

Corporate Ownership of Children

By Stephen Kimbol Jr

The question of who “owns” our kids is neither new nor easily answered. The question once drove Solomon to suggest that a child be cut in half so each of the two contesting “owners” (mothers) could have equal parts. We presume that, if anyone “owns” our kids, it must be the parent(s). But that presumption is routinely challenged by media accounts of parents who lose “custody” of their kids for reasons that seem irrational. As a result, some people begin to suspect that maybe we don’t really “own” our kids.

The heart of this suspicion is government’s habit of simply taking children without due process of law or affording the parents the presumption of innocence. In fact, government agencies sometimes seize our kids much like the bank “repo’s” our cars when we fall behind on the car loan; somebody just pulls up to the curb in a car and tows ‘em away. The reason banks can repossess your car without going to court and affording you due process or the presumption of innocence – is that until you repay your car loan, you don’t “own” your car. Since you don’t own it, the bank can seize it.

It’s hard to believe, but perhaps the same reasoning applies to our children. Maybe government can seize your kids because the parents do not legally “own” them. As with the bank repossession, it follows that if you don’t “own” your kids, the only party who can take them is the true owner, or the owner’s representative. In other words,

government couldn’t seize your kids unless government already owned ‘em. (Can you say “com-mu-nist”, boys and girls?)

Government seized the children of this article’s author. In attempting to discover the government’s legal right to take his kids, the author reached the following conclusions:

Most of us find it unremarkable when Bill Clinton says, “Our children are our most valuable assets.” Although the President uses the collective term “our” to describe these children, we assume the President is speaking in the individual sense of “yours”, “mine”, and “theirs” when he talks about “our” children (surely, he couldn’t mean that we Americans own all children collectively, and even more obviously, the President’s use of “our” couldn’t mean the kids belong to the government!). We also assume the President is speaking metaphorically when he describes “children” as “assets” (surely, he doesn’t mean our kids are actually the physical “property” of the sort that might be registered as “assets” of a business or corporation).

However, my research indicates the President is speaking with great precision when he says, “Our children are our most valuable asset.” He means: 1) “your” children are in fact legal property of the federal government; and 2)

those state-owned children are worth a lot of money to the government. And he’s talking about almost every American child.

You’ll probably find my research disturbing since it suggests that American parents – you, perhaps – are selling their children into slavery. My understanding of this incredible problem began when my wife and I were accused – by the government – of reading the Bible to our children without training. As ridiculous as that charge sounds, it’s true. Based on that charge, the government took our children and caused us great suffering.

In the aftermath, I began to search the laws for the government’s authority to take our children, and here’s part of what I found:

First, according to 28 U.S.C. 3002-15, the “United States” is not a “government”; it’s a private corporation and the other fifty “states” (plus Guam, Virgin Island, Washington D.C., etc.) are mere corporate franchises. The “United States” only deals in Commerce and does so under private international law.

Second, on April 9th, 1912, the United States Inc. created the Children’s Bureau in the Department of Commerce and Labor to keep track of America’s children. (see, 62nd Congress, Session II. Chap. 73 pages 79-80). This should have sent up a red flag, but it didn’t.

Then in 1921, Congress passed the Sheppard-Towner Maternity Act that created the United States birth Regis-

tration area (see Public Law 97, 67th Congress, Session 1, Chapter 135, 1921). The *Sheppard-Towner* act allows parents to register their children when they are born and then receive a copy of the birth certificate.

I have a photocopy of an August 6, 1985 letter from the Health Services Agency of the County of Shasta, California, which illustrates the significance and consequences of having (or not having) a birth certificate:

"Dear Ms. R,

"As I understand it, you gave birth to twin girls on July 30 & 31, 1985 at Mercy Medical Center of Redding, Ca. I also understand from the hospital staff that you did not desire to register the birth of your girls with them at this time. I'm writing to inform you of information you may be unaware of.

"According to State regulations, if you do not register your daughters' birth within the first year of their delivery, they would then have to be registered on the delayed registration of birth form and the cost would be, this time, \$15.00. Considering the fact that you delivered in a hospital and had a physi-

cian in attendance, this would probably be of no consequence or trouble for you now, but in later years this may be a problem for your daughters. I am sure you are aware of the utmost importance in having a birth certificate as soon as possible. In twenty years, the hospital records could have been destroyed and your physician may not be available to help you or your girls.

"Consider the fact that in order to be registered for *school*, apply for a marriage *license*, grants or scholarships in school, the State of California requires a certified copy of a birth certificate. The Federal government requires a certified copy of a birth certificate when applying for military service, passport, or *social security card*. [Emph. add.]

"When you realize all the times they may need their certificate of birth, you may want to contact me and we'll arrange to have them taken care of for you. Please contact me if you any questions in this matter.

"Sincerely, Linda L. Allen

"Deputy Registrar, Vital Statistics"

Ms. Allen's letter implies that in 1985 without a birth certificate, you couldn't attend (or be forced to attend) public schools; couldn't get (or be forced to get) certain licenses; and couldn't even apply for a social security card (without a social security card, you can't pay income taxes). In fact, the relationship established by the birth certificate with government is far deeper than Ms. Allen's letter implies.

