

# Legal Plural Marriage is the True Law of the Land!!

By Various Authors including RAMYK, Aziel Collier and Gregory Allen

Below you will find the absolute truth of the binding contract principle that is upheld by federal law and the US Constitution. In a nutshell, any married couple in any form of biblical marriage, whether it is monogamy or the plural pattern that has a written ketuvah-marital contract is legally bound to its terms by FEDERAL LAW. Moreover, the terms are backed by the US Constitution to be legally binding and perhaps most importantly, no state statute, or licensing can take precedence over it. For those few called to marry more than one wife, hopefully with the first wife's blessing, can establish a written marriage contract-ketuvah with each wife and all will be upheld as the "law of the land." Legally the man is then married to each one ACCORDING TO THE LAWS OF THE LAND, which does not limit a man to how many legal "contracts" he can establish. The legality of these contracts gives him the freedom that local state control machines do not, as state licensing only allows the state to license a man to one wife. Of course those who know that multiple marriage contracts are ALL legally binding according to the law of the land, remain the minority, as the State does not want you to know the truth about the true laws of the land, the entire land, as established by the US Constitution according to [Article 1, Section 10](#) of the United States Constitution which states in part:

**"No State shall... pass any... Law impairing the Obligation of Contracts..."**

Many who seek to have a legally valid plural marriage have made the mistake of trying to find a way to do it through the system of licensed marriage. This is the wrong way to go about it. First off, it makes the state a marriage bed partner. Part of the great deception is that state licenses promote monogamy and discourage or protect against bigamy! **NO IT DOES NOT!** It in fact and ipso facto, the State licensee is the **THIRD PARTY** to your marriage and thus those who seek state license, are involved in a perverted form of polygamy, by **making the state the matriarchal controlling element in any alleged monogamous marriage.**

That is all part of the great cloud over the gentile nations that Messiah is now lifting through end time revelation! If you are willing to hear HIS VOICE in your personal return to Yisrael.

Those who license, are giving the State control on how your marriage shall be conducted and we all know this is not the way of Torah.

**KETUVAH-CONTRACTS**-Any contract that any number of people enter into, be it verbal, written, or in any way documented that two or more have entered into any agreement, is thereby a legal and binding agreement/contract. So, you have a contract/agreement between you and a woman to be as married. You can later have the contract mutually amended to add a third party, a fourth, a fifth and so on. All who come into this agreement

are now bound by it according the highest laws of the land. Anyone who violates that agreed upon terms of the contract is thereby liable and has breached the contract. Federal courts will uphold the terms of your private agreement with as many wives as you choose to take biblically, as you have not committed statutory bigamy, which is State enforced! The government has no jurisdiction over what goes into a contract. But when called upon they do have the jurisdiction over when a PRIVATE contract is broken and then can render a judgment if it is called to a court of law.

It will be interesting if some put together such a contract and for whatever reason it falls apart and then needs a court to protect the assets of the surviving family members. The court can NOT make a ruling against the contract itself nor can they declare it illegal, as it is not using the legal system of "State marriage licensing." It puts them into a bind, as it is not a criminal court, so you would go to a court dealing with contractual law/agreements keeping marriage binding and dissolution away from State control! If it is of a small nature, the amount being dealt with then could even go to a small claims court. In Torah Numbers chapter 30 deals with vows/agreements and oaths, where you can see their binding nature, apart from any State control and licensing gimmicks.

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## COVERTURE and the Courts "Can a Husband Represent His Wife?"

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This issue is inspired by a reader whose wife is having problems with a court. He writes, in part:

"My wife is being sued civilly for some credit card debt. ...the new Judge would not allow me to stand next to my wife or speak at all, saying that I am not a Party to the Action, so therefore [I] am not allowed beyond the gate separating the audience from the parties... So my question is:"

"Isn't it a maxim of law that a husband has the right to stand beside, and even speak for, his wife in court?"

As luck would have it, I have some personal experience with this subject. Of all the people I know in the law-reform/study movement, I am the only one I know of who has successfully stood in place of his wife in a courtroom. I'll tell you how I did it.

A word of caution is in order for our women readers. As you peruse this report you may be tempted to think I am anti-woman, or that I somehow believe we should go back to the dark ages. This could not be further from the truth. The commonly accepted roles for women

have changed much over the past hundred years. In some ways perhaps for the better; in others, perhaps not.

For the purpose of this report, what I believe doesn't matter one fig. Like it or not, what you believe won't matter either. It is a simple fact that when a class of people gain ground in one area, they nearly always lose ground in another. This report illustrates some of the protections which women have lost, and how those protections might be taken back, if the married couple so-chooses.

In my experience, and the combined experience of others, a simple statutory "grant of powers of attorney" form does not work to allow a non-attorney husband to represent his wife in court. The reasons should become clear as you read on. The *only* method I know of which works, is presented for you here.

