

## **4. KNOW YOUR CITIZENSHIP STATUS AND RIGHTS!**

Page

<b>4.</b>	<b>KNOW YOUR CITIZENSHIP STATUS AND RIGHTS!</b>	<b>4-1</b>
<b>4.1</b>	<b>Natural Order</b>	<b>4-11</b>
<b>4.2</b>	<b>Public v. Private</b>	<b>4-30</b>
4.2.1	Introduction	4-32
4.2.2	What is "Property"?	4-35
4.2.3	"Public" v. "Private" property ownership	4-36
4.2.4	The purpose and foundation of de jure government: Protection of EXCLUSIVELY PRIVATE rights	4-38
4.2.5	The Right to be left alone	4-44
4.2.6	The PUBLIC You (straw man) vs. the PRIVATE You (human)	4-47
4.2.7	All PUBLIC/GOVERNMENT law attaches to government territory, all PRIVATE law attaches to your right to contract	4-53
4.2.8	The Ability to Regulate Private Rights and Private Conduct is Repugnant to the Constitution	4-55
4.2.9	"Political (PUBLIC) law" v. "civil (PRIVATE/COMMON) law"	4-59
4.2.10	Lawful methods for converting PRIVATE property into PUBLIC property	4-63
4.2.11	Unlawful methods abused by government to convert PRIVATE property to PUBLIC property	4-68
4.2.12	The franchisee is a public officer and a "fiction of law"	4-77
4.2.13	"Public" v. "Private" Franchises Compared	4-79
<b>4.3</b>	<b>PUBLIC Privileges v. PRIVATE Rights</b>	<b>4-81</b>
4.3.1	PRIVATE Rights Defined and Explained	4-83
4.3.2	PUBLIC Rights/Privileges Defined and Explained	4-85
4.3.3	PUBLIC rights are created legislatively by the State and can be taken away while PRIVATE rights are created by God and cannot be taken away	4-86
4.3.4	The Creator of a Right Determines Who May Regulate and Tax It	4-90
4.3.5	PUBLIC privileges and PRIVATE rights compared	4-93
4.3.6	PRIVATE Civil Liberties v. PUBLIC Civil Rights v. PUBLIC Political Rights	4-96
4.3.7	Why we MUST know and assert our rights and can't depend on anyone to help us..	4-104
4.3.8	Why you shouldn't cite federal statutes (PUBLIC RIGHTS) as authority for protecting your PRIVATE rights	4-104
4.3.9	Enumeration of inalienable PRIVATE rights	4-108
4.3.10	Two of You	4-114
<b>4.4</b>	<b>Government</b>	<b>4-114</b>
4.4.1	What is government?	4-114
4.4.2	Biblical view of taxation and government	4-124
4.4.3	The purpose of government: protection of the weak from harm and evil	4-137
4.4.4	Equal protection	4-147
4.4.5	How government and God compete to provide "protection"	4-155
4.4.6	Separation of powers doctrine	4-158
4.4.7	"Sovereign"="Foreign"	4-164
4.4.8	The purpose of income taxes: government protection of the assets of the wealthy	4-180
4.4.9	Why all man-made law is religious in nature	4-181
4.4.10	The Unlimited Liability Universe	4-185
4.4.11	The result of violating God's laws or putting man's laws above God's laws is slavery, servitude, and captivity	4-196

1	4.4.12	Government-instituted slavery using “privileges”.....	4-197
2	4.4.13	Government has become idolatry and a false religion.....	4-203
3	4.4.14	Socialism is Incompatible with Christianity.....	4-220
4	4.4.15	All Governments are Corporations.....	4-225
5	4.4.16	How public servants eliminate or avoid or hide the requirement for “consent” to become	
6		“Masters”.....	4-228
7	4.4.16.1	Rigging government forms to create false presumptions and prejudice our rights.....	4-230
8	4.4.16.2	Misrepresenting the law in government publications.....	4-230
9	4.4.16.3	Automation.....	4-232
10	4.4.16.4	Concealing the real identities of government wrongdoers.....	4-233
11	4.4.16.5	Making it difficult, inconvenient, or costly to obtain information about illegal	
12		government activities.....	4-237
13	4.4.16.6	Ignoring correspondence and/or forcing all complaints through an unresponsive legal	
14		support staff that exasperates and terrorizes “customers”.....	4-238
15	4.4.16.7	Deliberately dumbing down and propagandizing government support personnel who have	
16		to implement the law.....	4-239
17	4.4.16.8	Creating or blaming a scapegoat beyond their control.....	4-240
18	4.4.16.9	Terrorizing and threatening, rather than helping, the ignorant.....	4-241
19	4.4.17	Why good government demands more than just “obeying the law”.....	4-243
20	<b>4.5</b>	<b>Separation of Powers.....</b>	<b>4-244</b>
21	4.5.1	The Three Definitions of “United States”.....	4-244
22	4.5.2	Two Political Jurisdictions: “National Government” vs. “Federal/general government”	
23		250.....	
24	4.5.3	The Federal Zone.....	4-263
25	4.5.4	The Buck Act of 1940 (4 U.S.C. Sections 105-111).....	4-267
26	4.5.4.1	The united States of America.....	4-267
27	4.5.4.2	The "SHADOW" States of the Buck Act.....	4-269
28	<b>4.6</b>	<b>The Constitution is Supposed to Make You the Sovereign and The Government Your</b>	
29		<b>Servant.....</b>	<b>4-270</b>
30	4.6.1	The Constitution does not bind citizens.....	4-271
31	4.6.2	The Constitution as a Legal Contract.....	4-272
32	4.6.3	How the Constitution is Administered by the Government.....	4-272
33	4.6.4	If the Constitution is a Contract, why don’t we have to sign it and how can our	
34		predecessors bind us to it without our signature?.....	4-274
35	4.6.5	Authority delegated by the Constitution to Public Servants.....	4-274
36	4.6.6	Voting by Congressmen.....	4-275
37	4.6.7	Our Government is a band of criminal extortionists acting without legal authority! ..	4-276
38	4.6.8	Oaths of Public Office.....	4-276
39	4.6.9	Tax Collectors.....	4-279
40	4.6.10	Oaths of naturalization given to aliens.....	4-279
41	4.6.11	Oaths given to secessionists and corporations.....	4-279
42	4.6.12	Oaths of soldiers and servicemen.....	4-280
43	4.6.13	Treaties.....	4-280
44	4.6.14	Government Debts.....	4-280
45	4.6.15	Our rulers are a secret society!.....	4-282
46	4.6.16	The agenda of our public servants is murder, robbery, slavery, despotism, and	
47		oppression.....	4-284
48	<b>4.7</b>	<b>The U.S.A. is a Republic, not a Democracy.....</b>	<b>4-286</b>
49	4.7.1	Republican mystery.....	4-287
50	4.7.2	Military Intelligence.....	4-287
51	4.7.3	Sovereign Power.....	4-288
52	4.7.4	Government’s Purpose.....	4-288

1	4.7.5	Who holds the sovereign power?.....	4-289
2	4.7.6	Individually-held God-given unalienable Rights.....	4-290
3	4.7.7	A republic's covenant.....	4-290
4	4.7.8	Divine endowment.....	4-290
5	4.7.9	Democracies must by nature be deceptive to maintain their power.....	4-291
6	4.7.10	Democratic disabilities.....	4-291
7	4.7.11	Collective self-destruction.....	4-293
8	4.7.12	The "First" Bill of Rights?.....	4-294
9	4.7.13	The mandate remains.....	4-294
10	4.7.14	What shall we do?.....	4-296
11	4.7.15	Sorry, Mr. Franklin, "We're All Democrats Now".....	4-296
12	4.7.15.1	Introduction.....	4-296
13	4.7.15.2	Transition to Democracy.....	4-297
14	4.7.15.3	Current Understanding.....	4-298
15	4.7.15.4	Democracy Subverts Liberty and Undermines Prosperity.....	4-298
16	4.7.15.5	Foreign Affairs and Democracy.....	4-300
17	4.7.15.6	Foreign Policy, Welfare, and 9/11.....	4-301
18	4.7.15.7	Paying for Democracy.....	4-303
19	4.7.15.8	Confusion Regarding Democracy.....	4-304
20	4.7.15.9	The Way Out.....	4-304
21	4.7.16	Summary and Conclusion.....	4-307
22	<b>4.8</b>	<b>Police Powers.....</b>	<b>4-310</b>
23	<b>4.9</b>	<b>"Domicile" and "Residence".....</b>	<b>4-313</b>
24	4.9.1	Domicile: You aren't subject to civil statutory law without your explicit voluntary consent.....	4-313
25	4.9.2	"Subject to THE jurisdiction" in the Fourteenth Amendment.....	4-319
26	4.9.3	"reside" in the Fourteenth Amendment.....	4-322
27	4.9.4	"Domicile" and "residence" compared.....	4-322
28	4.9.5	Christians cannot have an earthly "domicile" or "residence".....	4-323
29	<b>4.10</b>	<b>"Citizen" and "Resident".....</b>	<b>4-324</b>
30	4.10.1	"Resident" defined generally.....	4-324
31	4.10.2	You're NOT a STATUTORY "resident" if you were born or naturalized in America and are domiciled in a state of the Union protected by the Constitution.....	4-326
32	4.10.3	You're not a STATUTORY "citizen" under the Internal Revenue Code.....	4-327
33	4.10.4	Why all people domiciled in states of the Union are "non-resident non-persons".....	4-338
34	<b>4.11</b>	<b>The TWO types of "residents": FOREIGN NATIONAL under the common law or GOVERNMENT CONTRACTOR/PUBLIC OFFICER under a franchise.....</b>	<b>4-346</b>
35	4.11.1	Introduction.....	4-346
36	4.11.2	Definition of "residence" within civil franchises such as the Internal Revenue Code.....	4-349
37	4.11.3	"Resident" in the Internal Revenue Code "trade or business" civil franchise.....	4-350
38	4.11.4	"resident"=government employee, contractor, or agent.....	4-355
39	4.11.5	Why was the statutory "resident" under civil franchises created instead of using a classical constitutional "citizen" or "resident" as its basis?.....	4-360
40	4.11.6	How the TWO types of "RESIDENTS" are deliberately confused.....	4-361
41	4.11.7	PRACTICAL EXAMPLE 1: Opening a bank account.....	4-363
42	4.11.8	PRACTICAL EXAMPLE 2: Creation of the "resident" under a government civil franchise.....	4-363
43	<b>4.12</b>	<b>Citizenship Generally.....</b>	<b>4-367</b>
44	4.12.1	Introduction.....	4-372
45	4.12.2	Sovereignty.....	4-374
46			
47			
48			
49			
50			

1	4.12.3	“Statutory” v. “Constitutional” Citizens .....	4-379
2	4.12.3.1	CONTEXT is EVERYTHING in the field of citizenship.....	4-381
3	4.12.3.2	Comparison of STATUTORY “U.S.** citizen” with CONSTITUTIONAL “U.S.***	
4		citizen” on the subject of voting .....	4-382
5	4.12.3.3	How STATUTORY “citizens” convert to CONSTITUTIONAL “citizens” .....	4-386
6	4.12.3.4	LEGAL/STATUTORY CIVIL status v. POLITICAL/CONSTITUTIONAL Status ..	4-389
7	4.12.3.5	Supreme Court definition of “Constitutional citizen” .....	4-391
8	4.12.3.6	Statutory citizen/resident status is entirely voluntary and discretionary. Constitutional	
9		citizen status is NOT .....	4-392
10	4.12.3.7	CONSTITUTIONAL citizenship is NOT a revocable “privilege”, nor are Any of the Bill	
11		of Rights contingent on having that status. The Bill of Rights is applicable to ALL, and	
12		not merely CONSTITUTIONAL citizens.....	4-395
13	4.12.3.8	Comparison.....	4-396
14	4.12.3.9	STATUTORY “Citizen of the United States” is a corporation franchise .....	4-401
15	4.12.3.10	You’re not a STATUTORY “citizen” under the Internal Revenue Code.....	4-402
16	4.12.3.11	Territorial STATUTORY citizens are “subject to ITS jurisdiction” in statutes rather than	
17		“subject to THE jurisdiction” in the Fourteenth Amendment.....	4-414
18	4.12.3.12	Who started the STATUTORY v. CONSTITUTIONAL citizen confusion SCAM....	4-418
19	4.12.3.13	STATUTORY and CONSTITUTIONAL “aliens” are equivalent under U.S.C. Title 8 ...	4-420
20		420	
21	4.12.4	Proof that Statutory citizens/residents are a franchise status that has nothing to do with	
22		your domicile .....	4-421
23	4.12.4.1	Background.....	4-421
24	4.12.4.2	All statutory “U.S.** citizens” are naturalized aliens whose nationality is a revocable	
25		taxable privilege.....	4-426
26	4.12.4.3	“national and citizen of the United States** at birth” in 8 U.S.C. §1401 is a PUBLIC	
27		PRIVILEGE, not a PRIVATE RIGHT .....	4-430
28	4.12.4.4	When are statutory “citizens” (8 U.S.C. §1401) liable for tax?: Only when they are	
29		privileged “residents” abroad and not in a constitutional state .....	4-433
30	4.12.4.5	Meaning of “citizenship” used by federal courts .....	4-437
31	4.12.4.6	Legal Dictionary .....	4-441
32	4.12.4.7	Criminalization of being a “citizen of the United States” in 18 U.S.C. §911 .....	4-444
33	4.12.4.8	U.S. Supreme Court: Murphy v. Ramsey .....	4-446
34	4.12.4.9	U.S. Supreme Court: Cook v. Tait .....	4-447
35	4.12.4.10	U.S. v. Valentine, 288 F.Supp. 958, 980 (1968).....	4-451
36	4.12.4.11	Summary.....	4-452
37	4.12.5	STATUTORY “Citizens” v. STATUTORY “Nationals” .....	4-455
38	4.12.5.1	Introduction .....	4-455
39	4.12.5.2	What if I don’t consent to receive ANY of the “benefits” or “privileges” of being a	
40		“citizen”? What would I be called? .....	4-456
41	4.12.5.3	Statutory “citizens” .....	4-461
42	4.12.5.4	Statutory “nationals” .....	4-463
43	4.12.5.5	Title 8 STATUTORY definitions .....	4-467
44	4.12.5.6	Power to create is the power to tax and regulate.....	4-469
45	4.12.5.7	Rights Lost By Becoming a statutory “U.S. citizen” .....	4-470
46	4.12.6	Effect of Domicile on Citizenship Status.....	4-471
47	4.12.7	Four Types of American Nationals.....	4-479
48	4.12.8	Legal Basis for “State National” Status .....	4-481
49	4.12.8.1	What is a CONSTITUTIONAL “State national”?.....	4-481
50	4.12.8.2	CONSTITUTIONAL or State Citizens .....	4-482
51	4.12.8.3	An example state national: Perkins v. Elg, 307 U.S. 325 (1939).....	4-486
52	4.12.8.4	Why Congress can’t define the CIVIL STATUTORY status of those born within	
53		constitutional states of the Union.....	4-490
54	4.12.8.5	State citizens are NOT STATUTORY “non-citizen nationals of the United States** at	
55		birth” per 8 U.S.C. §1408 .....	4-492
56	4.12.8.6	Expatriation: 8 U.S.C. §1481 .....	4-495
57	4.12.8.7	Statutory geographical definitions .....	4-496

1	4.12.8.8	The Fourteenth Amendment .....	4-499
2	4.12.8.9	Department of State Foreign Affairs Manual (FAM) .....	4-501
3	4.12.8.10	Federal court jurisdiction .....	4-502
4	4.12.8.11	Rebutted arguments against those who believe people born in the states of the Union are not “nationals” .....	4-503
5			
6	4.12.8.12	Sovereign Immunity of State Nationals .....	4-512
7	4.12.8.13	Conclusions .....	4-515
8	4.12.9	Summary of Constraints Applying to Statutory “State National” Status.....	4-515
9	4.12.10	Federal citizenship .....	4-516
10	4.12.10.1	Types of citizenship under federal law .....	4-517
11	4.12.10.2	History of federal citizenship.....	4-521
12	4.12.10.3	Constitutional Basis of federal citizenship.....	4-527
13	4.12.10.4	The voluntary nature of citizenship: Requirement for “consent” and “intent” .....	4-532
14	4.12.10.5	How you unknowingly volunteered to become a “citizen of the United States” under federal statutes .....	4-535
15			
16	4.12.10.6	Presumptions about “citizen of the United States” status .....	4-536
17	4.12.10.7	Privileges and Immunities of U.S. citizens .....	4-537
18	4.12.10.8	Definitions of federal citizenship terms .....	4-539
19	4.12.10.9	Further Study .....	4-542
20	4.12.11	Citizenship and all political rights are INVOLUNTARILY exercised and therefore CANNOT be taxable and cannot be called “privileges”.....	4-543
21			
22	4.12.11.1	Voting .....	4-548
23	4.12.11.2	Paying taxes.....	4-551
24	4.12.11.3	Jury Service .....	4-553
25	4.12.11.4	Citizenship .....	4-555
26	4.12.12	STATUTORY “Nationals” v. STATUTORY “U.S.** Nationals” .....	4-558
27	4.12.12.1	Legal Foundations of STATUTORY “national” Status.....	4-563
28	4.12.12.2	Voting as a STATUTORY “national” or “state national” .....	4-574
29	4.12.12.3	Serving on Jury Duty as a STATUTORY “national” or “state national” .....	4-575
30	4.12.12.4	Summary of Constraints applying to STATUTORY “national” status .....	4-576
31	4.12.13	How Did We Lose Our Sovereignty and Become STATUTORY “U.S. citizens”?....	4-576
32	4.12.14	How You are Illegally Deceived or Compelled to Transition from Being a Constitutional Citizen/Resident to a Statutory Citizen/Resident: By Confusing the Two Contexts...	4-586
33			
34	4.12.14.1	Where the confusion over citizenship originates: Trying to make CONSTITUTIONAL and STATUTORY contexts equivalent .....	4-586
35			
36	4.12.14.2	How the confusion is generally perpetuated: Word of Art “United States” .....	4-590
37	4.12.14.3	Purpose for the confusion in laws and forms.....	4-592
38	4.12.14.4	Obfuscated federal definitions to confuse Statutory Context with Constitutional Context4- 594	
39			
40	4.12.14.5	State statutory definitions of “U.S. citizen”.....	4-602
41	4.12.14.6	Legal definition of “citizen” .....	4-602
42	4.12.14.7	The architect of our present government system, Montesquieu, predicted this deception, corruption, and confusion of contexts.....	4-604
43			
44	4.12.14.8	The methods of deceit and coercion on the citizenship issue .....	4-607
45	4.12.14.9	How the deceit and compulsion is implemented in the courtroom .....	4-611
46	4.12.14.10	How you help the government terrorists kidnap your legal identity and transport it to “The District of Criminals”.....	4-616
47			
48	4.12.14.11	Questions you can ask that will expose their deceit and compulsion .....	4-618
49	4.12.14.12	The Hague Convention HIDES the ONE portion that differentiates NATIONALITY from DOMICILE.....	4-619
50			
51	4.12.14.13	Social Security Administration HIDES your citizenship status in their NUMIDENT records .....	4-620
52			
53	4.12.14.14	“Citizenship” in federal court implies Domicile on federal territory not within any state.4- 622	
54			
55	4.12.14.15	How you unknowingly volunteered to become a “citizen of the United States” under federal statutes .....	4-623
56			
57	4.12.14.16	How to prevent being deceived or compelled to assume the civil status of “citizen”..4-624	

