

## Inalienable/Unalienable

“Today, the word most commonly used, mostly pronounced and spelled is, “*inalienable*.” The word “*unalienable*” was known in the 18<sup>th</sup> century and more common than “inalienable.” In fact, there exist several drafts of a famous document of this time period, which used the word “*inalienable*,” before the final version was changed to “*unalienable*.”

Modern dictionaries define both of these words as meaning the same thing. But are they the same? “*Unalienable*” appears in one of the greatest phrases of The United States of America’s history.”

***“We hold these truths to be self evident, that all men [all inclusive noun] are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of happiness.”***

Excerpt from the Declaration of Independence 1776

“The Kansas City Court of Appeals for the State of Missouri quoted verbatim the above language of 1776 with approval in Morrison v. State, 252 S.W.2d 97 (Mo. Ct. App 1952), and then went on to say (also quoting):

***“Inalienable is defined as incapable of being surrendered or transferred, at least without one’s consent.”***

Webster New International Dictionary, Second Ed. Vol. 2,  
Page 1254. 252 S.W.2d at 101.

***“Unalienable: incapable of being alienated, that is, sold and transferred.”***

Black’s Law Dictionary, Sixth Edition, page 1523:

“You cannot surrender, sell or transfer *unalienable* rights they are a gift from the creator to the individual and can not under any circumstance be surrendered or taken. All *individuals* have *unalienable* rights.”

***“Inalienable rights: Rights which are not capable of being surrendered or transferred without the consent of the one possessing such rights.”***

Morrison v. State, 252 S.W.2d 97 (Mo. Ct. App. 1952).

## Inalienable/Unalienable (cont.)

“You can surrender, sell or transfer *inalienable* rights if you consent either actually or constructively. *Inalienable* rights are not inherent in man and can be alienated by government. **Persons** (not individuals) have inalienable rights. Most state constitutions recognize only *inalienable* rights. Here we have the so-called same defined words of **unalienable** and **inalienable** being separated not as the same thing, but differently and by an appellate court judge.”

“You and I may think **inalienable** and **unalienable** mean the same thing, but apparently courts and states do not. Therefore what is **unalienable** cannot be taken or transferred and relates itself to rights, and what is *inalienable* could be surrendered or transferred if by consent and relates itself to privileges. Words have meaning and carry rights and results or privileges and consequences.”

“In U.S. vs. JOHNSON (76 Fed. Supp. 538), Federal District Court Judge James Alger Fee ruled that,

***“The privilege against self-incrimination is neither accorded to the passive resistant, not to the person who is ignorant of his rights, nor to one who is indifferent thereto. It is a fighting clause. Its benefits can be retained only by sustained combat. It cannot be claimed by attorney or solicitor. It is valid only when insisted upon by a belligerent claimant in person.”***

McAlister vs. Henkle, 201 U. S. 90, 26 S.Ct. 385, 50 L. Ed. 671; Commonwealth vs. Shaw, 4 Cush. 594, 50 Am. Dec. 813; Orum vs. State, 38 Ohio App. 171, 175 N.E. 876.

“Here again we find a federal court judge using both the words “*privilege*” and “*rights*.” From the context, this is referring to the 5<sup>th</sup> Amendment to the U.S. Constitution. Did you ever think that a judge would make such a ruling?”

“OUR privileges and **inalienable** rights could be taken or transferred, but if you or I want OUR **unalienable** rights protected, WE have to fight for them and become “*belligerent*.” WE would out of necessity in order to protect OUR rights, stand in contempt of court. Words have meaning and they carry results or consequences.”

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