## Maxims

Before I delve deeper into this issue, I'll list a few maxims which seem to support my reader's theory:

- "A wife follows the domicile of her husband." Trayner, Latin Legal Maxims and Phrases, etc.
- "Husband and wife are considered one person (as one flesh and blood) in law." Coke on Littleton, 112; Jenkins' Eight Centuries of Reports, English Exchequer.
- "A wife is not her own mistress, but is under the power of her husband." Coke's Institutes, 5-108
- "All things which are the wife's are the husband's." Bracton, de Legibus et Consuetudinibus Angliae; 2 Kent's Commentaries on American Law.
- "Although the property may be the wife's, the husband is the keeper of it, since he is the head of the wife." Coke on Littleton, 112.

## Coverture

The principle my friend is thinking of, is called "coverture." Here's what Black's Law Dictionary (6th) says about it:

"Coverture. The condition or state of a married woman. Sometimes used elliptically to describe the legal disability which formerly existed at common law from a state of coverture whereby the wife could not own property free from the husband's claim or control. Such restrictions were removed by state Married Woman's Property Acts."

Hmmm. This definition makes it appear that the common law is abolished, and coverture is obsolete. It states that "restrictions were removed." Does that also mean that protections were dissolved?

I believe the answer is both yes, and no. Statutory government commonly grants "license," or special privilege, which supersedes the common law. Remember though, that "license" is defined as "permission from competent authority to do that which would otherwise be illegal, unlawful, a trespass, or a tort." In other words, government gives you permission to be a criminal.

1 Blackstone Commentaries (442) has this to say about coverture:

"By marriage, the husband and wife are one person in law, that is, the very being or legal existence of the woman is suspended during the marriage, or at least is incorporated and consolidated into that of the husband: under whose wing, protection, and cover, she performs everything; and is therefore called in our law-French a 'feme-covert,' ...and her condition during her marriage is called her coverture."

The common law placed restrictions upon women for their protection. A modern woman who is married by virtue of a State marriage license is presumed to have the benefit of these criminal statutes which supersede common law. In other words, in the absence of any private contract to the contrary, the modern woman is stripped of all her common-law protections.

Covenants to the Rescue

Written contracts are a way for people to express their mutual understanding of an agreement in a lasting way. This helps remind the participants, who might have foggy memories over the years, of their obligations. It also is a way of declaring the terms of that agreement to others, such as judges.

Most people these days are either content with the state's definition of marriage, or are not aware of any difference. But some couples want more from a marriage than two years of rocky cohabitation, and a divorce followed by eighteen years of state-ordered child support. This is why any married couple who share beliefs and/or expectations which are greater than, or different than the terms of marriage set forth in state statutes, should enter into a private marriage contract.

The old common law principle of coverture was a recognition that the nuclear family is a system of government separate from state or federal governments. The various state statutes which set forth terms of (non private contract) marriage, are purposely intended to undermine the strength and effectiveness of these competing governments.

In the absence of a written contract, any judge will rightly assume the terms of a marriage agreement to be limited to whatever may be set forth in state statute. But if a written contract is correctly presented into evidence, a judge *may* be obligated to allow it.

What is to stop a married couple from entering into a private marriage contract, in which the wife places herself under her husband's protection in coverture?

Most modern American women will reject the notion of making themselves subservient to their husbands. They see it as taking a step backward; surrendering hard-won legal rights. Do they take the time to realize that every so-called "right" comes with an equal and opposite duty?

Under the old common law a husband could, and usually did, assume all responsibility for any crimes committed by his wife. If a debt was to be paid, even time served in prison, it was the husband who paid it. The wife stayed home to mind the house and raise the children.

Modern marriage statutes (absent private contract) are trilateral (three-party contracts). The state is the primary party, and the husband and wife each owe their primary duty to the state. In effect, the couple doesn't marry one another. They each marry the state, which places them together in a constructive trust.

We know that contracts which contain illegal terms can be declared void. But all other contracts are binding. Article 1, Section 10 of the United States Constitution states in part:

"No State shall... pass any... Law impairing the Obligation of Contracts..."

So the question arises, "Can the principles of coverture can be deemed to be illegal?" I believe not, although an argument can be made for either case.

For example, many states have a Dower Interest law, which insures that a wife owns a certain undivided percentage of all her husband's property. The terms of this law varies from state to state, but in most cases the wife is deemed to retain her dower interest, even if she explicitly deeds or releases that interest to her husband. It's hers, and she can't give it up. The only way she can divest herself of the property is to join with her husband in a deed granted to a third party.

However, this example calls the marriage statutes themselves into play, and pre-supposes the absence of a private marriage contract containing terms to the contrary. In contrast, my position (that the husband can and should be able to buy and sell property without his wife's signature) is supported by the following maxim:

"Every one may renounce or relinquish a right introduced for his own benefit." Coke on Magna Charta and Old Acts, 183; Wingate's Maxims of Law, p. 483; The People v. Van Rensselaer, 9 N.Y. 291, 333.