1	4.12.14.17	Misapplication of Statutory diversity of citizenship or federal jurisdiction to state citizens .....	4-625
2	4.12.15	Citizenship in Government Records .....	4-637
3	4.12.16	Practical Application: Avoiding Identity Theft and Legal Kidnapping Caused by	
4		Confusion of Contexts .....	4-638
5	4.12.16.1	How to Describe Your Citizenship on Government Forms and Correspondence.....	4-638
6	4.12.16.1.1	Overview.....	4-639
7	4.12.16.1.2	Tabular summary of citizenship status on all federal forms.....	4-642
8	4.12.16.1.3	Diagrams of Federal Government processes that relate to citizenship.....	4-645
9	4.12.16.1.4	How the corrupt government CONCEALS and OBFUSCATES citizenship information on government forms to ENCOURAGE misapplication of federal franchises to states of the Union .....	4-647
10	4.12.16.1.5	The Social Security Administration and Form SS-5 .....	4-647
11	4.12.16.1.6	The Department of Homeland Security and Form I-9.....	4-649
12	4.12.16.1.7	USA Passport.....	4-651
13	4.12.16.2	Answering Questions from the Government About Your Citizenship So As to Protect Your Sovereign Status and disallow federal jurisdiction .....	4-651
14	4.12.16.3	Arguing or Explaining Your Citizenship in Litigation Against the Government .....	4-655
15	4.12.16.4	Federal court statutory remedies for those who are "state nationals" injured by government .....	4-659
16	4.12.17	Expatriation.....	4-659
17	4.12.17.1	Definition.....	4-660
18	4.12.17.2	Right of expatriation .....	4-660
19	4.12.17.3	Compelled Expatriation as a punishment for a crime .....	4-661
20	4.12.17.4	Amending your citizenship status to regain your rights: Don't expatriate! .....	4-662
21	4.12.18	Duties and Responsibilities of Citizens .....	4-665
22	4.12.19	Citizenship Summary.....	4-671
23	<b>4.13</b>	<b>Contracts.....</b>	<b>4-678</b>
24	<b>4.14</b>	<b>Our Private Constitutional Rights.....</b>	<b>4-679</b>
25	4.14.1	No forced participation in Labor Unions or Occupational Licenses .....	4-679
26	4.14.2	Property Rights .....	4-679
27	4.14.3	No IRS Taxes.....	4-680
28	4.14.4	No Gun Control .....	4-680
29	4.14.5	Motor Vehicle Driving.....	4-683
30	4.14.6	No Marriage Licenses.....	4-686
31	4.14.6.1	Reason #1: The definition of a "license" demands that we not obtain one to marry....	4-686
32	4.14.6.2	Reason #2: When you marry with a marriage license, you grant the State jurisdiction over your marriage.....	4-687
33	4.14.6.3	Reason #3: When you marry with a marriage license, you place yourself under a body of law which is immoral.....	4-687
34	4.14.6.4	Reason #4: The marriage license invades and removes God-given parental authority.....	4-687
35	4.14.6.5	Reason #5: When you marry with a marriage license, you are like a polygamist .....	4-688
36	4.14.6.6	When Does the State Have Jurisdiction Over a Marriage?.....	4-688
37	4.14.6.7	History of Marriage Licenses in America.....	4-688
38	4.14.6.8	What Should We Do? .....	4-689
39	4.14.7	Church Rights .....	4-689
40	<b>4.15</b>	<b>Sources of government authority to interfere with your rights.....</b>	<b>4-690</b>
41	<b>4.16</b>	<b>A Citizens Guide to Jury Duty.....</b>	<b>4-691</b>
42	4.16.1	Jury Power in the System of Checks and Balances: .....	4-691
43	4.16.2	A Jury's Rights, Powers, and Duties: .....	4-691
44	4.16.3	Jurors Must Know Their Rights:.....	4-692
45	4.16.4	Our Defense - Jury Power:.....	4-693

1       **4.17 Conflicts of Law: Violations of God’s Laws by Man’s Laws ..... 4-693**  
2       **4.18 How Do We Assert our First Amendment Rights and How Does the Government**  
3            **Undermine Them? ..... 4-695**  
4       **4.19 The Solution..... 4-700**  
5  
6

1 "To the security of a free Constitution, education contributes ... by teaching the people themselves to know and  
2 value their own rights."  
3 [George Washington (1732-1799)]

4 "The history of liberty is the history of the limitation of governmental power, not the increase of it."  
5 [Woodrow Wilson]

6 "They [The makers of the Constitution] conferred, as against the government, the right to be let alone - the most  
7 comprehensive of rights and the right most valued by civilized men."  
8 [Supreme Court Justice Louis D. Brandeis, 1928] [emphasis added]

9 "In the general course of human nature, A POWER OVER A MAN'S SUBSISTENCE AMOUNTS TO A POWER  
10 OVER HIS WILL."  
11 [Alexander Hamilton, *The Federalist*, No. 79]

12 "America is much more than a geographical fact. It is a political and moral fact --the first community in which  
13 men set out in principle to institutionalize freedom, responsible government, and human equality."  
14 [Adlai Stevenson]

15 After reading the previous chapter on the legal authority for income taxes, it ought to be pretty clear after seeing all the game-  
16 playing Congress did with the tax code that we should:

17 **"Always question authority!"**

18 **"Always challenge jurisdiction!"**

19 Why should we question authority and challenge jurisdiction? Because if we aren't watching the government closely and  
20 keeping them accountable, responsible, and constrained in power by the law and the system of checks and balances that our  
21 founders gifted us with, then tyranny is virtually guaranteed:

22 "Single acts of tyranny may be ascribed to the accidental opinion of a day. But a series of oppressions, ... pursued  
23 unalterably through every change of ministers, too plainly proves a deliberate systematic plan of reducing us to  
24 slavery."  
25 [Thomas Jefferson]

26 How do we question authority? By looking at where that authority derives and ensuring that politicians and government  
27 officials, when they order us to do something, be willing and able to describe to us the laws that give them their legal authority.  
28 It is then our duty, as responsible citizens, to read the laws ourselves and ensure that these officials remain strictly within the  
29 legal and constitutional bounds of their authority in order to prevent or avoid abuses of their authority. It is also our duty to  
30 ensure that government power and authority is restrained by proper oversight and a system of checks and balances to ensure  
31 that it does not concentrate into one spot and lead to tyranny. This is because "absolute power corrupts absolutely", as they  
32 say. The voting booth, the jury box, our right to own guns and to use those guns to protect ourselves, and the Grand Jury are  
33 the only thing that prevents tyranny from spreading and our politicians from becoming complete tyrants.

34 Knowing your constitutional, statutory, and common-law rights and the authority and jurisdiction of each government  
35 organization is therefore the first major step in questioning authority, which we should all do throughout our dealings with  
36 any government organization.

37 Within the court system, legal authority is summed up in one word: *jurisdiction*. A court cannot order us to do anything  
38 unless and until it can establish that it has "jurisdiction" to order us, or the people or institutions that control our assets, to do  
39 something.

40 This chapter therefore discusses the extent of our rights. For the record, we've included a legal definition of "rights":

41 "**RIGHTS.** Individual liberties either expressly provided for in the state or federal constitutions, such as the right  
42 to assemble or free speech, or which have been found to exist as those constitutions have been interpreted, such  
43 as the right to an abortion; that which a person is entitled to have, or to do, or to receive from others, within the  
44 limits prescribed by the law; an enforceable legal right; or the capacity to enforce that right; "a claim or title to



1 or an interest in anything that is enforceable by law," 263 P. 2d 769, 773. See also civil rights, constitutional  
2 rights; inalienable rights; inherent right; preemptive rights"<sup>71</sup>.

3 These rights, in turn, circumscribe the limits of the constitutional and legal authority which any official in our federal and  
4 state governments must abide by and respect in administering and executing the laws of the Constitution, the U.S. Code, the  
5 Code of Federal Regulations, and your state statutes and regulations.

6 We will also clarify in this chapter that ultimately, your legal and civil rights come **not** from your citizenship primarily, but  
7 from where you live. That's right, you have been laboring under a misapprehension for most of your life. The portion of our  
8 Constitution called the Bill of Rights, from which you derive your rights, attaches to you not by virtue of your citizenship,  
9 but by virtue of where you live. Here are a few of the many examples of that:

10 "It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure,  
11 and not the status of the people who live in it."  
12 [Balzac v. Porto Rico, 258 U.S. 298 (1922)]

13 "The very essence of civil liberty certainly consists in the right of every individual [not citizen, but individual] to  
14 claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford  
15 that protection."  
16 [Marbury v. Madison, 5 U.S. 137, 1 Cranch 137, 2 L.Ed. 60 (1803)]

17 "**RIGHT:** ...Civil rights are such as belong to every citizen of the state or country, or, in a wider sense, to all  
18 its inhabitants [citizens or not], and are not connected with the organization or administration of the  
19 government."  
20 [Black's Law Dictionary, Fourth Edition, 1968, pp. 1486-1488]

21 "In *Truax v. Raich*, *supra*, the people of the state of Arizona adopted an act, entitled 'An act to protect the [271  
22 U.S. 500, 528] citizens of the United States in their employment against noncitizens of the United States,' and  
23 provided that an employer of more than five workers at any one time in that state should not employ less than 80  
24 per cent. qualified electors or native-born citizens, and that any employer who did so should be subject upon  
25 conviction to the payment of a fine and imprisonment. It was held that such a law denied aliens an opportunity  
26 of earning a livelihood and deprived them of their liberty without due process of law, and denied them the  
27 equal protection of the laws. As against the Chinese merchants of the Philippines, we think the present law  
28 which deprives them of something indispensable to the carrying on of their business, and is obviously intended  
29 chiefly to affect them as distinguished from the rest of the community, is a denial to them of the equal protection  
30 of the laws."  
31 [Yu Cong Eng v. Trinidad, 271 U.S. 500 (1926)]

32 That's right: you don't have to be a "citizen" to have rights here in America, because God gave you those rights and they  
33 attach to the land you live on and were born on, as you will learn in section 4.9. Being an "inhabitant" is good enough to  
34 have the government's protection for most laws. This is extremely important and something that few Americans fully  
35 understand. It is also something the courts are very reluctant to tell you outright because they want you to become a "citizen"  
36 so they can induce you to trade in your rights in exchange for taxable government "privileges".

37 We'll start off this chapter by talking in the next section about a subject called "Natural Order", because that subject is  
38 **foundational** to understanding the rest of the chapter and forming an accurate and enlightened view of the world around us.  
39 You will not, in fact, understand most of the content of Chapter 5 unless and until you can grasp this chapter, and especially  
40 the next section. Why are this chapter and the next section so important? Because by reading and understanding them, you  
41 will understand, for instance:

- 42 1. Why the source of all authority and power is not our government, but God and Nature's Laws, which are both eternal  
43 and immutable.
- 44 2. Why whenever we try to deviate from the Natural Order or Natural Law that God gave to us as human beings, our  
45 government becomes corrupt and begins abusing our rights and exploiting the very people that it was instituted to help  
46 and protect.
- 47 3. How government as it is practiced today has indeed become a **religion** of its own making in violation of the First  
48 Amendment (see section 4.4.13 for further details).
- 49 4. Why the government can only tax the corporations and franchises that it creates.

<sup>71</sup> *Law Dictionary*, Barron's, Copyright 1996, ISBN 0-8120-3096-6, pp. 445-446.

- 1 5. That “police powers” are reserved with the states under the Tenth Amendment to the U.S. Constitution, and federal
- 2 jurisdiction within the borders of the states are severely and necessarily limited to the specific powers delegated and
- 3 enumerated to the federal government by the Constitution. Any other act or jurisdiction pursued by our federal
- 4 government is “unlawful” and “illegal” and punishable by Treason against the Constitution.
- 5 6. Why “income” in a constitutional sense can *only* be defined as “corporate profit” anywhere and everywhere in our tax
- 6 code. Any other design for our country’s system of taxation produces tyranny, slavery, and despotism.
- 7 7. Why the government can’t tax *people* directly (direct taxes), because it didn’t *create* people: God did!
- 8 8. How the ignorance that results from our youth, relative inexperience, and naïve views of the law propagated by a
- 9 corrupted media and our failing public/government education system has clouded our perceptions so that we cannot
- 10 effectively discern or recognize truth as a civilization and a culture, and how that ignorance and disinformation is hurting
- 11 us and bringing God’s vengeance upon our country.
- 12 9. How our ignorance and inexperience has caused us to make unrealistic “presumptions” about the world and our
- 13 government that often leads us into sin and subjection and slavery to that government, which is why we condemned
- 14 ignorance earlier in section 1.8 and presumptions earlier in section 2.8.2.

15 Most of us have been making uninformed “presumptions” about our citizenship, the law, or our rights for most of our adult  
 16 life without ever realizing it, as a matter of fact. The author fell in that category for literally decades before researching and  
 17 writing this book, for instance. As we said earlier in section 1.8, the remedy for these errors is education and more importantly  
 18 not earthly wisdom, but the pure and perfect wisdom of God as revealed in His word and through His Holy Spirit, or your  
 19 conscience, whichever you prefer to call it:

20 *“The fear of the Lord is the beginning of wisdom.”*  
 21 *[Prov. 9:10, Bible, NKJV]*

22 *“He who gets wisdom loves his own soul; he who keeps understanding will find good.”*  
 23 *[Prov. 19:8, Bible, NKJV]*

24 *“Wisdom is the principal thing; therefore get wisdom: and with all thy getting get understanding.”*  
 25 *[Prov. 4:7, Bible, NKJV]*

26 The purpose of education is to train our senses and inform our discretion to recognize and discern truth and to do so free of  
 27 incorrect presumptions fed to us by the government and a corrupted media. Therefore, before we begin investigating the  
 28 rights and citizenship subjects addressed in this chapter, we must *first* use education to calibrate our world view and undo the  
 29 false presumptions we have been fed with and conditioned by for most of our lives. This will ensure that our world view is  
 30 realistic and informed and consistent with Natural Law, God’s truth, and the world around us: not as *we* in our ignorance and  
 31 inexperience *perceive* it, but as it *really* is! Our world view is of *utmost* importance and governs how we perceive and more  
 32 importantly act and react to the world around us. From our world view comes our priorities, our goals, and the motives that  
 33 govern everything we do.

34 Consequently, the subject of this next section is *the* single most important and fascinating part of this entire book, we believe,  
 35 and we think that it will completely change your view of the world after you have read and reread and taken the time to  
 36 understand it. Pray about it and think hard about it and ask the Holy Spirit or your conscience for confirmation, because it’s  
 37 a fundamental and profound teaching that exposes the heart and the cause of most of the deception and tyranny that we  
 38 presently live under in these great United States of America. You may perceive that the ideas expressed in the next section  
 39 appear completely different from the mainstream media, from government propaganda, and in some cases from many  
 40 churches, but we assure you that the foundation of *everything* in the next section comes right out of the Bible and the mouth  
 41 of no less than the U.S. Supreme Court, and it isn’t likely that you’ll get a more authoritative or enlightened source than these  
 42 two. So sit back and take your time and look *everything* up that we cite if you like in order to verify and validate what we  
 43 are saying and prove to yourself that it isn’t just *our* opinion, but a *fact* that you can rely upon and build your *whole life*  
 44 around as we have done.

45 In writing this chapter, we make frequent use of what is referred to as “moral evidence”, which is every bit as admissible and  
 46 credible in a court of law as any piece of physical evidence or testimony ever might be:

47 ***Moral evidence.** As opposed to “mathematical” or “demonstrative” evidence, this term denotes that kind of*  
 48 *evidence which, without developing an absolute and necessary certainty, generates a high degree of probability*  
 49 *or persuasive force. It is founded upon analogy or induction, experience of the ordinary course of nature or the*  
 50 *sequence of events, and the testimony of men.*  
 51 *[Black’s Law Dictionary, Sixth Edition, p. 1008]*

We encourage you to use this chapter as evidence in your own litigation to defend your God-given rights. Writing and rewriting the next section certainly has completely and permanently changed our world view for the better. ☺

#### 4.1 Natural Order

*"Don't go around saying the world owes you a living. The world owes you nothing. It was here first."*  
[Mark Twain]

*"Men do not make laws. They do but discover them. Laws must be justified by something more than the will of the majority. They must rest on the eternal foundation of righteousness. That state is most fortunate in its form of government which has the aptest instruments for the discovery of law."*  
[Calvin Coolidge, to the Massachusetts State Senate, January 7, 1914]

*"If the jury feels the law is unjust [violates God's law], we recognize the undisputed power of the jury to acquit, even if its verdict is contrary to the law as given by a judge, and contrary to the evidence ... and the courts must abide by that decision."*  
[U.S. v. Moylan, 417 F.2d. at 1006 (1969)]

*"The sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of any of their number is self-protection."*  
[John Stuart Mill]

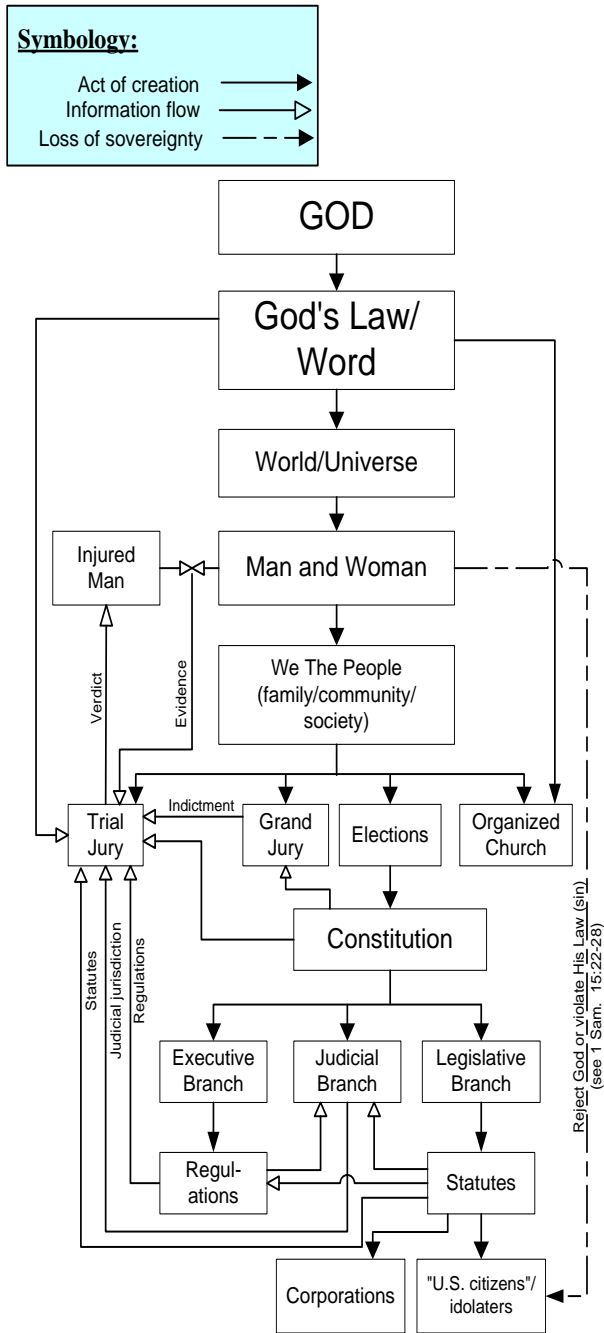
*"I have lived, Sir, a long time, and the longer I live, the more convincing proofs I see of this truth - that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid?"*  
[Benjamin Franklin]

We explained Natural Law earlier in section 3.4, and Natural Order is an extension of Natural Law. The foundation of Natural Order is the notion that all creations are subject to and subservient to their Creator, who is always the sovereign relative to the creation. God created man so He is the Sovereign relative to man. Man created the states of the Union, so the people of the state are sovereign relative to their state government. The states of the Union then created the federal government, so the states are the sovereigns relative to the federal government and the federal government is subservient to and subordinate to them. The authority delegated by the states to the federal government is a definition and limitation of the power of the federal (not national) government and under the Tenth Amendment to the U.S. Constitution: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people". Here is an example of this concept right from no less than the U.S. Supreme Court:

*"A State does not owe its origin to the Government of the United States, in the highest or in any of its branches. It was in existence [was created] before it. **It derives its authority from the same pure and sacred source as itself: The voluntary and deliberate choice of the people**...A State is altogether exempt from the jurisdiction of the Courts of the United States, or from any other exterior authority, unless in the special instances when the general Government has power derived from the Constitution itself."*  
[Chisholm v. Georgia, 2 Dall. (U.S.) 419 (Dall.) (1793)]

Natural Order therefore defines the natural hierarchy of sovereignty in all of creation based on the order that all things were created. In the words of former President Calvin Coolidge, Natural Law cannot be created by man: it can only be discovered, and the same is true of Natural Order. Natural law is therefore a product of the following Natural Order and hierarchy of sovereignty. This hierarchy of sovereignty is unchangeable and immutable and cannot be denied, denounced, or legislated away by any court or government because it is a product of who and what we are as human beings. All human beings instinctively understand its meaning and application. Below is a diagram of Natural Order:

#### Figure 4-1: Natural Order Diagram



Sovereign	References	Explanation	SOVEREIGNTY
God	John 15:20	Omnipotent, omnipresent, source of all Truth "Remember the word that I said to you, 'A servant is not greater than his master.'"	↑ GREATEST
	John 1:1 Hebrews 11:3	"In the beginning was the Word, and the Word was with God, and the Word was God."	
	Gen. 1:1-25 Psalms 89:11-12	"In the beginning, God created the heavens and the earth."	
	Gen. 1:26-31 Matt. 4:10	"Let Us make man in Our image" "You shall worship the Lord your God and Him ONLY you shall serve."	
We The People as <u>Individuals</u> (NOT government)	Julliard v. Greenman, 110 U.S. 421 (1884) Hale v. Henkel, 240 U.S. 43 (1906) Perry v. U.S., 394 U.S. 330 (1935)	Sovereignty resides in the people, not in the government. The People created trial by jury, and grand jury to punish/prevent sin. People created elections to organize government. Created church to promote spiritual welfare.	↑ LEAST
	Church: Gen. 3:15	These organizations prevent injustice and protect our life, liberty, and pursuit of happiness.	
	Ten Commandments: Exodus 20:1 thru 20:17	Constitution is a social contract approved through elections.	
	Gen. 11:4-9 Matt. 20:25-29 Declaration of Independence	Government created by the people. "...whoever desires to become great [in the government] among you, <u>let him be your servant</u> . And whoever desires to be first among you, let him be your slave."	
	U.S. v. Mersky, 361 U.S. 431 (1960)	Statutes and regulations (laws) created by government. Executive branch writes implementing regulations based on statutes passed by legislative branch.	
	Bowers v. Kerbaugh-Empire Co., 271 U.S. 170, 174, (1926)	Corporations are fictions created by law. Lies in IRS publications and treason by judiciary try to put you here.	