Today, when you voluntarily register your children, they become Federal Children and subjects of Congress. A copy of the birth certificate is sent to the Department of Vital Statistics in the state in which the child was born. The original birth certificate is sent to the Department of Commerce in "New Columbia" (the former District of Columbia) and then your child's future labor, properties and body are put up as collateral for the public debt. This is the first step in the United States Inc.'s control and custody of your children.

If these assertions seem incredible, ask any parent who's ever been in a divorce court custody battle if the judge didn't act as if the *state* (not the parents) owned the kids. And ask the parents who've been threatened with jail for disciplining their children if they, too, don't sometimes suspect if the government owns their kids. This bizarre suspicion is a lot closer to the truth than almost any American could imagine.

Nevertheless, government's ownership of America's children is not secret. There are many court cases which openly declare that our purported government owns virtually all of America's children. For example, according to *Tillman v. Roberts* (108 So. 62, 214 Ala. 71): "The primary control and custody of infants is with the government." According to *Nichols v. Nichols* (Civ. App., 247 S.W. 2d 143), in its capacity of "*parens patriae*," government may assume direction, control, and custody of children, and delegate such authority to whom it may see fit. (See, *Ridgeway v. Walter*, 133 S.W.2d 748, 281 Ky. 140; *Shelton v. Hensley*, 299 S.W. 979, 222 Ky 808.)

As a result, government has authority to have "your" children raised

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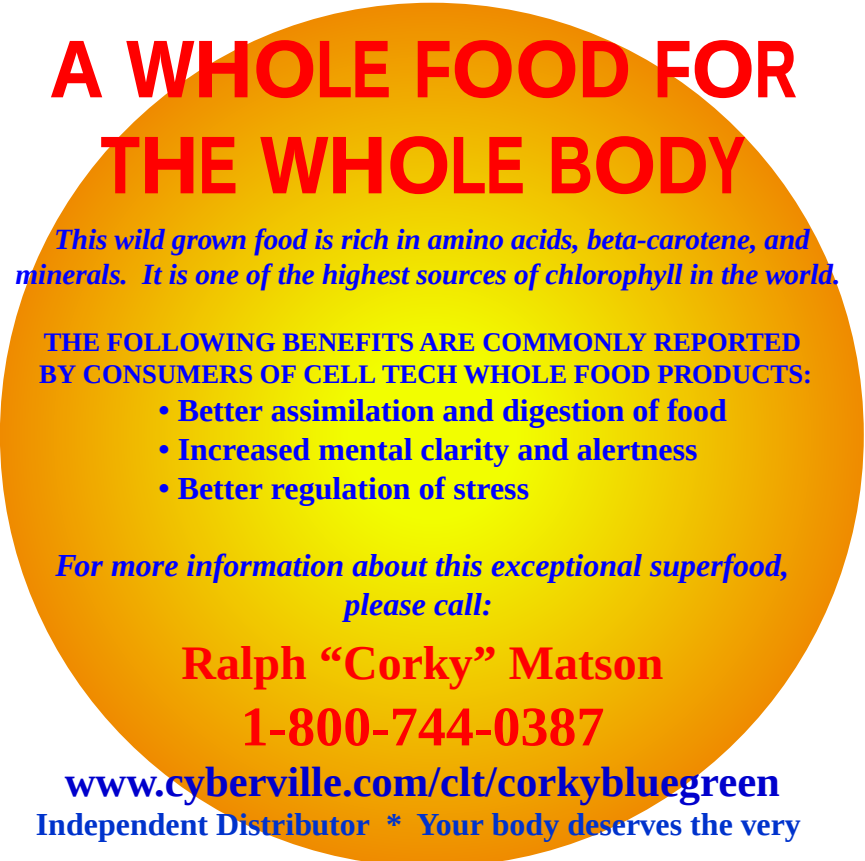
and taught whatever government thinks best. As a parent, you have no legal authority over “your” children. Although you may have equitable possession and control over “your” kids, they are the legal property of the state. That’s why government tends to dismiss parents’ complaints about subjects like “Outcome-Based Education”. Under 28 U.S.C. 3002-15, complaints to officers of a private international company (the “United States”) about what they’re doing with *their* property (the kids you thought were “yours”) is ludicrous. In fact, most parents no longer have any legal standing to question, challenge or complain about any government Legislation or regulation pertaining to children. And, as “property,” even the children have no rights since only real people owned by no one but themselves or God can have rights.

The people better wake up and study law and procedure, because if they don’t understand the law, they are also wards of the government. We must study law to be responsible for ourselves and our children. In fact, there is much hope and a way out of this mess through the law and procedure taught by the Redeemer of Man (Logos).

For a free information package, write To: Stephen Kimbol Ames C/O P.O. Box 5373, Harrisburg, Pennsylvania [17110], or call (717) 567-7675.

Stories of government agencies seizing children from parents based on little more than suspicion are common. While everyone wants to protect children – especially from physical or sexual abuse – no one can justify a slow process of final determination of charges based largely on anonymous tips, rumors or simple allegations of alternative life styles like home schooling or religious instruction.

