

# Federal Judge Tramples Utah's Constitution

## *Homosex and The Lesser Magistrates*

by Matt Trehella

On December 20, 2013, a Federal judge trampled Utah's Constitution when he ruled that the state's constitutional amendment which declares that marriage is between a man and a woman was unconstitutional. This is precisely why the people of Utah overwhelmingly voted for the constitutional amendment in 2004 - to prevent action by the Federal government to impose homosexual marriage upon their state.

sadly, the magistrates in Utah have bowed their necks and complied with the Federal dog. Governor Gary Herbert has appealed to - of all places - the Federal Courts. Two more Federal Courts quickly shot down Utah's request to stop the homosexual "marriages," so the governor decided to appeal to the U.S. Supreme Court. Uh... yeah, let's go appeal for help from the Supreme Court - a court which has ruled to decriminalize sodomy and just recently destroyed the Defense Of Marriage Act. What a farce.

The Supreme Court has stopped the homosexual "marriages" by sending the matter back to the 10th District Court of Appeals to rule on it. Don't get happy. The 10th District Court had already rejected Utah's appeal to stop the homosexual marriages. That's where things currently stand.

These magistrates in Utah are pretending to fight while they full well know that the Federal Courts will do nothing to uphold Utah's Constitution. This is a common game played by lower magistrates - feign a fight with the higher authority, but bow your neck in compliance when the Federal dog rules against you. They then get to report to their constituents that "we did all we could." And this is an utter lie.

The doctrine of the lesser magistrates teaches that when the superior or higher ranking civil authority makes unjust/immoral laws or decrees, the lower or lesser ranking civil authority has both a right and duty not to obey that superior authority. If necessary, the lesser authorities may even actively resist the higher authority.

Governor Herbert and the Utah legislature should have immediately defied the Federal government ruling and ordered all state magistrates and employees *not* to issue marriage licenses to homosexuals. Instead, Governor Herbert ordered all state officials and employees to do the bidding of the Federal judge's tyrannical ruling and *take all necessary actions* to issue marriage licenses to homosexuals.

And again, sadly, the lesser magistrates of Utah failed to defy unjust/immoral rulings and policy. At first, four of the 29 counties in Utah refused to obey the Federal ruling and the governor's order as they cited Utah law in defiance of them, but they soon acquiesced.

The Salt Lake City *Star Tribune* newspaper quoted San Juan County Clerk Norman

Johnson, one of the four counties that at first defied the order. When he decided to bow to the immoral ruling, Johnson stated, "*We have no choice. It is not the way I wanted to see things go. But the law's the law, and I accept it.*" Again, this is an utter lie. All county officials had/have both the right and duty not to obey the higher authority.

As Thomas Jefferson stated, "Whenever the General government assumes undelegated powers... a nullification of the act is the rightful remedy."

The lesser magistrates have the right and duty to disobey and defy the higher authority for three reasons:

1. They are to oppose and resist any laws or edicts from the higher authority that contravene the law or Word of God.
2. They are to protect the person, liberty, and property of those who reside within their jurisdiction from any unjust or immoral laws or actions by the higher authority.
3. They are not to implement any laws or decrees made by the higher authority that violate the Constitution, and if necessary, resist them.

*What has happened in Utah must never happen in another state.* I can assure you that the homosexuals and their immoral allies have legal cases going in every one of the 31 states with constitutional amendments affirming that marriage is only between a man and a woman.

The magistrates and people of the various states need to know and understand the doctrine of the lesser magistrates. When the next Federal tyrant makes such a ruling, the magistrates need to interpose and defy the ruling, and the people must demand of their magistrates that they defy the Federal beast and uphold their state's constitution.

This must be done loudly and demonstrably.

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The book he has written "The Doctrine of the Lesser Magistrates" can be found at [Amazon.com](http://Amazon.com). Multiple copies to get into the hands of legislators, county officials, and other lesser magistrates can be obtained at a discounted price by going to [LesserMagistrate.com](http://LesserMagistrate.com). You can contact Matt at [matt@lessermagistrate.com](mailto:matt@lessermagistrate.com) or 262-628-9169.