1

2 In the above diagram everyone at a particular level is a “fiduciary” of the parties above and they are bound to this position by  
3 contract or by oath of office.

4 **fiduciary duty:** A duty to act for someone else’s benefit, while subordinating one’s personal interests to that of  
5 the other person. It is the highest standard of duty implied by law (e.g. trustee, guardian).  
6 [Black’s Law Dictionary, Sixth Edition, p. 625]

7 A fiduciary relationship is a “master” and “servant” relationship. The fiduciary is the servant and he is bound to his Master  
8 by oath or contract. For instance, we are bound to act as fiduciaries and bondservants who serve the best interests of the

1 sovereign God who created us by the contract or the covenant that God has with us which is documented in the Bible.<sup>72</sup>  
 2 Public servants in government, in turn, are contractually bound to us as the sovereigns they serve by written contracts called  
 3 the U.S. Constitution and our state Constitution. The founding fathers also agreed that the Constitution was a fiduciary  
 4 contract between the people and their government during the development of that instrument as documented in the Federalist  
 5 Paper #78:

6 "No legislative act contrary to the Constitution can be valid. To deny this would be to affirm that the deputy  
 7 (agent) is greater than his principal; that the servant is above the master; that the representatives of the people  
 8 are superior to the people; that men, acting by virtue of powers may do not only what their powers do not  
 9 authorize, but what they forbid...[text omitted] It is not otherwise to be supposed that the Constitution could  
 10 intend to enable the representatives of the people to substitute their will to that of their constituents. It is far  
 11 more rational to suppose, that the courts were designed to be an intermediate body between the people and the  
 12 legislature, in order, among other things, to keep the latter within the limits assigned to their authority. The  
 13 interpretation of the laws is the proper and peculiar province of the courts. A Constitution is, in fact, and must  
 14 be regarded by judges, as fundamental law. If there should happen to be an irreconcilable variance between the  
 15 two, the Constitution is to be preferred to the statute."  
 16 [Alexander Hamilton, Federalist Paper # 78]

17 Both the federal government and the state governments are entirely devoid of any lawful authority to interfere with either of  
 18 the two contracts we are party to: The Bible or the federal or state Constitutions. Here is the proof of this assertion, direct  
 19 from the U.S. Supreme Court:

20 "Independent of these views, there are many considerations which lead to the conclusion that the power to  
 21 impair contracts [either the Constitution or the Holy Bible], by direct action to that end, does not exist with the  
 22 general [federal] government. In the first place, one of the objects of the Constitution, expressed in its  
 23 preamble, was the establishment of justice, and what that meant in its relations to contracts is not left, as was  
 24 justly said by the late Chief Justice, in Hepburn v. Griswold, to inference or conjecture. As he observes, at the  
 25 time the Constitution was undergoing discussion in the convention, the Congress of the Confederation was  
 26 engaged in framing the ordinance for the government of the Northwestern Territory, in which certain articles of  
 27 compact were established between the people of the original States and the people of the Territory, for the  
 28 purpose, as expressed in the instrument, of extending the fundamental principles of civil and religious liberty,  
 29 upon which the States, their laws and constitutions, were erected. By that ordinance it was declared, that, in the  
 30 just preservation of rights and property, 'no law ought ever to be made, or have force in the said Territory, that  
 31 shall, in any manner, interfere with or affect private contracts or engagements bona fide and without fraud  
 32 previously formed.' The same provision, adds the Chief Justice, found more condensed expression in the  
 33 prohibition upon the States [in Article 1, Section 10 of the Constitution] against impairing the obligation of  
 34 contracts, which has ever been recognized as an efficient safeguard against injustice; and though the prohibition  
 35 is not applied in terms to the government of the United States, he expressed the opinion, speaking for himself and  
 36 the majority of the court at the time, that it was clear 'that those who framed and those who adopted the  
 37 Constitution intended that the spirit of this prohibition should pervade the entire body of legislation, and that  
 38 the justice which the Constitution was ordained to establish was not thought by them to be compatible with  
 39 legislation [or judicial precedent] of an opposite tendency.' 8 Wall. 623. [99 U.S. 700, 765] Similar views are  
 40 found expressed in the opinions of other judges of this court."  
 41 [Sinking Fund Cases, 99 U.S. 700 (1878) ]

42 "A state can no more impair the obligation of a contract by her organic law [constitution] than by legislative  
 43 enactment; for her constitution is a law within the meaning of the contract clause of the national constitution.  
 44 Railroad Co. v. [115 U.S. 650, 673] McClure, 10 Wall. 511; Ohio Life Ins. & T. Co. v. Debolt, 16 How. 429;  
 45 Sedg. St. & Const. Law, 637 And the obligation of her contracts is as fully protected by that instrument against  
 46 impairment by legislation as are contracts between individuals exclusively. State v. Wilson, 7 Cranch, 164;  
 47 Providence Bank v. Billings, 4 Pet. 514; Green v. Biddle, 8 Wheat. 1; Woodruff v. Trapnall, 10 How. 190; Wolff  
 48 v. New Orleans, 103 U.S. 358."  
 49 [New Orleans Gas Company v. Louisiana Light Company, 115 U.S. 650 (1885)]

50 We talked about the terms of the fiduciary duty that exists between the sovereign People and their government when we  
 51 talked about the Code of Ethics for Government service earlier in section 2.1. This Government Code of Ethics embodies  
 52 and implements the terms of that fiduciary contract between the sovereign People and their servant government. Incidentally,  
 53 Alexander Hamilton's very words from the Federalist Paper #78 echo those of God Himself, who through His son Jesus said  
 54 the following:

55 "Remember the word that I said to you: 'A servant is not greater than his master.'"  
 56 [John15:20, Bible, NKJV]

<sup>72</sup> See 1 Peter 2:13-17.

Below is what the Bible says about the duties of “servants”, which describe our duties toward God and government’s duties towards us:

*“Servants, obey in all things your masters according to the flesh, not with eyeservice, as men-pleasers, but in sincerity of heart, fearing God. And whatever you do, do it heartily, as to the Lord and not to men, knowing that from the Lord you will receive the reward of the inheritance; for you serve the Lord Christ. But he who does wrong will be repaid for the wrong which he has done, and there is no partiality.”*  
[Col. 3:22-25, Bible, NKJV]

The Bible covenant between us and our sovereign God also has all the attributes of a valid legal contract:

1. An offer: God’s Love and forgiveness
2. Acceptance: Our acceptance of God’s love and forgiveness and sovereignty over our spiritual lives.
3. Consideration: We commit our time, our life, our families, and our affections to serving and loving and thanking God for his grace and mercy toward us, who are sinners.
4. Mutual assent: God understands us better than we understand ourselves, and we must understand the commitment and the covenant He makes to us by reading the Bible daily.

In many cases, you can confirm the existence of this contract with God by looking in the Bible for the word “yoke” or “covenant”. Here is the definition of “yoke” out of Easton’s Bible Dictionary:

**YOKE** — (1.) Fitted on the neck of oxen for the purpose of binding to them the traces by which they might draw the plough, etc. (Num. 19:2; Deut. 21:3). It was a curved piece of wood called ‘ol.

(2.) In Jer. 27:2; 28:10, 12 the word in the Authorized Version rendered “yoke” is motah, which properly means a “staff,” or as in the Revised Version, “bar.”

These words in the Hebrew are both used figuratively of severe bondage, or affliction, or subjection (Lev. 26:13; 1 Kings 12:4; Isa. 47:6; Lam. 1:14; 3:27). In the New Testament the word “yoke” is also used to denote servitude (Matt. 11:29, 30; Acts 15:10; Gal. 5:1).

(3.) In 1 Sam. 11:7, 1 Kings 19:21, Job 1:3 the word thus translated is tzemed, which signifies a pair, two oxen yoked or coupled together, and hence in 1 Sam. 14:14 it represents as much land as a yoke of oxen could plough in a day, like the Latin jugum. In Isa. 5:10 this word in the plural is translated “acres.”

To be “yoked” means to be contractually or spiritually bound to God: to be figuratively married to Him as His bride. Here is an example from Jesus’ mouth:

*“Come to Me, all you who labor and are heavy laden, and I will give you rest. Take **My yoke** upon you and learn from Me, for I am gentle and lowly in heart, and you will find rest for your souls. For **My yoke** is easy and My burden is light.”*  
[Matt. 11:28-30, Bible, NKJV]

This contract or covenant we have with God makes us superior to any government or ruler and makes us the sovereign over everyone in government:

*“You have delivered me from the strivings of the people [democratic mob rule];  
You have made me the head of the nations [and the government of the nations];  
A people I have not known [in Washington, D.C., the District of Columbia] shall serve me;  
The foreigners [Washington, D.C. is foreign to states of the Union] submit to me;  
The foreigners fade away,  
And come frightened from their hideouts [on every election day].”*  
[Psalm 18:43-45, Bible, NKJV]

Incidentally, without this yoke or covenant between us and God, without our unflinching allegiance to Him over and above that of any government or state, and without our adherence to this Sacred contract as evidenced by our steadfast obedience to God’s laws and His commandments (called “fearing God”), we fall from grace, lose our sovereignty, and are then put into subjection and bondage to man’s laws and to government, who they then become our new false god and idol. This is God’s sovereign punishment for our disobedience:

*“The wicked shall be turned into hell,  
And all the nations that forget God.”*

[Psalm 9:17, Bible, NKJV]

**“Behold, to obey [God and His Law] is better than sacrifice, and to heed than the fat of rams. For rebellion is as the sin of witchcraft, and stubbornness is an iniquity and idolatry. Because you have rejected the word of the Lord, He also has rejected you from being king [or sovereign over government].”**

Then Saul [the king] said to Samuel, **“I have sinned, for I have transgressed the commandment of the Lord and your words, because I feared the people [wanted to be politically correct instead of right with God] and obeyed their voice [instead of God’s voice].** Now therefore, please pardon my sin and return with me, that I may worship the Lord.” But Samuel said to Saul [the king], **“I will not return with you, for you have rejected the word of the Lord, and the Lord has rejected you from being king over Israel”**

And as Samuel turned around to go away, Saul seized the edge of his robe, and it tore. So Samuel said to him, **“The Lord has torn the kingdom of Israel from you today and has given it to a neighbor of yours, who is better than you.”**  
[1 Sam. 15:22-28, Bible, NKJV]

The diagram at the beginning of this section reflects the above reality with an arrow showing our fall from grace and sovereignty as a “man” to become “U.S. citizens/idolaters”, which is the price for disobedience to God’s commandments and laws. When that happens, we become “subjects” of the federal government and our own ignorance and sin has voluntarily transformed a constitutional republic into a totalitarian “monarchy” or “oligarchy”:

**“citizen. 1: an inhabitant of a city or town; esp: one entitled to the rights and privileges of a freeman. 2 a: a member of a state b: a native or naturalized person who owes allegiance to a government and is entitled to protection from it 3: a civilian as distinguished from a specialized servant of the state—citizenly**

**syn CITIZEN, SUBJECT, NATIONAL mean a person owing allegiance to and entitled to the protection of a sovereign state. CITIZEN is preferred for one owing allegiance to a state in which sovereign power is retained by the people and sharing in the political rights of those people; SUBJECT implies allegiance to a personal sovereign such as a monarch; NATIONAL designates one who may claim the protection of a state and applies esp. to one living or traveling outside that state.”**  
[Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 243; Emphasis added]

Another important thing to learn from the above scripture is that Saul fell because he was a man-pleaser. He “feared the people” more than he feared God (see Eccl. 12:13-14). This is a polite way to say that he was more concerned with being “politically correct” than in obeying God and His Laws. The Lord was essentially second on Saul’s priority list and so Saul fell from grace and was dethroned as the king and sovereign over his people. The same fate awaits all who do the same today, including us as Americans. God made us the kings and the sovereigns over our servant government, and this sovereignty is a privilege that results from our faith and obedience to God’s Laws and our worship of Him through our righteous actions. Below is a definition of “worship” from Harper’s Bible Dictionary that confirms these conclusions:

**worship, the attitude and acts of reverence to a deity. The term ‘worship’ in the OT translates the Hebrew word meaning ‘to bow down, prostrate oneself,’ a posture indicating reverence and homage given to a lord, whether human or divine. The concept of worship is expressed by the term ‘serve.’ In general, the worship given to God was modeled after the service given to human sovereigns [government rulers]; this was especially prominent in pagan religions. In these the deity’s image inhabited a palace (temple) and had servants (priests) who supplied food (offered sacrifices), washed and anointed and clothed it, scented the air with incenses, lit lamps at night, and guarded the doors to the house. Worshipers brought offerings and tithes to the deity, said prayers and bowed down, as one might bring tribute and present petitions to a king. Indeed the very purpose of human existence, in Mesopotamian thought, was to provide the gods with the necessities of life.**

**Although Israelite worship shared many of these external forms, even to calling sacrifices ‘the food of God’ (e.g., Lev. 21:6), its essence was quite different. As the prophets pointed out, God could not be worshiped only externally. To truly honor God, it was necessary to obey his laws, the moral and ethical ones as well as ritual laws. To appear before God with sacrifices while flouting his demands for justice was to insult him (cf. Isa. 1:11-17; Amos 5:21-22). God certainly did not need the sacrifices for food (Ps. 50:12-13); rather sacrifice and other forms of worship were offered to honor God as king.**  
[Achteimer, P. J., Harper & Row, P., & Society of Biblical Literature. 1985. Harper’s Bible dictionary. Includes index. (1st ed.). Harper & Row: San Francisco]

The privilege or rulership over our government servants may be revoked at any time if we cease to trust in the Lord and put Him first, no matter the consequence. The following scripture makes this point abundantly clear:

**The Great  IRS Hoax: Why We Don't Owe Income Tax, version 4.54**

**TOP SECRET: For Official Treasury/IRS Use Only (FOUO)**

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1 ***"Humble yourselves in the sight of the Lord, and He will lift you up [above your government]."***  
 2 *[James 4:10, Bible, NKJV]*

3 The punishment for our disobedience and our failure to humble ourselves towards God as our King, our Ruler, and our  
 4 Lawgiver is a tyrannical and dictatorial government that we become enslaved to and oppressed by because of our sin and our  
 5 consequent inability to govern ourselves because of the sin. We explained why this was the case earlier in section 2.8.1 when  
 6 we talked about the book of Judges.

7 Since the Bible is a valid legal contract between us and God just as much as the federal constitution is a contract between  
 8 "We The People" (as individuals) and their government, then one interesting outcome is that the Constitution forbids states  
 9 from interfering with such contracts:

10 ***United States Constitution, Article I, Section 10***

11 *No State shall...pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or*  
 12 *grant any Title of Nobility.*

13 So not even the government can remove God from His sovereign role over both us and the government, and the Bible confirms  
 14 that we cannot be separated from the love of God, which is the essence of our faith<sup>73</sup>:

15 ***"For I am persuaded that neither death nor life, nor angels nor principalities nor powers [governments or***  
 16 ***rulers], nor things present nor things to come, nor height nor depth, nor any other created thing, shall be able to***  
 17 ***separate us from the love of God which is in Christ Jesus our Lord."***  
 18 *[Romans 8:38-39, Bible, NKJV, emphasis added]*

19 The Ten Commandments say that our top priority is to love God, and by implication, obeying His commandments, His  
 20 statutes, His Law, and His Word.

21 ***"He who has My commandments and keeps them, it is he who loves Me. And he who loves Me will be loved by***  
 22 ***my Father, and I will love him and manifest Myself to him."***  
 23 *[John 14:21, Bible, NKJV]*

24 We have taken the time to actually catalog on our website many but not all of God's laws at the web address below for your  
 25 reference:

26 [http://famguardian.org/Subjects/LawAndGovt/ChurchVState/BibleLawIndex/bl\\_index.htm](http://famguardian.org/Subjects/LawAndGovt/ChurchVState/BibleLawIndex/bl_index.htm)

27 The implications of these revelations are that since God says *He* and His *Law/Word* in the Bible are to be *first* on our priority  
 28 list, then when or if the vain government of man or its laws attempt to conflict with or supersede the authority of God, we  
 29 must remind the state that it cannot lawfully interfere with our First Amendment religious views by putting *itself* above God  
 30 and in charge of our life or making human laws that conflict with God's laws which are in the Bible. That very calling and  
 31 moral obligation of reconciling God's laws with man's laws, in fact, is the *sole* duty of the Trial Jury in the diagram. We  
 32 even took this argument so far as to PROVE later in section 4.4.13 from a legal perspective using evidence exactly how our  
 33 government has made itself into a religion and a false god to show just how bad this conflict between God and man has  
 34 become.

35 God's laws, however, must always supersede man's laws because He is the Creator of Heaven and Earth, which makes Him  
 36 Sovereign over all existence, and we are His sovereign delegates and ambassadors on the earth from whom the government  
 37 derives ALL of its sovereignty over the finite stewardship which we have entrusted to it through our Constitution. Our  
 38 obedience to God's laws, which sometimes puts us in conflict with man's laws, is what sanctifies us and sets us apart.

39 ***"Pure and undefiled religion before God and the Father is this: to visit orphans and widows in their trouble,***  
 40 ***and to keep oneself unspotted from the world [and the corrupted governments and laws of the world]."***  
 41 *[James 1:27, Bible, NKJV]*

42 *"Come out from among them [the unbelievers]*  
 43 *And be separate, says the Lord.*  
 44 *Do not touch what is unclean,*

<sup>73</sup> See Matt. 22:36-40



1                   And I will receive you.  
2                   I will be a Father to you,  
3                   And you shall be my sons and daughters,  
4                   Says the Lord Almighty."  
5                   [2 Corinthians [6:17-18](#), Bible, NKJV]

6 This faith and sanctification and obedience and joyful service to God makes us into “*ministers of a foreign state*” while we  
7 are here on earth from a legal perspective, and the “foreign state” in this case is “heaven” and “God’s kingdom”. Our ministry  
8 is for the glory of God and the love of our fellow man, in satisfaction of the two great commandments of Jesus found in Matt.  
9 22:36-40. No less than the Supreme Court in *U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898) said that the phrase “and subject  
10 to the jurisdiction of the United States” found in Section 1 of the Fourteenth Amendment *excludes* “ministers of foreign  
11 states” from being “U.S. citizens”. That’s right: we can’t be “U.S. citizens” and thereby make government into our false god  
12 because we are only “pilgrims and strangers”<sup>74</sup> on a foreign mission while we are temporarily here. The only place that  
13 Christians can really intend or realistically expect to return permanently to is heaven because nothing here on earth is  
14 permanent for us anyway, and life would be *miserable* indeed if it were! I’d like to see someone litigate *that* in a state court.  
15 Wouldn’t it be fun to watch?

