the one in Terre Haute, plus two appellate courts, namely the Tenth Circuit in Denver and now the Seventh Circuit in Chicago, plus the "United States" Supreme Court, have directly or indirectly overruled the objection challenging the transferee court's authority to try these cases against McVeigh and Nichols. Therefore, we can conclude that not one of these courts recognizes Oklahoma as a Sovereign State. The White House (under two different administrations, Clinton's and Bush's) has also directly or indirectly overruled the same objection. This leads one to the conclusion that the Executive authority is no more persuaded by Article III, section 2, Article IV, section 2, or the Sixth Amendment, than were the courts.

Since the Oklahoma State line is irrelevant to six "United States" courts and the Office of President of the "United States," it follows, rather clearly and unmistakably, that Oklahoma is not a State, in the eyes of the "United States" courts and executive authority.

While this author is but one of several who asserted, via Amicus Curiae briefs to the Tenth Circuit, for purposes of the original appeal of McVeigh's conviction, this first State Sovereignty-based argument, namely that transfer across the State line is intolerable in the eyes of the Constitution, it very well may be the case that this second issue, the lack of authority in an Article III court to try a "murder" case, is a new concept for many.

The key idea for our purposes here is that it's another State Sovereignty-based argument and that the Terre Haute trial court and the Seventh Circuit found it as no basis on which to grant relief.

As regards the authority of the transferee court to try these "murder" cases, again, four courts and one White House administration indirectly found no problem, and two courts and one White House administration directly found no problem.

Thus, and again, there are seven (and realistically eight) different sources of governmental authority on the point that Oklahoma is not recognized as a State, in the eyes of the "United States" officials.

Additional Lessons.

To presume (and correctly so) that the "United States" Supreme Court has missed nothing, and that, in general, the appellate courts have missed nothing, we get beyond this horribly distracting concept that the judiciary is somehow completely corrupted and a participant in the "conspiracy." In fact, when we understand that these courts have missed nothing, what we can then do is understand, accurately and clearly, the rest of the "message" they've been telling us for what may exceed the past 125 years. In other words, when we accept that these very competent jurists know exactly what they're talking about, it's no longer a matter of agreeing or disagreeing with them; it's a matter of listening for the rest of the "message" they've been trying to communicate. (Is there any wonder why the popular press doesn't cover judicial opinions very often?)

Without expanding upon the additional lessons here, when an appellate court reads pleadings that assert nothing but the United States Constitution and then rule that the positions are based on "no authority," as expected as this was to some, as shocking as it may be to some, and as shocking as it certainly was to this author, the necessary conclusion is impossible to miss. (To get straight to the heart of the matter, and to provide as much clarity on the point as seems reasonable to provide here, where the Constitution is judicially considered as "no authority," what must be the case, at least as far as what's seen in the eyes of this judicial authority?)

And, when one State is not recognized as a State, as is the case with Oklahoma in this particular set of proceedings, and when various other matters raise the same kinds of lack of State Sovereignty questions for other States, the question arises as to whether we have any States as sovereign governmental entities at all, and if so, whether there is a United States.

If the Constitution provided the basis for decision in any court in California, it'd be impossible to try OJ Simpson for "murder," which is a capital crime in the eyes of the Fifth Amendment, without benefit of Grand Jury indictment. Yet he was tried for two counts of "murder," despite the fact he was never indicted. And, the Supreme Court gave California a "pass" regarding the Grand Jury indictment requirement close to 100 years ago. It's not a matter of agreeing or disagreeing with the Supreme Court on their ruling. We can presume, and correctly so, that the opinion arrives at the "correct" holding. Therefore, our job becomes a matter of seeing what must be the case for that Supreme Court ruling to be legitimate.

Is California a State? If so, is there a United States? If so, does the Constitution provide the Supreme Law of the Land? At least one of these questions must be answered in the negative for the current circumstances to exist where someone in the "United States" can be tried for "murder" without benefit of Grand Jury indictment.

If the Constitution provided the basis for decision in any court in Connecticut, it'd be impossible to try Col. Bo Gritz for "attempted kidnapping," which is an infamous crime in the eyes of the Fifth Amendment, without benefit of Grand Jury indictment. Yet he was so tried, despite the fact he was never indicted.

Not only that, but also our neighbors in Connecticut (can you imagine that they STILL call themselves the "Constitution" State?!) have specifically removed the Grand Jury indictment provision from the State Constitution. Ordinarily, that'd be completely irrelevant, because the State authority (legislative, executive and judicial) is sworn by oath to abide by the Constitution. And, the Constitution provides the first level of limitations on all governmental activity, whether State or United States. Thus, with or without any such provision in the State Constitution, the Grand Jury indictment is supplied by the United States Constitution.

However, Bo Gritz was never indicted, and despite the absence of any indictment, he was tried for an infamous crime.

Is Connecticut a State? If so, is there a United States? If so, does the Constitution provide the Supreme Law of the Land? At least one of these questions must be answered in the negative for the current circumstances to exist where someone in the "United States" can be tried for "attempted kidnapping" without benefit of Grand Jury indictment.

We see "bombing" cases more recently in the "news" where someone is tried in a "United States" trial court for "murder," the instrumentality of which just happens to be some explosive device. Again, while the explosives part may be fully within the authority a legitimate Article III court, the "murder" part just simply isn't.

Are either of New York (World Trade Center bombing case) or Alabama (church bombing case) States? If so, is there a United States? If so, does the Constitution provide the Supreme Law of the Land? At least one of these questions must be

answered in the negative for the current circumstances to exist where someone who is charged with "murder" can be tried in a court system that quite clearly lacks the authority to try "murder" cases (IF, and this is the focus, IF the United States Constitution provided the primary source of authority granted to the court).

Conclusion.

While certain additional conclusions are possible, based simply on the lessons learned from the Terre Haute litigation, it is sufficient for this brief discussion to assert this one: (1) Oklahoma is not a State. And, for purposes of this discussion, and based on other suits that have been discussed to some extent publicly, (2) Oklahoma not the only State that has no Sovereignty, in the eyes of the present, internationalist-leaning "United States" government.

Given these conclusions, we need to stop playing "Let's pretend" when it comes to thinking that the popularly broadcast notions of government accurately reflect the legal reality in which we find ourselves.

To identify correctly the nature of the problem is the first step in resolving it. To the extent this brief discussion helps those who also are called to study into these sorts of matters of government to identify more accurately what we're dealing with, or, at the very least, what we are not dealing with, the purpose of this discussion has been achieved.

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Editor of Legal Reality, and
proud supporter of Charles Key and the Oklahoma City Bombing Investigation
Committee, as well as ALL those who have pursued and who continue to pursue the
reality of what happened in Oklahoma City