Maybe it’s right, maybe it’s wrong for government to take a child into a kind of “protective custody”. But it is absolutely wrong to keep that child away from his family for one minute longer than absolutely necessary to determine if the underlying allegations of child abuse can be supported by



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enough evidence to prove a case in court. If government seizes the child today, it should hold habeas corpus hearings almost instantly to determine if there’s enough evidence to prove the alleged abuse might have taken place. After a quick, thorough investigation of the child’s physical condition, if the child abuse charge is based on nothing more than unsubstantiated rumor, the child should be instantly returned to the parent.

That kind of quick determination can cause tragic mistakes – but that’s the way it must be if we’re going to maintain the presumption of innocence in our courts. Under the emotionally-charged guise of protecting children, we are sacrificing an even greater value: the presumption that all of us (even parents) are “innocent until proven guilty.” If parents can be denied the presumption of innocence and due process today, tomorrow it will be the grand parents, and the day after, you and I. The hard truth is this: there are greater dangers facing this nation than child abuse and we cannot afford to ignore the greater dangers to satisfy the emo-

tional appeals of the lessor.

If we really care about our children’s welfare, we should look to the national attitudes and institutions that cause child abuse. For example, according to some studies, mothers are responsible for 60% of all child abuse and stepfathers are eight times as likely to physically or sexually abuse a child as is the biological father. If you play with those numbers a little, it becomes obvious that the parent least likely to abuse a child is the biological father. Do you really want to reduce child abuse? Then you’ll have to reverse the “maternal presumption” in our divorce law and custody determinations that favors women over men in family law issues. How many women really care enough about child abuse to forfeit their personal stake in the maternal presumption? Not many.

According to government statistics, women file 70% of all divorces. Part of the reason women are twice as likely to file as men, is that the maternal presumption provides an “incentive” for them to do so. Since losing the maternal presumption would prob-

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ably diminish the number of divorces filed and therefore the income of lawyers, how many lawyer and legislators care enough about child abuse to forfeit their financial interests in maintaining the maternal presumption? Very few.

If stepfathers are eight times as likely as biological fathers to commit child abuse, it's obvious that the number of stepfathers (and resultant child abuse) could be dramatically reduced if we eliminated "no fault" divorces and made divorce so difficult that (for the sake of the child) divorce was once again uncommon. How many lawyers, judges, welfare workers, court-appointed psychologists and politicians are really so appalled by child abuse that they'd support new laws to make divorce less common – and also less lucrative for the family law industry? Virtually none.

A recent government study indicated that 75% of all divorces are caused by financial stress. But government currently takes about 55% of every adult's income as local, state, and federal taxes. It follows that big government (which takes over half of our income) is the chief cause for our financial stress and therefore a primary cause for divorce. Because big government takes over half a man's income, a father can no longer take home enough money to support his family. Result? His wife must work to make ends meet. Result? Mom's not home to raise the kids. Result? Children grow up in day care, or as latchkey kids, or on the street with a gang for a family. Result? Moms lose respect for their husbands (they aren't good "providers") and husbands lose self-respect for the same reason. Result? Marital stress, alcoholic escapes and divorce (how many marriages can survive without the spouses' mutual respect?)

Since the probability of child abuse is increased by both divorce and poverty, how many politicians and government agencies truly care enough about stopping child abuse to reduce taxes (and government) to levels that minimize "financial stress" on families, encourage spousal respect, and thereby reduces the probability of poverty, di-

vorced and child abuse? Almost zero.

While feminists, lawyers, welfare workers, court-appointed shrinks, politicians, and government officials cry and struggle day-and-night for "tougher" child abuse laws (even if it means trashing the Constitution), not one of those special interest groups will take effective, collective action to reduce the root causes of child abuse. Why? Because every one of those groups collectively profits from various unjust laws or attitudes (maternal presumption, easy divorce, excessive taxes) which help cause child abuse.

So far as I can tell, the one group that's least likely to commit, cause, or profit from child abuse are biological fathers – and they are routinely scorned, disrespected or ignored by government, courts, feminists and media.

Don't kid yourself – despite all the emotional rhetoric surrounding child abuse, kids have no "special interest" clout. They don't vote or make political campaign contributions and are therefore politically "disposable". Although a lot of organizations use children as excuse to advance their interests, there is no effective, collective interest in protecting kids sufficient to overcome the "special interests" whose profits depend on laws that ultimately encourage child abuse.

If there is no real governmental or collective incentive to protect kids, who will protect them? The answer's as old as time and can be seen in 99% of all mammals and birds: the child's biological parents operating as an intact family.

Every law, institution, policy or attitude that causes, encourages or merely allows the break up of the biological family unit ultimately contributes to child abuse. So long as family law is written to favor special interests who profit from the destruction of families, child abuse will not only continue, it will increase. This increase must be recognized for what it is – manufactured by forces outside the family – and resisted rather than used as a reason to further destabilize marriage and diminish the rights of all Americans.