16 Here, in fact, is what God thinks about human governments and the nations created by man:

17                   “Arise, O Lord,  
18                   Do not let man prevail;  
19                   Let the nations be judged in Your sight.  
20                   Put them in fear, O Lord,  
21                   That the nations may know themselves to be but men.”  
22                   [[Psalm 9:19-20](#), Bible, NKJV]

23                   “Behold, the nations are as a drop in the bucket, and are counted as the small dust on the scales.”  
24                   [[Isaiah 40:15](#), Bible, NKJV]

25                   “All nations before Him are as **nothing**, and they are counted by Him **less than nothing and worthless**.”  
26                   [[Isaiah 40:17](#), Bible, NKJV]

27                   “*He brings the princes to nothing; He makes the judges of the earth useless.*”  
28                   [[Isaiah 40:23](#), Bible, NKJV]

29                   “*Indeed **they are all worthless; their works are nothing**; their molded images are wind and confusion.*”  
30                   [[Isaiah 41:29](#), Bible, NKJV]

31 **Worthless!** Now do you understand why the Jews were hated, why Christians are persecuted to this day, and why Jesus  
32 was crucified and Paul was executed by the Roman government? The same thing happened to the early Jews, who refused  
33 to bow to man’s law and held steadfastly to God’s law:

34                   “Then Haman said to King Ahasuerus, “There is a certain people scattered and dispersed among the people in  
35 all the provinces of your kingdom; **their laws are different from all other people’s, and they do not keep the**  
36 **king’s laws**. Therefore it is not fitting for the king to let them remain. If it pleases the king, let a decree be written  
37 that they be destroyed, and I will pay ten thousand talents of silver into the hands of those who do the work, to  
38 bring it into the king’s treasuries.”  
39                   [[Esther 3:8-9](#), Bible, NKJV]

40 Christians who are doing what God commands are basically ungovernable unless you put *them* in charge as the sovereigns  
41 and give them a *servant* government. Remember, ours is a government “of the people, by the people, and for the people”, as  
42 Abraham Lincoln said in his famous Gettysburg Address. That means that we have a moral duty to God to govern ourselves  
43 and not have a king or any government above us. Government can only *serve* us and we are to lead and control it through  
44 frequent elections that keep our servants in government accountable. This is confirmed in Prov. 6:6-11:

45                   “*The words ‘people of the United States’ and ‘citizens,’ are synonymous terms, and mean the same thing. **They***  
46 ***both describe the political body who, according to our republican institutions, form the sovereignty, and who***  
47 ***hold the power and conduct the government through their representatives.*** They are what we familiarly call the  
48 ‘sovereign people,’ and every citizen is one of this people, and a constituent member of this sovereignty. ...”  
49                   [[Boyd v. State of Nebraska](#), 143 U.S. 135 (1892)]

<sup>74</sup> See Phil. 3:20, Hebrews 11:13, 1 Peter 2:1, and James 4:4 for biblical foundation for this fact.

Go to the ant, you sluggard!

Consider her ways and be wise,

Which, having no captain,

Overseer or ruler,

Provides her supplies in the summer,

And gathers her food in the harvest.

How long will you slumber, O sluggard?

When will you rise from your sleep?

A little sleep, a little slumber,

A little folding of the hands to sleep--

So shall your poverty come on you like a prowler,

And your need like an armed man.

[Prov. 6:6-11, Bible, NKJV]

Any attempt to put anyone in government above us as a king or ruler amounts to idolatry and violates the first commandment (see Matt. 22:36-38). A jealous God (see Exodus 20:5) simply won't allow the government to compete with Him for the affections and the worship of His people, who He calls His "bride" in Rev. 21:9 and Rev. 22:17.

*"Do not fear, for you will not be ashamed; neither be disgraced, for you will not be put to shame; for you will forget the shame of your youth, and will not remember the reproach of your widowhood anymore. **For your Maker is your husband, the Lord of hosts is His name; and your Redeemer is the Holy One of Israel; He is called the God of the whole earth,** for the Lord has called you like a woman forsaken and grieved in spirit, like a youthful wife when you were refused," says your God. "For a mere moment I have forsaken you, but with great mercies I will gather you. With a little wrath I hid My face from you for a moment; but with everlasting kindness I will have mercy on you," says the Lord, your Redeemer."*  
[Isaiah 54:4-8, Bible, NKJV]

When we do God's will and obey His commandments and His laws, we become His bride and an important part of His family!:

*"For whoever does the will of God is My brother and My sister and mother."*  
[Jesus, in Mark 3:35, NKJV]

And when we disobey His commands and His law, he calls us an "adulterer":

*"Adulterers and adulteresses! Do you now know that friendship [and "citizenship"] with the world is enmity with God? **Whoever therefore wants to be a friend [citizen] of the world makes himself an enemy of God.**"* [James 4:4, Bible, NKJV]

When we as God's *bride* (yes, we're already married, you *fornicators* and *idolaters* in government looking for an easy lay!) and body of His believers and His children and family commit idolatry by selling ourselves into slavery and subjection to the government in exchange for their protection and privileges and a sense of false security, we are physically and spiritually united with and become "Babylon the Great Harlot" described in Revelation 17:5 of the Bible. The Bible reminds us, as a matter of fact, that it is a SIN to demand an earthly king or ruler and that we instead should by implication be self-governing men and women who are guided by the Holy Spirit to do God's will and who are *servants* to His personal and spiritual leadership in our daily lives. He communicates His sovereign will to us daily through our prayers and His word, the Bible. Below is one example where seeking an earthly king instead of God's leadership is described as a sin:

*"Then all the elders of Israel gathered together and came to Samuel at Ramah, and said to him, 'Look, you are old, and your sons do not walk in your ways. **Now make us a king to judge us like all the nations** [and be OVER them]'.*

*"But the thing displeased Samuel when they said, '**Give us a king to judge us.**' So Samuel prayed to the Lord. **And the Lord said to Samuel, 'Heed the voice of the people in all that they say to you; for they have rejected Me, that I should not reign over them.** According to all the works which they have done since the day that I brought them up out of Egypt, even to this day—with which they have forsaken Me and served other gods—so they are doing to you also [government becoming idolatry]."*  
[1 Sam. 8:4-8, Bible, NKJV]

1 *“And when you saw that Nahash king of the Ammonites came against you, you said to me, ‘No, but a king shall*  
 2 *reign over us,’ when the Lord your God was your king.*

3 .....

4 *And all the people said to Samuel, “Pray for your servants to the Lord your God, that we may not die; for we*  
 5 *have added to all our sins the evil of asking a king for ourselves.”*  
 6 *[1 Sam. 12:12, 19, Bible, NKJV]*

7 The king referred to above was Saul and that king was described in 1 Sam. chapters 12 through 15 as selfish and vain, and  
 8 who did not serve God or follow His commandments, but instead served himself, like most of our current politicians as a  
 9 matter of fact. The consequence of Saul the king’s selfishness and disobedient and sinful leadership was harm to his people  
 10 and a violation of his oath and commission of office direct from God at the time he was appointed by Samuel:

11 *“Now therefore, here is the king whom you have chosen and whom you have desired. And take note, the Lord*  
 12 *has set a king over you. If you fear the Lord and serve Him and obey His voice, and do not rebel against the*  
 13 *commandment of the Lord, then both you and the king who reigns over you will continue following the Lord your*  
 14 *God. However, if you do not obey the voice of the Lord, but rebel against the commandment of the Lord, then*  
 15 *the hand of the Lord will be against you, as it was against your fathers.”*  
 16 *[1 Sam. 12:13-15, Bible, NKJV]*

17 No doubt, people working in government don’t like being called worthless as the scriptures above indicate nor do they enjoy  
 18 being reminded that they are recruiting prostitutes (harlots) and fornicators from the flock of sheep that are God’s, even  
 19 though it’s true, and those Christians who reveal this profound truth are likely to be persecuted by their government like Jesus  
 20 was:

21 *“And you will be hated by all for My name’s sake.”*  
 22 *[Luke 21:17, Bible, NKJV]*

23 **Once again to our government servants [of which I am one, by the way]: God Himself says YOUR power and the**  
 24 **organization YOU serve is WORTHLESS, with a capital “W”!** Did you get that Mr. President and Mr. Congressman and  
 25 Mr. Supreme Court Justice and Mr. Secretary of the Treasury and Mr. IRS Commissioner, and other arrogant tyrant dictators?  
 26 God says your job and your authority is “worthless” and “less than nothing”. Put your tail between your legs, take a big gulp  
 27 and swallow that pride of yours, grovel in the sand, get on your knees and bow, and lick the very Hand, the **ONLY** Hand that  
 28 feeds your pitiful mouth because:

29 *“As I live, says the Lord, every knee shall bow to Me, and every tongue shall confess to God.’ So then, each of*  
 30 *us shall give account of himself to God.”*  
 31 *[Romans 14:11, Bible, NKJV]*

32 *“For what is highly esteemed among men is an abomination in the sight of God.”*  
 33 *[Luke 16:15, Bible, NKJV]*

34 *“Humble yourselves in the sight of the Lord, and He will lift you up.”*  
 35 *[James 4:10, Bible, NKJV]*

36 The **only** reason **anyone** therefore has to call **your** profession or **your** life’s work as a politician or public **servant** “**honorable**”  
 37 is because you are **servants** of the sovereign people and because you are doing the will of God as their agent and fiduciary in  
 38 protecting innocent people from harm and exploitation and crime. This very calling, as a matter of fact, is the **only** authority  
 39 justifying the existence of civil government because it is a fulfillment of the second greatest command to love our neighbor  
 40 found in Matt. 22:39. Can a “worthless” organization, as God calls a nation or political party, or the people working in that  
 41 “worthless” organization write laws that are any more valuable or important than “worthless”? **NOT!** Here is what God  
 42 says He will do when we elect or allow corrupt politicians governing a “worthless” organization called a “nation” to write  
 43 vain laws that supersede His law and His Bible:

44 *But to the wicked, God says:*

45 *“What right have you to declare My statutes [write man’s vain law], or take My covenant [the Bible] in your*  
 46 *mouth, seeing you hate instruction and cast My words behind you? When you saw a thief, you consented with*  
 47 *him, and have been a partaker with adulterers. You give your mouth to evil, and your tongue frames deceit. You*  
 48 *sit and speak against your brother; you slander your own mother’s son. These things you have done, and I kept*  
 49 *silent; you thought that I was altogether like you; but I will reprove you, and set them in order before your eyes.*

1 Now consider this, you who forget God, lest I tear you in pieces, and there be none to deliver: Whoever offers  
 2 praise glorifies Me; and to him who orders his conduct aright I will show the salvation of God."

3 [Psalm 50:16-23, Bible, NKJV]

4  
 5 "Shall the throne of iniquity, which devises evil by law, have fellowship with You? They gather  
 6 together against the life of the righteous, and condemn innocent blood. But the Lord has been my defense, and  
 7 my God the rock of my refuge. He has brought on them their own iniquity, and shall cut them off in their own  
 8 wickedness; **the Lord our God shall cut them off.**"

9 [Psalm 94:20-23, Bible, NKJV]

10 It is precisely the above words by God Himself that explain why we have a duty to elect Godly and moral people to public  
 11 office: so that we don't have corrupt people in there writing our laws as unjust substitutes for God's laws and suffer God's  
 12 wrath for their misdeeds as our agents and fiduciaries.

13 "The people of this State do not yield their sovereignty to the agencies which **SERVE** them. The people, in  
 14 delegating authority, do not give their public servants right to decide what is good for the people to know and  
 15 what is not good for them to know. **The people insist on remaining informed**  
 16 so that they may retain control over the instruments they have  
 17 **created.**"

18 [California Government Code, §54950]

19 We must therefore conclude that the vain promise of earthly security that comes from giving a government or a king authority  
 20 over us is a downright fraud and a farce as we clearly explain in our coverage of the Social Security program earlier in section  
 21 2.9. Our one and only source of security is God, the creator of all things, and substituting anything else in His place is  
 22 idolatry. The book of Isaiah, Chapters 46 and 47 describe what happens to those who elevate government above God and  
 23 it's not pretty, folks. For a Satanic lie and a false promise of man-made security by an idolatrous government, we have in  
 24 effect sold or exchanged our precious birthright from God, our sovereignty, and our greatest gift, to Satan and a covetous  
 25 government for 20 pieces of silver, like Judas did to Jesus and like Esau did to Jacob in the Bible.

26 "As it is written, 'Jacob I have loved, but **Esau I have hated**.'"

27 [Romans 9:13, Bible, NKJV]

28 "Again, **the kingdom of heaven is like treasure hidden in a field**, which a man found and hid; and for joy over  
 29 it he goes and sells all that he has and buys that field."

30 [Matt. 13:44, Bible, NKJV]

31 Our government has conspired with Satan to hide the treasure spoken of above from our view by taking over our education  
 32 in the public schools and removing all mentions of God from the classroom, from the textbooks, and the pledge of allegiance,  
 33 and thereby making us ignorant of the value of our birthright and ripe for selling it for pennies on the dollar.

34 "Shake yourself from the dust, arise; sit down, O Jerusalem! Loose yourself from the bonds of your neck  
 35 [government slavery!], O captive [slave to your sin] daughter of Zion! For thus says the Lord: **'You have sold**  
 36 **yourself for nothing and you shall be redeemed without money.**"

37 [Isaiah 52:2-3, Bible, NKJV]

38 The Apostle Paul warned us of such abuses when he said:

39 "But know this, that **in the last days perilous times will come: For men will be lovers of themselves, lovers of**  
 40 **money**, boasters, proud, blasphemers, disobedient to parents, unthankful, unholy, unloving, unforgiving,  
 41 slanderers, without self-control, brutal, despisers of good, traitors, headstrong, haughty, lovers of pleasure rather  
 42 than lovers of God, **having a form of godliness but denying the power [sovereignty of God].** And from such  
 43 people turn away!"

44 [2 Tim. 3:1-5, Bible, NKJV]

45 The kinds of people described above worship the creation but deny the Sovereignty and existence and the power of the  
 46 Creator, who is God.

47 "Therefore God also gave them up to uncleanness, in the lusts of their hearts, to dishonor their bodies among  
 48 themselves, **who exchanged the truth of God for the lie, and worshipped and served the creature rather than**  
 49 **the Creator**, who is blessed forever. Amen"

50 [Rom. 1:24-25, Bible, NKJV]

1 By allowing these kinds of idolatrous, godless, and arrogant people to be stewards and leaders over our children in the public  
2 schools, we have then become friends of the world and enemies of God.

3 **THE NEW SCHOOL PRAYER**

4 *Your laws ignore our deepest needs*  
5 *Your words are empty air*  
6 *You've stripped away our heritage*  
7 *You've outlawed simple prayer*  
8 *Now gunshots fill our classrooms*  
9 *And precious children die*  
10 *You seek for answers everywhere*  
11 *And ask the question "Why"*  
12 *You regulate restrictive laws*  
13 *Through legislative creed*  
14 *And yet you fail to understand*  
15 *That God is what we need!*

16 Our ignorance and disobedience to God then causes us to commit fornication with Satan by joining ourselves to and becoming  
17 unequally yoked with an atheistic and in many cases downright evil government.

18 *"Do you not know that **friendship with the world is enmity with God**? Whoever therefore wants to be a friend of  
19 the world makes himself an enemy of God."  
20 [James 4:4]*

21 Now do you fully understand why the founding fathers gave us the kind of government that they did? It was the ONLY thing  
22 that was compatible with their Christian beliefs! If you belong to God and He is your King (Isaiah 33:22), then man and  
23 man's vain laws have no dominion over you, according to the Apostle Paul:

24 *"Therefore, if you died with Christ from the basic principles of the world, why, as though living in the world, do  
25 you subject yourselves to [government] regulations..."  
26 [Colossians 2:20, Bible, NKJV]*

27 Not being subject to man's law, in fact, is exactly what it means to be "sovereign"! Likewise, the Apostle Paul removed all  
28 doubt that we shouldn't serve anyone but God and His law, when he said:

29 *"But if you are led by the Spirit, you are not under the law [man's law]."  
30 [Gal. 5:18, Bible, NKJV]*

31 *"...the law is not made for a righteous person, but for the lawless and insubordinate, for the ungodly and for  
32 sinners, for the unholy and profane, for murderers of fathers and murderers of mothers, for manslayers, for  
33 fornicators, for sodomites, for kidnappers, for liars, for perjurers, and if there is any other thing that is contrary  
34 to sound doctrine, according to the glorious gospel of the blessed God which has committed to my trust."  
35 [1 Tim. 1:9-11, Bible, NKJV]*

36 *"You were bought at a price; **do not become slaves of men** [and remember that government  
37 is made up of men]."  
38 [1 Cor. 7:23, Bible, NKJV]*

39 And when Christ's Apostles were told by the government not to preach His word in conflict with what God told them, look  
40 what one the Apostles said:

41 *"We ought to obey God rather than men."  
42 [Acts 5:27-29, Bible, NKJV]*

43 Interestingly, even our pledge of allegiance validates the Natural Order diagram:

44 *"I pledge allegiance to the flag of the United States of America, and to the Republic, for which it stands, **one**  
45 **nation, under God**, indivisible, with liberty and justice for all."*

46 If our *whole nation* is under God, then so are its rulers! In this case the rulers are under the people and the people are under  
47 God just as the diagram shows. The above diagram is also based on the following four U.S. Supreme Court rulings:

1. **Juilliard v. Greenman, 110 U.S. 421 (1884)**: “There is no such thing as a power of inherent sovereignty in the government of the United States...In this country sovereignty resides in the people, and Congress can exercise no power which they have not, by their Constitution entrusted to it. All else is withheld.”
2. **Hale v. Henkel, 201 U.S. 43 (1906)**: “His [the individual’s] rights are such as existed by the law of the land long antecedent to the organization of the State, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights.”
3. **Perry v. U.S., 294 U.S. 330 (1935)**: “In the United States, sovereignty resides in the people...the Congress cannot invoke sovereign power of the People to override their will as thus declared.”
4. **Yick Wo v. Hopkins, 118 U.S. 356 (1886)**: “Sovereignty itself is, of course, not subject to law, for it is the author and source of law...While sovereign powers are delegated to...the government, sovereignty itself remains with the people.”