As to the sources of case law supporting each argument, atheists and secular humanists, have no higher authority than government to look to. But Christians recognize a higher authority. Fortunately, such higher authority is even recognized by the U.S. Supreme Court.

The following cite is paraphrased from scribblings I've carried around in my day planner for years, but should be helpful to anyone with reason to look for the actual cite:

"Religious Freedom: U.S. vs. Seeger 380 U.S. 163

5 Indicia for mandatory consideration; all five must be true:

1. Religious Conscience - Belief in God
2. Beliefs are truly and sincerely held
3. Beliefs make up individual identity
4. Growing out of religious training and belief
5. Based upon a duty: "I have no choice."

Cannot be:

1. Political
2. Sociological
3. Philosophical
4. Economic
5. Personal Moral Code"

Whenever I construct paperwork intended for the courts, I always try to keep the above principles in mind.

Scriptural Rights and Duties

What does the Bible say about the proper relationship between husband and wife?

- Husband and wife are regarded as one flesh. Gen. 2:23-24; Matt. 19:5; Mark 10:8; Eph. 5:31.
- Marriage bonds are of God, and not to be put asunder by any man. Matt. 19:6; mark 10:9.
- Man is not independent of woman, nor is woman independent of man. 1 Cor. 7:4; 1 Cor. 11:11.
- Husbands are to have authority over their wives. Gen. 3:16; 1 Cor. 11:3, 7-9; Eph. 5:23.
- Husband to provide for the family. 1 Tim. 5:8.
- Wives are to obey their husband. 1 Cor. 14:34; Titus 2:5.
- Wives to be in subjection to their husbands. Gen. 3:16; Eph. 5:22, 24; Col. 3:18; 1 Pet. 3:1, 5-6.

- **Wife not to usurp authority over the man. 1 Tim. 2:12; Titus 2:5.**
- **The wife is not to raise questions in the church but to ask through her husband. 1 Cor. 14:34**

**(Compilation taken from A Handbook of Bible Law, by Charles A. Weisman)**

### **My Own Experience in Court**

**In 1997, my wife was served with a summons to appear in court on a civil matter.**

**As we have a private marriage contract which places her under my coverture, it was my duty to respond on her behalf.**

**Our Contract is a private matter between us, and we have no wish to disclose the terms of the full contract to any outside parties. However, it is in our mutual best-interest to disclose certain terms and conditions to others, from time to time.**

**So I drafted a declaration in affidavit form, to be signed by my wife, in which she gave notice of the existence of our private marriage contract, and quoted the terms which placed her under my coverture. Armed with this document, my Bible, and the other items which I would need to participate in the civil action, I walked into court in her stead. That's right, I appeared, and she did not.**

**When the case was called, I stood up and walked across the bar. I should mention here, that I had already met this judge on several occasions, and he knew me immediately upon sight. So the following paraphrased conversation should be instructive, if you're paying close attention.**

**Judge: "Who are you?"**

**Me: "I am here with regard to this matter."**

**Judge: "Are you a party to this matter?"**

**Me: "Yes, sir."**

**Judge: "What is your name?"**

**Me: "For purposes of this hearing, my name is [my wife's name]."**

**I have to break here long enough to say that the judge's expression was priceless. But even funnier, was the expression on the face of the court reporter. Court reporters, in my experience, never show any emotion, or even look up from their work to view the proceedings. This one stopped typing, and turned completely toward me with an expression so odd I can't even describe it. The judge recovered his composure after a few seconds, and continued:**

**Judge: "Do you have any identification?"**

**Me: "Yes, sir." (Whereupon I held up the declaration I'd previously prepared.**

**Judge: "Hand it to the bailiff please." (The bailiff gave the declaration to the judge, and he studied it for several minutes.)**

**Judge: "I cannot allow you to represent your wife."**

**Me: "Sir, it is not my intention to represent my wife."**

**Judge: "Then why are you here?"**

**Me: "For purposes of this hearing, I *am* my wife."**

**Judge: (after a long pause) "Take a seat over there (points to the table where my wife would have been directed to sit). I'll hear from the other party's attorney first, and then you'll be allowed to speak."**

**(The opposing attorney had her say [interesting, in this case, that the attorney was a woman].)**

**Judge: (to me) "Do you have anything to say?"**

**Me: "Yes, sir."**

**I proceeded to present my case, uninterrupted. When I was finished, the judge said:**

**Judge: "I have exercised my discretion to allow you to speak today, although I cannot allow you to represent your wife. In the interest of equity, my ruling is as follows..."**

**The judge proceeded to order everything I had asked for, as though my wife had done the asking. His comment was made to save face, and to obscure from witnesses the fact that I had succeeded in my objective. He didn't actually lie, in that he did not allow me to represent my wife. He simply accepted, based on the evidence before him, that I *was* my wife.**

**It should be noted that a warrant was never issued against her for failure to appear, as would certainly have been the case if "she" had not appeared.**

**That's all for now. May YHWH bless and keep you on the lawful path.**

**--Gregory.**