Our founding fathers had equally enlightening things to say that also validated the above diagram:

*“The ultimate authority...resides in the people alone...”*  
[James Madison, Federalist Paper No. 46]

*“It is when a people forget God that tyrants forge their chains ...”*  
[Patrick Henry ]

*“Those people who are not governed by GOD will be ruled by tyrants.”*  
[William Penn (after which Pennsylvania was named)]

*“A free people [claim] their rights as derived from the laws of nature, and not as the gift of their chief magistrate.”*  
[Thomas Jefferson: Rights of British America, 1774. ME 1:209, Papers 1:134]

*“Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with His wrath?”*  
[Thomas Jefferson: Notes on Virginia Q.XVIII, 1782. ME 2:227 ]

*“Resistance to tyrants is obedience to God.”*  
[Benjamin Franklin]

*“Propitious smiles of heaven can never be expected on a nation that disregards the eternal rules of order and right which heaven itself has ordained.”*  
[George Washington (1732-1799), First Inaugural Address]

God’s law and His word must therefore always supersede government laws or we will suffer God’s wrath. Jesus made this very clear when he said:

*“**No one can serve two masters**: for either he will hate the one, and love the other; or else he will hold to the one, and despise the other. Ye cannot serve God and mammon.”*  
[Matt. 6:24, Bible, NKJV]

In the above scripture, “mammon” refers to wealth or abuse of anything, including law or government, for private gain. Here is the Bible Dictionary definition of this word:

*MAMMON. This word occurs in the Bible only in Mt. 6:24 and Lk. 16:9, 11, 13, and is a transliteration of Aramaic māmōnā. It means simply wealth or profit, but Christ sees in it an egocentric covetousness which claims man’s heart and thereby estranges him from God (Mt. 6:19ff.): when a man ‘owns’ anything, in reality it owns him. (Cf. the view that mammon derives from Bab. mimma, ‘anything at all’) ‘Unrighteous mammon’ (Lk. 16:9) is dishonest gain (F. Hauck, TDNT 4, pp. 388–390) or simply gain from self-centered motives (cf. Lk. 12:15ff.). The probable meaning is that such money, used for others, may be transformed thereby into true riches in the coming age (Lk. 16:12).*

*BIBLIOGRAPHY. C. Brown, NIDNTT 2, pp. 836–840; J. D. M. Derrett, Law in the New Testament, 1970. [Wood, D. R. W., & Marshall, I. H. 1996. New Bible dictionary (3rd ed. /). InterVarsity Press: Leicester, England; Downers Grove, Ill.]*

Section 4.4.13 entitled “Government has become idolatry and a False Religion” extensively reveals based on the Bible why it must be that God has to be first, because if He isn’t then we violate the First Commandment in Exodus 20:1-11 and Matt. 22:36-38 to love our God with all our heart, mind, and soul. Failing to observe this maxim is like declaring the law of gravity

1 null and void, which is an insane proposition indeed! The bible in Jeremiah chapters 16 and 17 describes what happens when  
 2 a country and a people deny this fundamental principle and make government or any other idol into a counterfeit god in the  
 3 pursuit of comfort or personal gain or avoidance of responsibility. Here is an excerpt from that part of the Bible:

4 ***“Cursed is the one who trusts in man [or governments made up of men], who depends on flesh for his strength***  
 5 ***and whose heart turns away from the Lord. He will be like a bush in the wastelands; he will not see prosperity***  
 6 ***when it comes. He will dwell in the parched places of the desert, in a salt land where no one lives. But blessed***  
 7 ***is the man who trusts in the Lord, whose confidence is in Him. He will be like a tree planted by the water that***  
 8 ***sends out its roots by the stream. It does not fear when heat comes; its leaves are always green. It has no worries***  
 9 ***in a year of drought and never fails to bear fruit.”***  
 10 *[Jeremiah 17:5-8, Bible, NIV]*

11 The Apostle Paul in the Bible also confirmed that God and His laws always supersede man and their vain laws when he said:

12 *“...there is no authority except from God.”*  
 13 *[Romans 13:1, Bible, NKJV]*

14 *“...you are complete in Him [Christ], **who is the head of all principality and power.**”*  
 15 *[Colossians 2:10, Bible, NKJV]*

16 Why is God the only authority and the source of all authority? The root of the word “authority” is “author”. Because God  
 17 created us, he is the “author” of our existence, and therefore the only entity in authority over us. He is our only “Lawgiver”  
 18 and anything else is a cheap, man-made substitute:

19 *“For the Lord is our Judge, **the Lord is our Lawgiver, the Lord is our King;** He will save [and protect] us.”*  
 20 *[Isaiah 33:22, Bible, NKJV]*

21 This is similar to how the government handles patents and copyrights. The creator or author of the writing or invention is the  
 22 person who has “rights” over the thing he or she created.

23 *“The heavens are Yours, the earth also is Yours; the world and all its fullness, You have founded them;...”*  
 24 *[Psalm 89:11-12, Bible, NKJV]*

25 *“And having been perfected, **He [Jesus] became the author of eternal salvation to all who obey Him.**”*  
 26 *[Hebrews 5:9, Bible, NKJV]*

27 Likewise, the creator of legal fictions called “corporations” is the government, which is why they can tax and regulate them.  
 28 Because God is the author of our existence, He endowed us with a natural, instinctive understanding of His law and His  
 29 sovereignty through the Holy Spirit. Even those who don’t believe in God are endowed with this awareness and sense of  
 30 morality, in which case it is called “conscience” instead of “Holy Spirit”. This notion of the Holy Spirit is the origin of the  
 31 whole concept of Natural Law, Natural Order, morality, and Justice. The Bible again confirms this natural gift of the Holy  
 32 Spirit and the faith that results from it:

33 *“...let us run with endurance the race that is set before us, looking unto **Jesus, the author and finisher of our***  
 34 ***faith**, who for the joy that was set before Him endured the cross, despising the same, and has sat down at the*  
 35 *right hand of the throne of God.”*  
 36 *[Hebrews 12:2, Bible, NKJV]*

37 Some people point to Romans 13:1 cited above and say that we should be subject to or subservient to our government, even  
 38 if that government is corrupt. Here is the scripture they will cite again:

39 *“Let every soul be subject to the **governing authorities.** For there is no authority except from God, and the*  
 40 *authorities are appointed by God.”*  
 41 *[Romans 13:1, Bible, NKJV]*

42 What we believe the “governing authorities” as used above by Apostle Paul means is “sovereigns”. Paul was saying that we  
 43 should be subject to the sovereigns within whatever system of government we are a part. As you will learn later in section  
 44 4.7, our system of government is unique in all the world because it is a Republic founded on individual rather than collective  
 45 rights and all individuals are sovereigns who are individually in charge of the government as a “king” or “governing authority”  
 46 as the Apostle Paul says here. The people created the government and they existed before the government so they are the  
 47 sovereigns. Government and public servants within government are there to serve you and me as the individual sovereigns  
 48 and they must be subject to us and subservient to us, according to Paul’s words above. As we say later in section 4.4.15, the

1 people are the sovereigns rather than the government or anyone working in the government, and the U.S. supreme Court and  
2 various state courts agree with this concept as shown below:

3 *"Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but **in our system, while***  
4 ***sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by***  
5 ***whom and for whom all government exists and acts."***  
6 *[Yick Wo v. Hopkins, [118 U.S. 356](#); 6 S.Ct. 1064 (1886)]*

7 *"The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly*  
8 *belonged to the King by his prerogative. **Through the medium of their Legislature they may exercise all the***  
9 ***powers which previous to the Revolution could have been exercised either by the King alone,** or by him in*  
10 *conjunction with his Parliament; subject only to those restrictions which have been imposed by the Constitution*  
11 *of this State or of the U.S."*  
12 *[Lansing v. Smith, 21 D. 89, 4 Wendel 9 (1829) (New York)]*

13 The real "king" in our society is not the government or anyone servicing the sovereign people as government employees, but  
14 the PEOPLE! That's you! So even if you misinterpret Jesus' words to mean that we should render to a corrupt government  
15 that which it illegally asks for and demands, since your own government calls you the king, then your public servants are the  
16 ones who should be "rendering" to you, who your own government calls the sovereign. Render to the king (Caesar, that's  
17 you) his due, which is everything that is his property and his right, including 100% of his earned wage. What our dishonorable  
18 "servant" politicians and lawyers in government have been doing to destroy this natural order is to dumb you down using the  
19 public education system and steal your sovereign birthright by legal treachery and trickery hidden in the laws they write, but  
20 we as the sovereigns shouldn't allow them to get away with this fraud and extortion.

21 The implications of the Natural Order diagram are profound. First of all, the diagram can be very useful as documentation  
22 of our religious belief about the authority of government. We can use our First Amendment Right of freedom of religion to  
23 put government inside the box where they belong and keep them there. The biggest implication is that we are not to work  
24 for or be slaves of our government. Our government is our slave, we are the masters and it has no business dictating anything  
25 to us, stealing our money through direct taxes, forcing us to work for them (slavery), or using government licenses, such as  
26 marriage licenses, to impinge on our rights. We are sovereigns relative to it. In the words of Jesus Himself:

27 *"Away with you , Satan! For it is written, 'You shall worship the Lord your God, and Him **ONLY [NOT the***  
28 ***government!]** you shall serve.'"*   
29 *[Matt. 4:10, BIBLE]*

30 However, if you want to have rights, then you have to act like you have them and know what they are. If you don't know  
31 what they are and don't insist on them in all your interactions with government dis-servants, then we can guarantee that the  
32 government will pretend like you don't have any because they want to be in charge.

33 *"Ask not and ye shall **definitely** receive not!"*  
34 *[Family Guardian Fellowship]*

35 One of our readers (Clyde Hyde, <mailto:candz@mail.ru>) has extended this concept of sovereignty and natural order so far as  
36 to litigate in a federal court to request the court to make a declaratory judgment either pronouncing him a slave, or a sovereign,  
37 and the courts and the government hate him for it, because he backs them into a corner where they have no choice but to  
38 declare the truth about his sovereignty. His efforts were the inspiration behind making the above diagram, and he provided  
39 to us a similar but less complete version of the above diagram that inspired this section. Way to go, Clyde! See section  
40 3.13.14 of the Sovereignty Forms and Instructions Manual, Form #10.005, which contains a "Declaratory Judgment to  
41 Become a Sovereign" for an example of how he traps the court with this argument into admitting the truth about his  
42 sovereignty. It's fascinating and funny!

43 The above system of government based on Natural Law and Natural Order is self-regulating and self-balancing. Each entity  
44 has a proper role as follows:

45 **Table 4-1: Entities within Natural Order and Their Proper Roles**

#	Entity	Role
1	God	Sovereign, omniscient source of absolute truth, mercy, justice.



#	Entity	Role
2	Man/woman	Created in God's image. Accountable to God for their stewardship over the world. If Christian, have one chance to get it "right", or will suffer eternal damnation on judgment day (see book of Revelation, the Holy Bible).
3	We the People/family	Voluntary association of persons formed for mutual protection and benefit. Cannot and should not impose force on any member of society, except to prevent injustice or harm from occurring. Every member of the society must have equal rights by Nature's law. Unequal rights are a sign of government tyranny and use of the government for class warfare and oppression by special interest groups.
4	Governing entities:	These entities act as the interface between "We the People" and their servant government. They ensure accountability of the government to the <i>social contract</i> called the <i>Constitution</i> from which the government derives all of its delegated powers.
4.1	Grand Jury	Implement criminal enforcement of the laws of the society within their jurisdiction. Decide who to indict, and on what criminal charges. Interface most often with the Attorney General, the District Attorney, or the Department of Justice within their jurisdiction. Prosecute corrupt public servants for wrongdoing and violation of Constitutional rights. In the case of bad laws, such as those on taxation, refuse to indict persons under such laws, thereby rendering the laws as ineffective as if they were never passed. Also initiate prosecution of citizens who have injured the interests of fellow citizens in violation of criminal laws. The output of the decision-making process for Grand Juries is an indictment, that is filed within the jurisdiction covered by their charter. Proceedings are generally very secretive, and the government often tries to unduly influence grand juries by not allowing accused persons to meet with or submit evidence to the grand jury before indictments are filed.
4.2	Elections	Method of expressing the sovereign will of the people to their government servants. Ensure that all persons serving in government are ultimately and continually accountable to the people for their performance or lack thereof. Ensure that laws passed by the legislative branch are consistent with the Constitution and reinforce the sovereignty of the will of We the People.
4.3	Trial jury	Directed by judge of the court as to their roles and responsibilities and proper court procedure. Ordinarily determine only facts necessary to convict, based on the law as interpreted and explained by the judge. However, can also judge and nullify the law if it is a <i>bad</i> law that is inconsistent with the written Constitution or if the judge misinterprets or refuses to discuss the law. Are seldom informed by anyone in government of their right to judge and nullify the effect of the law because government doesn't want them to know they have that kind of power. Receive as input for their decision: <ul style="list-style-type: none"> <li>a. Jury instructions from the judge.</li> <li>b. The statute that is being violated.</li> <li>c. The regulation that implements the statute that is being violated.</li> <li>d. Evidence submitted by the injured party and third party witnesses.</li> </ul>
4.4	Organized church	Agents of social and moral responsibility within organized society. Focus on charity, grace, ministry, and spiritual issues, which are not easily or effectively dealt with by governments. Contribute to proper socialization of children and young adults. Provide stability and order to an otherwise chaotic lifestyle. Hold families together by encouraging commitment. Teach and reinforce love, personal responsibility, and respect for authority. Should encourage change if government becomes tyrannical and provide a pulpit and an audience to organize and effect that change. Cannot function effectively with government intervention, taxation, or regulation. The doctrine of separation of church and state demands that governments not tax or interfere with churches in any way.

#	Entity	Role
5	Constitution	A written social contract between the people and the government who serves them. Purpose is to limit and define the delegated authority possessed by the persons serving in government. Prevents tyranny by distributing powers evenly among independent branches of government so that too much power doesn't concentrate in any one place, where it would likely be abused.
6	Branches of government:	Alexander Hamilton, one of our founding fathers, said the following about the relation of various branches of government to each other: <i>"The Executive not only dispenses the honors, but holds the sword of the community. The legislature not only commands the purse, but prescribes the rules by which the duties and rights of every citizen are to be regulated. The judiciary, on the contrary, has no influence over either the sword or the purse; no direction either of the strength or of the wealth of the society; and can take no active resolution whatever. It may truly be said to have neither force nor will, but merely judgment..."</i> <i>"...This simple view of the matter suggests several important consequences. It proves incontestably, that the judiciary is beyond comparison the weakest of the three departments of power*; that it can never attack with success either of the other two; and that all possible care is requisite to enable it to defend itself against their attacks..."</i> We can say that the legislature represents the heart and emotions of the people. And the executive branch represents strength and muscle of the people, and we would suggest that the judiciary represents the rational mind of the people.
6.1	Executive Branch	Role is to execute the day-to-day functions of the government based on the laws passed by the Legislative branch. Carry the "sword" and have the authority to implement and enforce public policy documented in the laws passed by the Legislative branch.
6.2	Legislative Branch	Role is to pass laws, which in most cases take the form of statutes and public law.  Responsible for writing laws on taxation and for collecting taxes. These two functions must reside together in order to truthfully say that there is taxation with representation, which was what our country was founded on. Cannot therefore delegate their authority to collect taxes to an executive agency.  Control the public "purse" (revenue sources) and spending of these revenues by the Executive Branch.
6.3	Judicial Branch	Responsible for interpreting and applying laws written by the Legislative branch in the event of disputes which cannot be resolved cooperatively among citizens. Only enforce laws and statutes passed by the Legislative branch that are consistent with the written Constitution. This ensures that the Legislative branch does not usurp power or exceed the authority delegated to it by the people. Instruct juries as to the law. Implement courtroom protocol based on Court Rules they write. Develop forms of pleading and practice used to ensure an orderly and repeatable process of justice. Judges often appointed for life and a Constitutional requirement that their salary cannot be reduced by the legislature in order to ensure independence from the Legislative Branch. Can be indicted for wrongdoing by the Grand Jury if they become corrupt or tyrannical.

#	Entity	Role
7	Statutes	Laws written by the Legislative Branch, usually taking the form of written statutes and Public Laws. These laws express the will of the people and must be consistent with the written Constitution and God's Law. The extent to which the laws created by the Legislative branch are inconsistent with Natural Law/God's Law is the extent to which the Trial Jury and the Grand Jury can and often will nullify or refuse to enforce such a law.
8	Regulations	Regulations are written by the Executive Branch of the government in order to implement or enforce the statutes written by the Legislative branch. They are the agency's official interpretation of the statutes. Since the Executive Branch of the government is not a legislative body, the scope of the regulations may NOT exceed the authority or the scope of the statutes they implement. The absence of an implementing regulation also makes the statute unenforceable in most courts.
9	Corporations	Artificial entities created by operation of laws passed by the Legislative branch. Members of this "corpus" or "body" of persons agree to receive government privileges in the form of limited personal liability in the courts in exchange for an agreement to be bound by the laws of the state and pay taxes to that state. The decision to become a corporation is a <u>voluntary act</u> , and therefore taxes paid by corporations can be mandated and still not violated rights in a free country.
10	"U.S. citizen"/idolater	Subjects and serfs of the federal government. Rights and privileges are created and enforced via federal statutes rather than being granted by the Bill of Rights or the Constitution. Are <u>not</u> Sovereigns, but subject citizens of a totalitarian socialist democracy. See section 4.12.8 later for details.

1 In the above system, the government benefits most and makes its power greatest by having misinformed, ignorant, or passive  
2 grand jurists and trial jurists who will be good government puppets and not ask too many probing questions. The ideal  
3 candidate for this role as far as the government is concerned is someone who graduated from the "public fool system", I mean  
4 public school system, that THEY (the government) were in charge of. Never forget the following:

5 *"Politicians prefer unarmed and illiterate peasants!"*

6 Do you smell a conflict of interest here? This "victim" of the public fool [I mean school] system is legally and socially  
7 illiterate and makes a good "sheep" who is easy for the District Attorney (D.A.) to boss around and who will ignorantly mis-  
8 enforce the tax code so that he will maximize the government's take from the institutionalized plunder and theft called the  
9 income tax. Consequently, it is the goal of this document to provide a "civics lesson" in the hope of atoning for the sins of  
10 the public fool, I mean "school" system in encouraging this kind of ignorance about our political process.

11 Some people, when they read this section, respond to it by saying the following:

12 *"What you are trying to develop and establish is God's kingdom here on earth. You are trying to impose your*  
13 *religious views on the government and the citizens and expecting them to operate under God's laws instead of*  
14 *man's laws. We live in a diverse culture and although a vast majority of Americans do profess a belief in God,*  
15 *you will encounter much resistance to this idea."*

16 We respond to this comment by saying that we are not insisting that the government do anything other than provide equal  
17 and complete protection to everyone for their constitutional rights and their liberties and nothing more. We don't want to  
18 dictate how individuals run their lives or what they can or cannot say. We only wish to ensure that the government fulfills  
19 its only legitimate function, which is to prevent injustice rather than to promote justice as we indicated earlier in section 3.3  
20 and to leave people otherwise fully sovereign over their own person and labor and property. These ingredients are the essence  
21 of good, wise, and frugal government. Thomas Jefferson agreed with these conclusions:

22 *"With all [our] blessings, what more is necessary to make us a happy and a prosperous people? Still one thing*  
23 *more, fellow citizens--a wise and frugal Government, which shall restrain men from injuring one another, shall*  
24 *leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from*  
25 *the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close*  
26 *the circle of our felicities."*  
27 *[Thomas Jefferson: 1st Inaugural, 1801. ME 3:320]*

We believe that separation between church and state is important. We also think the Constitution gives us freedom **OF** religion, but not freedom **FROM** religion, and those persons who are nonreligious, and especially gays, liberals, and homosexuals, ought to learn to be much more tolerant of the views of Christians than they are today. It is the height of hypocrisy for them on the one hand to be telling Christians they are intolerant, and on the other hand being totally intolerant of Christians themselves. Such left wing groups have become the Nazi's of our modern era by trying to pass hate crime laws and government regulations to discriminate against Christians who are exercising their First Amendment right to freedom of religious expression. They have done so in an apparent effort to eliminate what they call discrimination on the part of Christians, even though in most cases the only injury they have suffered came not from the person making the statement or committing an alleged act, but from the conviction of the Holy Spirit acting on their consciousness. We believe that persons of any religion should be free exercise their rights to follow their religion and to talk freely in public settings about what God's law says about the sins of abortion, homosexuality, and fornication.

What does the Bible say that we should do with government servants who are bad stewards who have abused the authority entrusted to them by their masters? The answer is found in the Parable of the Faithful Steward in Luke 12:41-48. We cite from that passage below:

*"But if that servant says in his heart 'My master is delaying his coming,' and begins to beat the male and female servants, and to eat and drink and be drunk, **the master** of that servant will come on a day when he is not looking for him, and at an hour when he is not aware, and **will cut him in two and appoint him his portion with the unbelievers. And that servant who knew his master's will, and did not prepare himself or do according to his will, shall be beaten with many stripes.**"*  
[Luke 12:45-47, Bible, NKJV]

Our government is the "servant" of the sovereign people. This "servant" has:

1. Kicked the master out of his own house and through eminent domain and taken it, our income, and all our property rights over.
2. Is beating not only the male and female servants, but making the master into a servant as well and then beating him too under the color of law but without any lawful authority whatsoever!
3. Has abused his authority and stewardship to punish and control the master by claiming falsely to be acting under the authority of law
4. Has turned the servants on each other and created a police state by appointing some servants in the financial community to "snitch" on all the other servants so that NO ONE has privacy or sovereignty. The motto is: "*If you're not going to be a snitch, then you will be my bitch (prostitute).*" as one of our readers puts it. This tactic, incidentally, is the same tactic the communists used in creating informants to snitch on anti-communists.
5. Has made it impossible to call himself to account in the courts because the servant has replaced all the judges with his own cronies and threatened those who might convict or persecute him. Every once in a while, they will lynch a sheep like Congressman Traficant or Congressman George Hansen to keep the rest of the sheep in line.

According to the legal dictionary, the type of government we have is therefore described as a "dulocracy":

*"**Dulocracy.** A government where servants and slaves have so much license and privilege that they domineer."*  
[Black's Law Dictionary, Sixth Edition, p. 501]

**According to the Bible, this wicked servant (our public servants in Congress and the IRS in this case) should be cut in two and flogged and beaten with many stripes.** By Natural Law, this would be divine justice for them according to the Bible. Why aren't we doing this to the corrupt tyrants who have taken over our government if Natural Law demands it?

Another interesting fact is revealed by examining the natural order diagram: That governments invented corporations as creatures of law so that they could become a god and an object of slavery and idol worship for that corporation. People in government simply love being treated as gods and they will make laws to encourage such idol worship. Consider the following evidence in support of such a conclusion:

1. The Bible and our Christian God hold us individually and personally responsible (liable) for our acts during this lifetime. See [Rev. 20:11-15](#) and [Romans 14:10-12](#), which says that we will be judged and held accountable by God individually for what we did or didn't do during our lifetime.

*For we shall all stand before the judgment seat of Christ. For it is written:*

1                                   *"As I live, says the Lord,*  
 2                                   *Every knee shall bow to Me,*  
 3                                   *And every tongue shall confess to God."*

4                                   *So then each of us shall give account of himself to God.*  
 5                                   *[Romans 14:10-12, Bible, NKJV]*

- 6   2. *The fundamental advantage of forming a corporation is limited personal liability.* This means at least during our lifetime,  
 7   that we won't be held personally responsible as an individual for our wrongdoing so long as we did it as an agent of a  
 8   corporation. The price we pay for this limited liability is to pay taxes on the profits of the corporation to the federal  
 9   government, on whom we depend entirely for our existence as an artificial legal entity.
- 10 3. The problem with corporations is that when people intend to sin or commit crimes, then corporations provide a  
 11 convenient legal vehicle to escape personal liability for the crimes. One could therefore quite reasonably say that the  
 12 government (federal mafia) courts become a protection racket for criminals in exchange for the right to collect revenues  
 13 from them! Is it then any wonder we hear so much of late about corporations cooking the books? Does Enron, MCI  
 14 Worldcom, Arthur Anderson, Martha Stewart, etc. ring a bell, folks?
- 15 4. Because our God is viewed by atheists and sinners as a harsh God who hates sin and whom they would rather avoid  
 16 accountability to, then a common approach among these people is to try to replace God with government and then get  
 17 the government to legalize sinful or formerly criminal activity. This approach only works, however, if God can be  
 18 removed both from the schools, government, and public life, or Christian morality and God's laws will condemn them  
 19 anyway for their acts.
- 20 5. When the government wishes to tax natural persons (biological people), its most common approach is to deceive them  
 21 using "words of art" and tricky legal definitions into thinking that they are taxable corporations involved in foreign  
 22 commerce or the officers of such corporations. Even the U.S. Supreme Court agrees that "income" within the meaning  
 23 of the Constitution means "corporate profit" for the purpose of Subtitle A federal income taxes. See the following cases  
 24 for verification of this fact:
- 25   5.1. *Eisner v. Macomber*, 252 U.S. 189, 40 S.Ct. 189, 9 A.L.R. 1570 (1920).  
 26   5.2. *Stratton's Independence v. Howbert*, 231 U.S. 399, 415, 34 S.Sup.Ct. 136, 140, 58 L.Ed. 285  
 27   5.3. *Doyle v. Mitchell Bros. Co.*, 247 U.S. 179, 185, 38 S.Sup.Ct. 467, 469, 62 L.Ed. 1054

28 Along the lines of corporations, here's a funny satire one of our readers sent us highlighting the fundamental problems with  
 29 corporations we just pointed out above and showing just how badly man screws things up when he tries to improve on what  
 30 God gave us:

31                                   **REMAINING U.S. CEOs MAKE A BREAK FOR IT! - - - Band of Roving Chief Executives Spotted Miles**  
 32                                   **from Mexican Border**  
 33                                   *July 17, 2002*

34                                   *San Antonio, Texas(Rooters)*

35                                   *Unwilling to wait for their eventual indictments, the 10,000 remaining CEOs of public U.S. companies made a*  
 36                                   *break for it yesterday, heading for the Mexican border, plundering towns and villages along the way, and writing*  
 37                                   *the entire rampage off as a marketing expense.*

38                                   *"They came into my home, made me pay for my own TV, then double-booked the revenues," said Rachel Sanchez*  
 39                                   *of Las Cruces, just north of El Paso. "Right in front of my daughters."*

40                                   *Calling themselves the CEOnistas, the chief executives were first spotted last night along the Rio Grande River*  
 41                                   *near Quemado, where they bought each of the town's 320 residents by borrowing against pension fund gains. By*  
 42                                   *late this morning, the CEOnistas had arbitrarily inflated Quemado's population to 960, and declared a 200*  
 43                                   *percent profit for the fiscal second quarter.*

44                                   *This morning, the outlaws bought the city of Waco, transferred its underperforming areas to a private partnership,*  
 45                                   *and sent a bill to California for \$4.5 billion.*

46                                   *Law enforcement officials and disgruntled shareholders riding posse were noticeably frustrated.*

47                                   *"First of all, they're very hard to find because they always stand behind their numbers, and the numbers keep*  
 48                                   *shifting," said posse spokesman Dean Levitt. "And every time we yell 'Stop in the name of the shareholders!', they*  
 49                                   *refer us to investor relations. I've been on the phone all damn morning."*

50                                   *"YOU'LL NEVER AUDIT ME ALIVE!"*

1           The pursuers said they have had some success, however, by preying on a common executive weakness. "Last night  
2 we caught about 24 of them by disguising one of our female officers as a CNBC anchor," said U.S. Border Patrol  
3 spokesperson Janet Lewis. "It was like moths to a flame."

4           Also, teams of agents have been using high-powered listening devices to scan the plains or telltale sounds of the  
5 CEOonistas. "Most of the time we just hear leaves rustling or cattle flicking their tails," said Lewis, "but  
6 occasionally we'll pick up someone saying, 'I was totally out of the loop on that.'"

7           Among former and current CEOs apprehended with this method were Computer Associates' Sanjay Kumar,  
8 Adelphia's John Rigas, Enron's Ken Lay, Joseph Nacchio of Qwest, Joseph Berardino of Arthur Andersen, and  
9 every Global Crossing CEO since 1997. Since, due to his contacts to Telmex, his knowledge of local geography  
10 is claimed to be outstanding, mPhase's Ron Durando was elected to act as the group's pathfinder. ImClone  
11 Systems' Sam Waksal and Dennis Kozlowski of Tyco were not allowed to join the CEOonistas as they have already  
12 been indicted.

13           So far, about 50 chief executives have been captured, including Martha Stewart, who was detained south of El  
14 Paso where she had cut through a barbed-wire fence at the Zaragosa border crossing off Highway 375.

15           "She would have gotten away, but she was stopping motorists to ask for marzipan and food coloring so she could  
16 make edible snowman place settings, using the cut pieces of wire for the arms," said Border Patrol officer Jennette  
17 Cushing. "We put her in cell No. 7, because the morning sun really adds texture to the stucco walls."

18           While some stragglers are believed to have successfully crossed into Mexico, Cushing said the bulk of the  
19 CEOonistas have holed themselves up at the Alamo.

20           "No, not the fort, the car rental place at the airport," she said. "They're rotating all the tires on the minivans and  
21 accounting for each change as a sales event."

22           The IRS has sent recruiters to accompany law enforcement and disgruntled shareholders in the chase, and has  
23 publicly announced that it is offering the CEOs jobs as IRS collection agents and criminal investigators once  
24 captured. Charles Rossotti, the IRS commissioner, has offered them anonymity under the FBI's witness protection  
25 program. Apparently, the IRS has been having trouble finding employees, since all the honest ones already  
26 resigned to seek more honorable employment.

27 In conclusion, we have a very good video on our website regarding Jury Nullification that was put together by Red Beckman  
28 which unifies the lessons in this section. It thoroughly explains the proper role of *each* major entity in our Natural Order  
29 diagram in detail and is very enlightening to civic minded citizens. You can watch this video at:

30 <http://famguardian.org/Subjects/Taxes/taxes.htm>

31 Go to the "Educational Resources" heading in the white area and click on "Red Beckman's Fully Informed Jury Training".

## 32 **4.2     Public v. Private<sup>75</sup>**

33 A very important subject is the division of legal authority between PUBLIC and PRIVATE rights. On this subject the U.S.  
34 Supreme Court held:

35           *"A private person cannot make constitutions or laws, nor can he with authority construe them, nor can he*  
36 *administer or execute them."*  
37 *[United States v. Harris, 106 U.S. 629, 1 S.Ct. 601, 27 L.Ed. 290 (1883)]*

38 If you can't "execute" them, then you ALSO can't enforce them against ANYONE else. Some people might be tempted to  
39 say that we all construe them against the private person daily, but in fact we can't do that WITHOUT being a public officer  
40 WITHIN the government.

41           ***"The reason why States are "bodies politic and corporate" is simple: just as a corporation is an entity that can***  
42 ***act only through its agents, "[t]he State is a political corporate body, can act only through agents, and can***  
43 ***command only by laws."*** *Poindexter v. Greenhow, supra, 114 U.S., at 288, 5 S.Ct. at 912-913. See also Black's*  
44 *Law Dictionary 159 (5th ed. 1979) ("[B]ody politic or corporate": "A social compact by which the whole people*  
45 *covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for*

<sup>75</sup> Source: *Government Instituted Slavery Using Franchises*, Form #05.030, Section 3; <http://sedm.org/Forms/FormIndex.htm>.

1 the common good”). As a “**body politic and corporate**,” a State falls squarely within the Dictionary Act’s  
 2 definition of a “person.”  
 3 [*Will v. Michigan Dept. of State Police*, 491 U.S. 58, 109 S.Ct. 2304 (U.S.Mich., 1989)]

4 If we do enforce the law as a private nonresident human, we are criminally impersonating a public officer in violation of 18  
 5 U.S.C. §912. Other U.S. Supreme Court cites also confirm why this must be:

6 “All the powers of the government [including ALL of its civil enforcement powers against the public] must be  
 7 carried into operation by individual agency, either through the medium of public officers, or contracts made  
 8 with [private] individuals.”  
 9 [*Osborn v. Bank of U.S.*, 22 U.S. 738 (1824)]

10  
 11 “...we are of the opinion that there is a clear distinction in this particular between an [PRIVATE] individual  
 12 and a [PUBLIC] corporation, and that the latter has no right to refuse to submit its books and papers for an  
 13 examination at the suit of the state. The individual may stand upon his constitutional rights as a citizen. He is  
 14 entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no duty to  
 15 the state or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may  
 16 tend to criminate him. He owes no such duty to the state, since he receives nothing therefrom, beyond the  
 17 protection of his life and property. His rights are such as existed by the law of the land long antecedent to the  
 18 organization of the state, and can only be taken from him by due process of law, and in accordance with the  
 19 Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his  
 20 property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he  
 21 does not trespass upon their rights.

22 “Upon the other hand, the [PUBLIC] corporation is a creature of the state. It is presumed to be incorporated  
 23 for the benefit of the public. It receives certain special privileges and franchises, and holds them subject to the  
 24 laws of the state and the limitations of its charter. Its powers are limited by law. It can make no contract not  
 25 authorized by its charter. Its rights to [201 U.S. 43, 75] act as a corporation are only preserved to it so long  
 26 as it obeys the laws of its creation. There is a reserved right in the legislature to investigate its contracts and  
 27 find out whether it has exceeded its powers. It would be a strange anomaly to hold that a state, having chartered  
 28 a corporation to make use of certain franchises, could not, in the exercise of its sovereignty, inquire how these  
 29 franchises had been employed, and whether they had been abused, and demand the production of the corporate  
 30 books and papers for that purpose. The defense amounts to this: That an officer of a corporation which is charged  
 31 with a criminal violation of the statute, may plead the criminality of such corporation as a refusal to produce its  
 32 books. To state this proposition is to answer it. While an individual may lawfully refuse to answer incriminating  
 33 questions unless protected by an immunity statute, it does not follow that a corporation, vested with special  
 34 privileges and franchises, may refuse to show its hand when charged with an abuse of such privileges.”  
 35 [*Hale v. Henkel*, 201 U.S. 43 (1906)]

36 You MUST therefore be an agent of the government and therefore a PUBLIC officer in order to “make constitutions or laws  
 37 or administer, execute, or ENFORCE EITHER”. Here is more proof:

38 “A defendant sued as a wrong-doer, who seeks to substitute the state in his place, or to justify by the authority of  
 39 the state, or to defend on the ground that the state has adopted his act and exonerated him, cannot rest on the  
 40 bare assertion of his defense. He is bound to establish it. **The state is a political corporate body, can act only**  
 41 **through agents, and can command only by laws.** It is necessary, therefore, for such a defendant, in order to  
 42 complete his defense, to produce a law of the state which constitutes his commission as its agent, and a warrant  
 43 for his act.”  
 44 [*Poindexter v. Greenhow*, 114 U.S. 270 (1885)]

45 By “act” above, they implicitly also include “enforce”. If you aren’t an agent of the state, they can’t enforce against you.  
 46 Examples of “agents” or “public officers” of the government include all the following:

- 47 1. “person” (26 U.S.C. §7701(a)(1)).
- 48 2. “individual” (26 C.F.R. §1.1441-1(c)(3)).
- 49 3. “taxpayer” (26 U.S.C. §7701(a)(14)).
- 50 4. “withholding agent” (26 U.S.C. §7701(a)(16)).

51 “The government thus lays a tax, through the [GOVERNMENT] instrumentality [PUBLIC OFFICE] of the  
 52 company [a FEDERAL and not STATE corporation], upon the income of a non-resident alien over whom it  
 53 cannot justly exercise any control, nor upon whom it can justly lay any burden.”  
 54 [*United States v. Erie R. Co.*, 106 U.S. 327 (1882)]

55 So how do you “OBEY” a law without “EXECUTING” it? We’ll give you a hint: It CAN’T BE DONE!

Likewise, if ONLY public officers can “administer, execute, or enforce” the law, then the following additional requirements of the law are unavoidable and also implied:

1. Congress cannot impose DUTIES against private persons through the civil law. Otherwise the Thirteenth Amendment would be violated and the party executing said duties would be criminally impersonating an agent or officer of the government in violation of 18 U.S.C. §912.
2. Congress can only impose DUTIES upon public officers through the civil statutory law.
3. The civil statutory law is law for GOVERNMENT, and not PRIVATE persons. See:
 

*Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037  
<http://sedm.org/Forms/FormIndex.htm>
4. Those who enforce any civil statutory duties against you are PRESUMING that you occupy a public office.
5. You cannot unilaterally “elect” yourself into a public office in the government by filling out a government form, even if you consent to volunteer.
6. Even if you ARE a public officer, you can only execute the office in a place EXPRESSLY authorized by Congress per 4 U.S.C. §72, which means ONLY the District of Columbia and “not elsewhere”.

[TITLE 4 > CHAPTER 3 > § 72](#)  
[§ 72. Public offices; at seat of Government](#)

*All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law.*

7. If you are “construing, administering, or executing” the laws, then you are doing so as a public officer and:
  - 7.1. You are bound and constrained in all your actions by the constitution like every OTHER public officer while on official business interacting with PRIVATE humans.
  - 7.2. The Public Records exception to the Hearsay Exceptions Rule, Federal Rule of Evidence 803(8) applies. EVERYTHING you produce in the process of “construing, administering, or executing” the laws is instantly admissible and cannot be excluded from the record by any judge. If a judge interferes with the admission of such evidence, he is:
    - 7.2.1. Interfering with the duties of a coordinate branch of the government in violation of the Separation of Powers.
    - 7.2.2. Criminally obstructing justice.

#### 4.2.1 Introduction

In order to fully understand and comprehend the nature of franchises, it is essential to thoroughly understand the distinctions between PUBLIC and PRIVATE property. The following subsections will deal with this important subject extensively. In the following subsections, we will establish the following facts:

1. There are TWO types of property:
  - 1.1. Public property. This type of property is protected by the CIVIL law.
  - 1.2. Private property. This type of property is protected by the COMMON law.
2. Specific legal rights attach to EACH of the two types of property. These “rights” in turn, are ALSO property as legally defined.

***Property.** That which is peculiar or proper to any person; that which belongs exclusively to one. In the strict legal sense, an aggregate of rights which are guaranteed and protected by the government. *Fulton Light, Heat & Power Co. v. State*, 65 Misc.Rep. 263, 121 N.Y.S. 536. The term is said to extend to every species of valuable right and interest. More specifically, ownership; the unrestricted and exclusive right to a thing; the right to dispose of a thing in every legal way, to possess it, to use it, and to exclude everyone else from interfering with it. That dominion or indefinite right of use or disposition which one may lawfully exercise over particular things or subjects. The exclusive right of possessing, enjoying, and disposing of a thing. The highest right a man can have to anything; being used to refer to that right which one has to lands or tenements, goods or chattels, which no way depends on another man's courtesy.*

*The word is also commonly used to denote everything which is the subject of ownership, corporeal or incorporeal, tangible or intangible, visible or invisible, real or personal, everything that has an exchangeable value or which goes to make up wealth or estate. It extends to every species of valuable right and interest, and includes real and personal property, easements, franchises, and incorporeal hereditaments, and includes every invasion of one's property rights by actionable wrong. *Labberton v. General Cas. Co. of America*, 53 Wash.2d. 180, 332 P.2d. 250, 252, 254.*



[. . .]

[Black's Law Dictionary, Fifth Edition, p. 1095]

3. Human beings can simultaneously be in possession of BOTH PUBLIC and PRIVATE rights. This gives rise to TWO legal "persons": PUBLIC and PRIVATE.

3.1. The CIVIL law attaches to the PUBLIC person.

3.2. The COMMON law and the Constitution attach to and protect the PRIVATE person.

This is consistent with the following maxim of law.

*Quando duo juro concurrunt in und personâ, aequum est ac si essent in diversis.*

When two rights [public right v. private right] concur in one person, it is the same as if they were two separate persons. 4 Co. 118.

[Bouvier's Maxims of Law, 1856;

SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviereMaxims.htm>]

4. That the purpose of the Constitution and the establishment of government itself is to protect EXCLUSIVELY PRIVATE rights.

*"We hold these truths to be self-evident, that all men 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.--That to secure these [EXCLUSIVELY PRIVATE, God-given] rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. -"*

[Declaration of Independence, 1776]

The VERY FIRST step in protecting PRIVATE rights and PRIVATE property is to prevent such property from being converted to PUBLIC property or PUBLIC rights without the consent of the owner. In other words, the VERY FIRST step in protecting PRIVATE rights is to protect you from the GOVERNMENT'S OWN theft. Obviously, if a government becomes corrupted and refuses to protect PRIVATE rights or recognize them, there is absolutely no reason you can or should want to hire them to protect you from ANYONE ELSE.

5. The main method for protecting PRIVATE rights is to impose the following burden of proof and presumption upon any entity or person claiming to be "government":

*"All rights and property are PRESUMED to be EXCLUSIVELY PRIVATE and beyond the control of government or the CIVIL law unless and until the government meets the burden of proving, WITH EVIDENCE, on the record of the proceeding that:*

1. A SPECIFIC formerly PRIVATE owner consented IN WRITING to convert said property to PUBLIC property.
2. The owner was either abroad, domiciled on, or at least PRESENT on federal territory NOT protected by the Constitution and therefore had the legal capacity to ALIENATE a Constitutional right or relieve a public servant of the fiduciary obligation to respect and protect the right. Those physically present but not necessarily domiciled in a constitutional but not statutory state protected by the constitution cannot lawfully alienate rights to a real, de jure government, even WITH their consent.
3. If the government refuses to meet the above burden of proof, it shall be CONCLUSIVELY PRESUMED to be operating in a PRIVATE, corporate capacity on an EQUAL footing with every other private corporation and which is therefore NOT protected by official, judicial, or sovereign immunity.

6. That the ability to regulate EXCLUSIVELY PRIVATE conduct is repugnant to the constitution and therefore such conduct cannot lawfully become the subject of any civil statutory law.

*"Under basic rules of construction, statutory laws enacted by legislative bodies cannot impair rights given under a constitution. 194 B.R. at 925. "*

[In re Young, 235 B.R. 666 (Bankr.M.D.Fla., 1999)]

7. That the terms "person", "persons", "individual", "individuals" as used within the civil statutory law by default imply PUBLIC "persons" and therefore public offices within the government and not PRIVATE human beings. All such offices are creations and franchises of the government and therefore property of the government subject to its exclusive control.

8. That if the government wants to call you a statutory "person" or "individual" under the civil law, then:

- 8.1. You must volunteer or consent at some point to occupy a public office in the government while situated physically in a place not protected by the USA Constitution and the Bill of Rights....namely, federal territory. In some cases, that public office is also called a "citizen" or "resident".

- 1 8.2. If you don't volunteer, they are essentially exercising unconstitutional "eminent domain" over your PRIVATE  
 2 property. Keep in mind that rights protected by the Constitution are PRIVATE PROPERTY.  
 3 9. That there are VERY SPECIFIC and well defined rules for converting PRIVATE property into PUBLIC PROPERTY  
 4 and OFFICES, and that all such rules require your express consent except when a crime is involved.  
 5 10. That if a corrupted judge or public servant imposes upon you any civil statutory status, including that of "person" or  
 6 "individual" without PROVING with evidence that you consented to the status AND had the CAPACITY to lawfully  
 7 consent at the time you consented, they are:  
 8 10.1. Violating due process of law.  
 9 10.2. Imposing involuntary servitude.  
 10 10.3. STEALING property from you. We call this "theft by presumption".  
 11 10.4. Kidnapping your identity and moving it to federal territory.  
 12 10.5. Instituting eminent domain over EXCLUSIVELY PRIVATE property.  
 13 11. That within the common law, the main mechanism for PREVENTING the conversion of PRIVATE property to  
 14 PUBLIC property through government franchises are the following maxims of law. These maxims of law MANDATE  
 15 that all governments must protect your right NOT to participate in franchises or be held accountable for the  
 16 consequences of receiving a "benefit" you did not consent to receive and/or regarded as an INJURY rather than a  
 17 "benefit":

18 *Invito beneficium non datur.*

19 *No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent he will be*  
 20 *considered as assenting. Vide Assent.*

21 *Quilibet potest renunciare juri pro se inducto.*

22 *Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv.*  
 23 *Inst. n. 83.*

24 *[Bouvier's Maxims of Law, 1856,*

25 *SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviereMaxims.htm>]*

26 For an example of how this phenomenon works in the case of the Internal Revenue Code, Subtitles A and C "trade or business"  
 27 franchise, see:

*Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes*, Form #05.008  
<http://sedm.org/Forms/FormIndex.htm>

28 As an example of why an understanding of this subject is EXTREMELY important, consider the following dialog at an IRS  
 29 audit in which the FIRST question out of the mouth of the agent is ALWAYS "What is YOUR Social Security Number?":

30  
 31  
 32 **IRS AGENT:** What is YOUR Social Security Number?

33  
 34 **YOU:** 20 C.F.R. §422.103(d) says SSNs belong to the government. The only way it could be MY number is if I am appearing  
 35 here today as a federal employee or officer on official business. If that is the case, no, I am here as a private human  
 36 being and not a government statutory "employee" in possession or use of "public property" such as a number.  
 37 Therefore, I don't HAVE a Social Security Number. Furthermore, I am not lawfully eligible and never have been  
 38 eligible to participate in Social Security and any records you have to the contrary are FALSE and FRAUDULENT  
 39 and should be DESTROYED.  
 40

41 **IRS AGENT:** That's ridiculous. Everyone HAS a SSN.

42  
 43 **YOU:** Well then EVERYONE is a STUPID whore for acting as a federal employee or agent without compensation THEY  
 44 and not YOU determine. The charge for my services to act as a federal "employee" or officer or trustee in possession  
 45 of public property such as an SSN is ALL the tax and penalty liability that might result PLUS \$1,000 per hour. Will  
 46 you agree in writing pay the compensation I demand to act essentially as your federal coworker, because if you  
 47 don't, then it's not MY number?  
 48

49 **IRS AGENT:** It's YOUR number, not the government's.

50  
 51 **YOU:** Well why do the regulations at 20 C.F.R. §422.103(d) say it belongs to the Social Security Administration (S.S.A.)  
 52 instead of me? I am not appearing as a Social Security employee at this meeting and its unreasonable and prejudicial

1 for you to assume that I am. I am also not appearing here as “federal personnel” as defined in [5 U.S.C. §552a\(a\)\(13\)](#).  
 2 I don’t even qualify for Social Security and never have, and what you are asking me to do by providing an INVALID  
 3 and knowingly FALSE number is to VIOLATE THE LAW and commit fraud by providing that which I am not  
 4 legally entitled to and thereby fraudulently procure the benefits of a federal franchise. Is that your intention?  
 5

6 **IRS AGENT:** Don’t play word games with me. It’s YOUR number.

7  
 8 **YOU:** Well good. Then if it’s MY number and MY property, then I have EXCLUSIVE control and use over it. That is what  
 9 the word “property” implies. That means I, and not you, may penalize people for abusing MY property. The penalty  
 10 for wrongful use or possession of MY property is all the tax and penalty liability that might result from using said  
 11 number for tax collection plus \$1,000 per hour for educating you about your lawful duties because you obviously  
 12 don’t know what they are. If it’s MY property, then your job is to protect me from abuses of MY property. If you  
 13 can penalize me for misusing YOUR procedures and forms, which are YOUR property, then I am EQUALLY  
 14 entitled to penalize you for misusing MY property. Are you willing to sign an agreement in writing to pay for the  
 15 ABUSE of what you call MY property, because if you aren’t, you are depriving me of exclusive use and control  
 16 over MY property and depriving me of the equal right to prevent abuses of my property??  
 17

18 **IRS AGENT:** OK, well it’s OUR number. Sorry for deceiving you. Can you give us OUR number that WE assigned to  
 19 you?  
 20

21 **YOU:** You DIDN’T assign it to ME as a private person, which is what I am appearing here today as. You can’t lawfully  
 22 issue public property such as an SSN to a private person. That’s criminal embezzlement. The only way it could  
 23 have been assigned to me is if I’m acting as a “public officer” or federal employee at this moment, and I am NOT.  
 24 I am here as a private person and not a public employee. Therefore, it couldn’t have been lawfully issued to me.  
 25 Keep this up, and I’m going to file a criminal complaint with the U.S. Attorney for embezzlement in violation of [18](#)  
 26 [U.S.C. §641](#) and impersonating a public officer in violation of [18 U.S.C. §912](#). I’m not here as a public officer and  
 27 you are asking me to act like one without compensation and without legal authority. Where is the compensation  
 28 that I demand to act as a fiduciary and trustee over your STINKING number, which is public property? I remind  
 29 you that the very purpose why governments are created is to PROTECT and maintain the separation between "public  
 30 property" and "private property" in order to preserve my inalienable constitutional rights that you took an oath to  
 31 support and defend. Why do you continue to insist on co-mingling and confusing them in order to STEAL my labor,  
 32 property, and money without compensation in violation of the Fifth Amendment takings clause?  
 33

34 Usually, after the above interchange, the IRS agent will realize he is digging a DEEP hole for himself and will abruptly end  
 35 that sort of inquiry, and many times will also end his collection efforts.

#### 36 **4.2.2 What is “Property”?**

37 Property is legally defined as follows:

38 *Property. That which is peculiar or proper to any person; that which **belongs exclusively to one**. In the strict  
 39 legal sense, **an aggregate of rights which are guaranteed and protected by the government**. *Fulton Light, Heat  
 40 & Power Co. v. State*, 65 Misc.Rep. 263, 121 N.Y.S. 536. *The term is said to extend to every species of valuable  
 41 right and interest. More specifically, ownership; the unrestricted and exclusive right to a thing; the right to  
 42 dispose of a thing in every legal way, to possess it, to use it, and to exclude everyone else from interfering with it.  
 43 That dominion or indefinite right of use or disposition which one may lawfully exercise over particular things or  
 44 subjects. The exclusive right of possessing, enjoying, and disposing of a thing. The highest right a man can have  
 45 to anything; being used to refer to that right which one has to lands or tenements, goods or chattels, which no  
 46 way depends on another man's courtesy.**

47 *The word is also commonly used to denote everything which is the subject of ownership, corporeal or incorporeal,  
 48 tangible or intangible, visible or invisible, real or personal, everything that has an exchangeable value or which  
 49 goes to make up wealth or estate. **It extends to every species of valuable right and interest, and includes real  
 50 and personal property, easements, franchises, and incorporeal hereditaments, and includes every invasion of  
 51 one's property rights by actionable wrong.** *Labberton v. General Cas. Co. of America*, 53 Wash.2d. 180, 332  
 52 P.2d. 250, 252, 254.*

53 *Property embraces everything which is or may be the subject of ownership, whether a legal ownership. or whether  
 54 beneficial, or a private ownership. *Davis v. Davis. TexCiv-App.*, 495 S.W.2d. 607. 611. Term includes not only*

ownership and possession but also the right of use and enjoyment for lawful purposes. *Hoffmann v. Kinealy, Mo.*, 389 S.W.2d. 745, 752.

Property, within constitutional protection, denotes group of rights inhering in citizen's relation to physical thing, as right to possess, use and dispose of it. *Cereghino v. State By and Through State Highway Commission*, 230 Or. 439, 370 P.2d. 694, 697.

Goodwill is property, *Howell v. Bowden, TexCiv. App.*, 368 S.W.2d. 842, &18; as is an insurance policy and rights incident thereto, including a right to the proceeds, *Harris v. Harris*, 83 N.M. 441,493 P.2d. 407, 408.

Criminal code. "Property" means anything of value. including real estate, tangible and intangible personal property, contract rights, choses-in-action and other interests in or claims to wealth, admission or transportation tickets, captured or domestic animals, food and drink, electric or other power. Model Penal Code. Q 223.0. See also Property of another, infra. Dusts. Under definition in Restatement, Second, Trusts, Q 2(c), it denotes interest in things and not the things themselves.

[Black's Law Dictionary, Fifth Edition, p. 1095]

Keep in mind the following critical facts about "property" as legally defined:

1. The essence of the "property" right, also called "ownership", is the RIGHT TO EXCLUDE others from using or benefitting from the use of the property.

*"We have repeatedly held that, as to property reserved by its owner for private use, 'the right to exclude [others is] one of the most essential sticks in the bundle of rights that are commonly characterized as property.'"* [Loretto v. Teleprompter Manhattan CATV Corp., 458 U.S. 419, 433 \(1982\)](#), quoting [Kaiser Aetna v. United States, 444 U.S. 164, 176 \(1979\)](#). "*[Nollan v. California Coastal Comm'n, 483 U.S. 825 (1987)]*

*"In this case, we hold that the "right to exclude," so universally held to be a fundamental element of the property right,<sup>[11]</sup> falls within this category of interests that the Government cannot take without compensation."* *[Kaiser Aetna v. United States, 444 U.S. 164 (1979)]*

[11] See, e. g., [United States v. Pueblo of San Ildefonso, 206 Ct.Cl. 649, 669-670, 513 F.2d. 1383, 1394 \(1975\)](#); [United States v. Lutz, 295 F.2d. 736, 740 \(CA5 1961\)](#). As stated by Mr. Justice Brandeis, "[a]n essential element of individual property is the legal right to exclude others from enjoying it." [International News Service v. Associated Press, 248 U.S. 215, 250 \(1918\) \(dissenting opinion\)](#).

2. It's NOT your property if you can't exclude EVERYONE, including the GOVERNMENT from using, benefitting from the use, or taxing the specific property.
3. All constitutional rights and statutory privileges are property.
4. Anything that conveys a right or privilege is property.
5. Contracts convey rights or privileges and are therefore property.
6. All franchises are contracts between the grantor and the grantee and therefore property.

#### 4.2.3 "Public" v. "Private" property ownership

Next, we would like to compare the two types of property: Public v. Private. There are two types of ownership of "property": Absolute and Qualified. The following definition describes and compares these two types of ownership:

*Ownership. Collection of rights to use and enjoy property, including right to transmit it to others. Trustees of Phillips Exeter Academy v. Exeter, 92 N.H. 473, 33 A.2d. 665, 673. The complete dominion, title, or proprietary right in a thing or claim. The entirety of the powers of use and disposal allowed by law.*

*The right of one or more persons to possess and use a thing to the exclusion of others. The right by which a thing belongs to someone in particular, to the exclusion of all other persons. The exclusive right of possession, enjoyment, and disposal; involving as an essential attribute the right to control, handle, and dispose.*

*Ownership of property is either absolute or qualified. The ownership of property is absolute when a single person has the absolute dominion over it, and may use it or dispose of it according to his pleasure, subject only to general laws. The ownership is qualified when it is shared with one or more persons, when the time of enjoyment is deferred or limited, or when the use is restricted. Calif. Civil Code, §§678-680.*

1                    *There may be ownership of all inanimate things which are capable of appropriation or of manual delivery; of all*  
2                    *domestic animals; of all obligations; of such products of labor or skill as the composition of an author, the*  
3                    *goodwill of a business, trademarks and signs, and of rights created or granted by statute. Calif. Civil Code, §655.*

4                    *In connection with burglary, "ownership" means any possession which is rightful as against the burglar.*

5                    *See also Equitable ownership; Exclusive ownership; Hold; Incident of ownership; Interest; Interval ownership;*  
6                    *Ostensible ownership; Owner; Possession; Title.*  
7                    *[Black's Law Dictionary, Sixth Edition, p. 1106]*

8                    Participation in franchises causes PRIVATE property to transmute into PUBLIC property. Below is a table comparing these  
9                    two great classes of property and the legal aspects of their status.

10

Table 4-2: Public v. Private Property

#	Characteristic	Public	Private
1	Authority for ownership comes from	Grantor/ creator of franchise	God/natural law
2	Type of ownership	Qualified	Absolute
3	Law protecting ownership	Statutory franchises	Bill of Rights (First Ten Amendments to the U.S. Constitution)
4	Owner is	The public as LEGAL owner and the human being as EQUITABLE owner	A single person as LEGAL owner
5	Ownership is a	Privilege/franchise	Right
6	Courts protecting ownership	Franchise court (Article 4 of the USA Constitution)	Constitutional court
7	Subject to taxation?	Yes	No (you have the right EXCLUDE government from using or benefitting from it)
8	Title held by	Statutory citizen (Statutory citizens are public officers)	Constitutional citizen (Constitutional citizens are human beings and may NOT be public officers)
9	Character of YOUR/HUMAN title	Equitable	Legal
10	Conversion to opposite type of property by	1. Removing government identifying number. 2. Donation.	1. Associating with government identifying number. <sup>76</sup> 2. Donation. 3. Eminent domain (with compensation). 4. THEFT (Internal Revenue Service).

Private and Public property MUST, at all times, remain completely separate from each other. If in fact rights are UNALIENABLE as declared in the Declaration of Independence, then you aren't allowed legally to consent to donate them to any government. Hence, they must remain private. You can't delegate that authority to anyone else either, because you can't delegate what you don't have:

*"Derativa potestas non potest esse major primitiva.  
The power which is derived cannot be greater than that from which it is derived."*

*"Nemo plus juris ad alienum transfere potest, quam ispe habent.  
One cannot transfer to another a right which he has not. Dig. 50, 17, 54; 10 Pet. 161, 175."  
[Bouvier's Maxims of Law, 1856;  
SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>]*

For a fascinating and powerful presentation showing why private and public are separate, how to keep them that way, and how governments illegally try to convert PRIVATE to PUBLIC in order to STEAL from you, see:

[Separation Between Public and Private](http://sedm.org/Forms/FormIndex.htm), Form #12.025  
<http://sedm.org/Forms/FormIndex.htm>

#### 4.2.4 The purpose and foundation of de jure government: Protection of EXCLUSIVELY PRIVATE rights

<sup>76</sup> See: *About SSNs and TINs on Government Forms and Correspondence*, Form #05.012.

1 The main purpose for which all governments are established is the protection of EXCLUSIVELY PRIVATE rights and  
 2 property. This purpose is the foundation of all the just authority of any government as held by the Declaration of  
 3 Independence:

4 *"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator  
 5 with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--**That to secure**  
 6 **these rights, Governments are instituted among Men, deriving their just powers from the consent of the**  
 7 **governed, -"***

8 [*Declaration of Independence, 1776*]

9 The fiduciary duty that a public officer who works for the government has is founded upon the requirement to protect  
 10 PRIVATE property.

11 *"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be  
 12 exercised in behalf of the government or of all citizens who may need the intervention of the officer. <sup>77</sup>  
 13 Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level  
 14 of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under  
 15 every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain  
 16 from a discharge of their trusts. <sup>78</sup> That is, a public officer occupies a fiduciary relationship to the political  
 17 entity on whose behalf he or she serves. <sup>79</sup> and owes a fiduciary duty to the public. <sup>80</sup> It has been said that the  
 18 fiduciary responsibilities of a public officer cannot be less than those of a private individual. <sup>81</sup> Furthermore,  
 19 it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence  
 20 and undermine the sense of security for individual rights is against public policy. <sup>82</sup>"*

21 [*63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)*]

22 The VERY FIRST step that any lawful de jure government must take in protecting PRIVATE property and PRIVATE rights  
 23 is to protect it from being converted to PUBLIC/GOVERNMENT property. After all: If the people you hire to protect you  
 24 won't even do the job of protecting you from THEM, why should you hire them to protect you from ANYONE ELSE?

25 The U.S. Supreme Court has also affirmed that the protection of PRIVATE rights and PRIVATE property is "the foundation  
 26 of the government" when it held the following. The case below was a challenge to the constitutionality of the first national  
 27 income tax, and the U.S. government rightfully lost that challenge:

28 *"Here I close my opinion. I could not say less in view of questions of such gravity that they go down to the **very**  
 29 **foundations of the government.** If the provisions of the Constitution can be set aside by an act of Congress, where  
 30 is the course of usurpation to end?"*

31 *The present **assault upon capital** [THEFT! and WEALTH TRANSFER by unconstitutional CONVERSION of  
 32 PRIVATE property to PUBLIC property] is but the beginning. **It will be but the stepping stone to others larger**  
 33 **and more sweeping,** until our political contest will become war of the poor against the rich; a war of growing  
 34 intensity and bitterness."*

35 [*Pollock v. Farmers' Loan & Trust Co., 157 U.S. 429, 158 U.S. 601 (1895), hearing the case against the first  
 36 income tax passed by Congress that included people in states of the Union. They declared that first income tax  
 37 UNCONSTITUTIONAL, by the way*]

<sup>77</sup> State ex rel. Nagle v. Sullivan, 98 Mont. 425, 40 P.2d. 995, 99 A.L.R. 321; Jersey City v. Hague, 18 N.J. 584, 115 A.2d. 8.

<sup>78</sup> Georgia Dep't of Human Resources v. Sistrunk, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. Madlener v. Finley (1st Dist) 161 Ill.App.3d. 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

<sup>79</sup> Chicago Park Dist. v. Kenroy, Inc., 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill.App.3d. 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

<sup>80</sup> United States v. Holzer (CA7 Ill), 816 F.2d. 304 and vacated, remanded on other grounds 484 U.S. 807, 98 L.Ed. 2d 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 U.S. 1035, 100 L.Ed. 2d 608, 108 S.Ct. 2022 and (criticized on other grounds by United States v. Osser (CA3 Pa) 864 F.2d. 1056) and (superseded by statute on other grounds as stated in United States v. Little (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass), 898 F.2d. 230, 29 Fed.Rules.Evid.Serv. 1223).

<sup>81</sup> Chicago ex rel. Cohen v. Keane, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill.App.3d. 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

<sup>82</sup> Indiana State Ethics Comm'n v. Nelson (Ind App), 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

In the above landmark case, the lawyer for the petitioner, Mr. Choate, even referred to the income tax as COMMUNISM, and he was obviously right! Why? Because communism like socialism operates upon the following political premises:

1. All property is PUBLIC property and there IS no PRIVATE property.
2. The government owns and/or controls all property and said property is LOANED to the people.
3. The government and/or the collective has rights superior to those of the individual. There is and can be NO equality or equal protection under the law without the right of PRIVATE property. In that sense, the government or the “state” is a pagan idol with “supernatural powers” because human beings are “natural” and they are inferior to the collective.
4. Control is synonymous with ownership. If the government CONTROLS the property but the citizen “owns” it, then:
  - 4.1. The REAL owner is the government.
  - 4.2. The ownership of the property is QUALIFIED rather than ABSOLUTE.
  - 4.3. The person holding the property is a mere CUSTODIAN over GOVERNMENT property and has EQUITABLE rather than LEGAL ownership. Hence, their name in combination with the Social Security Number constitutes a PUBLIC office synonymous with the government itself.
5. Everyone in temporary use of said property is an officer and agent of the state. A “public officer”, after all, is someone who is in charge of the PROPERTY of the public. It is otherwise a crime to use public property for a PRIVATE use or benefit. That crime is called theft or conversion:

*“Public office. The right, authority, and duty created and conferred by law, by which for a given period, either fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the sovereign functions of government for the benefit of the public. Walker v. Rich, 79 Cal.App. 139, 249 P. 56, 58. An agency for the state, the duties of which involve in their performance the exercise of some portion of the sovereign power, either great or small. Yaselli v. Goff, C.C.A., 12 F.2d. 396, 403, 56 A.L.R. 1239; Lacey v. State, 13 Ala.App. 212, 68 So. 706, 710; Curtin v. State, 61 Cal.App. 377, 214 P. 1030, 1035; Shelmadine v. City of Elkhart, 75 Ind.App. 493, 129 N.E. 878. State ex rel. Colorado River Commission v. Frohmiller, 46 Ariz. 413, 52 P.2d. 483, 486. Where, by virtue of law, a person is clothed, not as an incidental or transient authority, but for such time as de- notes duration and continuance, with Independent power to control the property of the public, or with public functions to be exercised in the supposed interest of the people, the service to be compensated by a stated yearly salary, and the occupant having a designation or title, the position so created is a public office. State v. Brennan, 49 Ohio.St. 33, 29 N.E. 593. [Black’s Law Dictionary, Fourth Edition, p. 1235]*

Look at some of the planks of the Communist Manifesto, Karl Marx and confirm the above for yourself:

1. Abolition of property in land and application of all rents of land to public purposes.
  2. A heavy progressive or graduated income tax.
- [ . . . ]  
 [Wikipedia: “The Communist Manifesto”, 12-27-2011; SOURCE:  
[http://en.wikipedia.org/wiki/The\\_Communist\\_Manifesto](http://en.wikipedia.org/wiki/The_Communist_Manifesto)]

The legal definition of “property” confirms that one who OWNS a thing has the EXCLUSIVE right to use and dispose of and CONTROL the use of his or her or its property and ALL the fruits and “benefits” associated with the use of such property . The implication is that you as the PRIVATE owner have a right to EXCLUDE ALL OTHERS including all governments from using, benefitting from, or controlling your property. Governments, after all, are simply legal “persons” and the constitution guarantees that ALL “persons” are equal. If your neighbor can’t benefit from your property without your consent, then neither can any so-called “government”.

*Property. That which is peculiar or proper to any person; that which belongs exclusively to one. In the strict legal sense, an aggregate of rights which are guaranteed and protected by the government. Fulton Light, Heat & Power Co. v. State, 65 Misc.Rep. 263, 121 N.Y.S. 536. The term is said to extend to every species of valuable right and interest. More specifically, ownership; the unrestricted and exclusive right to a thing; the right to dispose of a thing in every legal way, to possess it, to use it, and to exclude everyone else from interfering with it. That dominion or indefinite right of use or disposition which one may lawfully exercise over particular things or subjects. The exclusive right of possessing, enjoying, and disposing of a thing. The highest right a man can have to anything; being used to refer to that right which one has to lands or tenements, goods or chattels, which no way depends on another man’s courtesy.*

*The word is also commonly used to denote everything which is the subject of ownership, corporeal or incorporeal, tangible or intangible, visible or invisible, real or personal, everything that has an exchangeable value or which goes to make up wealth or estate. It extends to every species of valuable right and interest, and includes real and personal property, easements, franchises, and incorporeal hereditaments, and includes every invasion of one’s property rights by actionable wrong. Labberton v. General Cas. Co. of America, 53 Wash.2d. 180, 332 P.2d. 250, 252, 254.*



Property embraces everything which is or may be the subject of ownership, whether a legal ownership, or whether beneficial, or a private ownership. *Davis v. Davis*. *TexCiv-App.*, 495 S.W.2d. 607. 611. Term includes not only ownership and possession but also the right of use and enjoyment for lawful purposes. *Hoffmann v. Kinealy, Mo.*, 389 S.W.2d. 745, 752.

Property, within constitutional protection, denotes group of rights inhering in citizen's relation to physical thing, as right to possess, use and dispose of it. *Cereghino v. State By and Through State Highway Commission*, 230 Or. 439, 370 P.2d. 694, 697.

[ . . . ]

[*Black's Law Dictionary, Fifth Edition, p. 1095*]

In a lawful de jure government under our constitution:

1. All "persons" are absolutely equal under the law. No government can have any more rights than a single human being, no matter how many people make up that government. If your neighbor can't take your property without your consent, then neither can the government. The only exception to this requirement of equality is that artificial persons do not have constitutional rights, but only such "privileges" as statutory law grants them. See:

*Requirement for Equal Protection and Equal Treatment*, Form #05.033  
<http://sedm.org/Forms/FormIndex.htm>

2. All property is CONCLUSIVELY presumed to be EXCLUSIVELY PRIVATE until the GOVERNMENT meets the burden of proof on the record of the legal proceeding that you EXPRESSLY consented IN WRITING to donate the property or use of the property to the PUBLIC:

*"Men are endowed by their Creator with certain unalienable rights, - 'life, liberty, and the pursuit of happiness;' and to 'secure,' not grant or create, these rights, governments are instituted. **That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit [e.g. SOCIAL SECURITY, Medicare, and every other public "benefit"]**; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation."*

[*Budd v. People of State of New York, 143 U.S. 517 (1892)*]

3. You have to knowingly and intentionally DONATE your PRIVATE property to a public use and a PUBLIC purpose before the government can lawfully REGULATE its use. In other words, you have to at least SHARE your ownership of otherwise private property with the government and become an EQUITABLE rather than ABSOLUTE owner of the property before they can acquire the right to regulate its use or impose obligations or duties upon its original owner.
4. That donation ordinarily occurs by applying for and/or using a license in connection with the use of SPECIFIC otherwise PRIVATE property.
5. The process of applying for or using a license and thereby converting PRIVATE into PUBLIC cannot be compelled. If it is, the constitutional violation is called "eminent domain" without compensation or STEALING, in violation of the Fifth Amendment takings clause.
6. You have a PUBLIC persona (office) and a PRIVATE persona (human) at all times.
  - 6.1. That which you VOLUNTARILY attach a government license number to, such as a Social Security Number or Taxpayer Identification Number, becomes PRIVATE property donated to a public use to procure the benefits of a PUBLIC franchise. That property, in turn, is effectively OWNED by the government grantor of your public persona and the public office it represents.
  - 6.2. If you were compelled to use a government license number, such as an SSN or TIN, then a theft and taking without compensation has occurred, because all property associated with such numbers was unlawfully converted and STOLEN.
7. If the right to contract of the parties conducting any business transaction has any meaning at all, it implies the right to EXCLUDE the government from participation in their relationship.
  - 7.1. You can write the contract such that neither party may use or invoke a license number, or complain to a licensing board, about the transaction, and thus the government is CONTRACTED OUT of the otherwise PRIVATE relationship. Consequently, the transaction becomes EXCLUSIVELY PRIVATE and government may not tax or regulate or arbitrate the relationship in any way under the terms of the license franchise.

7.2. Every consumer of your services has a right to do business with those who are unlicensed. This right is a natural consequence of the right to CONTRACT and NOT CONTRACT. The thing they are NOT contracting with is the GOVERNMENT, and the thing they are not contracting FOR is STATUTORY/FRANCHISE "protection". Therefore, even those who have applied for government license numbers are NOT obligated to use them in connection with any specific transaction and may not have their licenses suspended or revoked for failure or refusal to use them for a specific transaction.

8. If the government invades the commercial relationship between you and those you do business with by forcing either party to use or invoke the license number or pursue remedies or "benefits" under the license, they are:

8.1. Interfering with your UNALIENABLE right to contract.

8.2. Compelling you to donate EXCLUSIVELY PRIVATE property to a PUBLIC use.

8.3. Exercising unconstitutional eminent domain over your otherwise PRIVATE property.

8.4. Compelling you to accept a public "benefit", where the "protection" afforded by the license is the "benefit".

The above requirements of the USA Constitution are circumvented with nothing more than the simple PRESUMPTION, usually on the part of the IRS and corrupted judges who want to STEAL from you, that the GOVERNMENT owns it and that you have to prove that they CONSENTED to let you keep the fruits of it. They can't and never have proven that they have such a right, and all such presumptions are a violation of due process of law.

(1) [8:4993] *Conclusive presumptions affecting protected interests:*

*A conclusive presumption may be defeated where its application would impair a party's constitutionally-protected liberty or property interests. In such cases, conclusive **presumptions have been held to violate a party's due process and equal protection rights.** [Vlandis v. Kline (1973) [412 U.S. 441](#), 449, 93 S.Ct. 2230, 2235; Cleveland Bd. of Ed. v. LaFleur (1974) [414 U.S. 632](#), 639-640, 94 S.Ct. 1208, 1215-presumption under Illinois law that unmarried fathers are unfit violates process] [[Federal Civil Trials and Evidence, Rutter Group, paragraph 8:4993, p. 8K-34](#)]*

In order to unconstitutionally and TREASONOUSLY circumvent the above limitation on their right to presume, corrupt governments and government actors will play "word games" with citizenship and key definitions in the ENCRYPTED "code" in order to KIDNAP your legal identity and place it OUTSIDE the above protections of the constitution by:

1. PRESUMING that you are a public officer and therefore, that everything held in your name is PUBLIC property of the GOVERNMENT and not YOUR PRIVATE PROPERTY. See:

*Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes*, Form #05.008

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/WhyThiefOrPubOfficer.pdf>

2. Abusing fraudulent information returns to criminally and unlawfully "elect" you into public offices in the government:

*Correcting Erroneous Information Returns*, Form #04.001

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/04-Tax/CorrErrInfoRtns/CorrErrInfoRtns.pdf>

3. PRESUMING that because you did not rebut evidence connecting you to a public office, then you CONSENT to occupy the office.

4. PRESUMING that ALL of the four contexts for "United States" are equivalent.

5. PRESUME that CONSTITUTIONAL citizens and STATUTORY citizens are EQUIVALENT under federal law. They are NOT. A CONSTITUTIONAL citizen is a "non-resident" under federal civil law and NOT a STATUTORY "national and citizen of the United States\*\* at birth" per 8 U.S.C. §1401. See the document below:

*Why You are a "national", "state national", and Constitutional but not Statutory Citizen*, Form #05.006

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/WhyANational.pdf>

6. PRESUMING that "nationality" and "domicile" are equivalent. They are NOT. See:

*Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Domicile.pdf>

7. Using the word "citizenship" in place of "nationality" OR "domicile", and refusing to disclose WHICH of the two they mean in EVERY context.

8. Confusing the POLITICAL/CONSTITUTIONAL meaning of words with the civil STATUTORY context. For instance, asking on government forms whether you are a POLITICAL/CONSTITUTIONAL citizen and then FALSELY PRESUMING that you are a STATUTORY citizen under 8 U.S.C. §1401.

9. Confusing the words "[domicile](#)" and "[residence](#)" or impute either to you without satisfying the burden of proving that you EXPRESSLY CONSENTED to it and thereby illegally kidnap your civil legal identity against your will. One can have only one "domicile" but many "residences" and BOTH require your consent. See:

*Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Domicile.pdf>

10. Adding things or classes of things to the meaning of statutory terms that do not EXPRESSLY appear in their definitions, in violation of the rules of statutory construction. See:

*Legal Deception, Propaganda, and Fraud*, Form #05.014

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf>

11. Refusing to allow the jury to read the definitions in the law and then give them a definition that is in conflict with the statutory definition. This substitutes the JUDGES will for what the law expressly says and thereby substitutes PUBLIC POLICY for the written law.

12. Publishing deceptive government publications that are in deliberate conflict with what the statutes define "United States" as and then tell the public that they CANNOT rely on the publication. The [IRS does this with ALL of their publications](#) and it is FRAUD. See:

*Reasonable Belief About Income Tax Liability*, Form #05.007

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf>

This kind of arbitrary discretion is PROHIBITED by the Constitution, as held by the U.S. Supreme Court:

*"When we consider the nature and the theory of our institutions of government, the principles upon which they are supposed to rest, and review the history of their development, we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power."*

[*Yick Wo v. Hopkins*, [118 U.S. 356, 369](#), 6 S. Sup.Ct. 1064, 1071]

Thomas Jefferson, our most revered founding father, precisely predicted the above abuses when he astutely said:

*"It has long been my opinion, and I have never shrunk from its expression,... that the germ of dissolution of our Federal Government is in the constitution of the Federal Judiciary--an irresponsible body (for impeachment is scarcely a scare-crow), working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief over the field of jurisdiction until all shall be usurped from the States and the government be consolidated into one. To this I am opposed."*

[*Thomas Jefferson to Charles Hammond*, 1821. ME 15:331]

*"Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before them, to throw an anchor ahead and grapple further hold for future advances of power. They are then in fact the corps of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate all power in the hands of that government in which they have so important a freehold estate."*

[*Thomas Jefferson: Autobiography*, 1821. ME 1:121]

*"The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our Constitution from a co-ordination of a general and special government to a general and supreme one alone. This will lay all things at their feet, and they are too well versed in English law to forget the maxim, 'boni judicis est ampliari jurisdictionem.'"*

[*Thomas Jefferson to Thomas Ritchie*, 1820. ME 15:297]

*"When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another and will become as venal and oppressive as the government from which we separated."*

[*Thomas Jefferson to Charles Hammond*, 1821. ME 15:332]

*"What an augmentation of the field for jobbing, speculating, plundering, office-building ["trade or business" scam] and office-hunting would be produced by an assumption [PRESUMPTION] of all the State powers into the hands of the General Government!"*

[*Thomas Jefferson to Gideon Granger*, 1800. ME 10:168]

The key to preventing the unconstitutional abuse of presumption by the corrupted judiciary and IRS to STEAL from people is to completely understand the content of the following memorandum of law and consistently apply it in every interaction with the government:

*Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction*, Form #05.017  
<http://sedm.org/Forms/FormIndex.htm>

1 It ought to be very obvious to the reader that:

- 2 1. The rules for converting PRIVATE property to PUBLIC property ought to be consistently, completely, clearly, and
- 3 unambiguously defined by every government officer you come in contact with, and ESPECIALLY in court. These
- 4 rules ought to be DEMANDED to be declared EVEN BEFORE you enter a plea in a criminal case.
- 5 2. If the government asserts any right over your PRIVATE property, they are PRESUMING they are the LEGAL owner
- 6 and relegating you to EQUITABLE ownership. This presumption should be forcefully challenged.
- 7 3. If they won't expressly define the rules, or try to cloud the rules for converting PRIVATE property to PUBLIC
- 8 property, then they are:
  - 9 3.1. Defeating the very purpose for which they were established as a "government". Hence, they are not a true
  - 10 "government" but a de facto private corporation PRETENDING to be a "government", which is a CRIME under
  - 11 18 U.S.C. §912.
  - 12 3.2. Exercising unconstitutional eminent domain over private property without the consent of the owner and without
  - 13 compensation.
  - 14 3.3. Trying to STEAL from you.
  - 15 3.4. Violating their fiduciary duty to the public.

#### 16 **4.2.5 The Right to be left alone**

17 The purpose of the Constitution of the United States of America is to confer the "right to be left alone", which is the essence  
 18 of being sovereign:

19 *"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They*  
 20 *recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a*  
 21 *part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect*  
 22 *Americans in their beliefs, their thoughts, their emotions and their sensations. **They conferred, as against the***  
 23 ***Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized***  
 24 ***men.**"*

25 *[Olmstead v. United States, 277 U.S. 438, 478 (1928) (Brandeis, J., dissenting); see also Washington v. Harper,*  
 26 *494 U.S. 210 (1990)]*

27 The legal definition of "justice" confirms that its purpose is to protect your right to be "left alone":

28 *PAULSEN, ETHICS (Thilly's translation), chap. 9.*

29 *"Justice, as a moral habit, is that tendency of the will and mode of conduct which refrains from disturbing the*  
 30 ***lives and interests of others, and, as far as possible, hinders such interference on the part of others.** This virtue*  
 31 *springs from the individual's respect for his fellows as ends in themselves and as his co equals. The different*  
 32 *spheres of interests may be roughly classified as follows: body and life; the family, or the extended individual*  
 33 *life; property, or the totality of the instruments of action; honor, or the ideal existence; and finally freedom, or*  
 34 *the possibility of fashioning one's life as an end in itself. The law defends these different spheres, thus giving rise*  
 35 *to a corresponding number of spheres of rights, each being protected by a prohibition. . . . To violate the rights,*  
 36 *to interfere with the interests of others, is injustice. All injustice is ultimately directed against the life of the*  
 37 *neighbor; it is an open avowal that the latter is not an end in itself, having the same value as the individual's own*  
 38 *life. The general formula of the duty of justice may therefore be stated as follows: Do no wrong yourself, and*  
 39 *permit no wrong to be done, so far as lies in your power; or, expressed positively: Respect and protect the right."*  
 40 *[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 2]*

41 The Bible also states the foundation of justice by saying:

42 *"Do not strive with [or try to regulate or control or enslave] a man without cause, **if he has done you no harm.**"*  
 43 *[Prov. 3:30, Bible, NKJV]*

44 And finally, Thomas Jefferson agreed with the above by defining "justice" as follows in his First Inaugural Address:

45 *"With all [our] blessings, what more is necessary to make us a happy and a prosperous people? Still one thing*  
 46 *more, fellow citizens--**a wise and frugal Government, which shall restrain men from injuring one another, shall***  
 47 ***leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from***

the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities."

[Thomas Jefferson: 1st Inaugural, 1801. ME 3:320]

Therefore, the word "injustice" means interference with the equal rights of others absent their consent and which constitutes an injury NOT as any law defines it, but as the PERSON who is injured defines it. Under this conception of "justice", anything done with your consent cannot be classified as "injustice" or an injury.

Those who are "private persons" fit in the category of people who must be left alone as a matter of law:

"There is a clear distinction in this particular case between an individual and a corporation, and that the latter has no right to refuse to submit its books and papers for an examination at the suit of the State. The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no such duty to the State, since he receives nothing therefrom, beyond the protection of his life and property. His rights are such as existed by the law of the land long antecedent to the organization of the State, and can only be taken from him by due process of law, and in accordance with the constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights."

[Hale v. Henkel, [201 U.S. 43](#), 74 (1906)]

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Internal Revenue Manual (I.R.M.), Section 5.14.10.2 (09-30-2004)  
Payroll Deduction Agreements

**2. Private employers, states, and political subdivisions are not required to enter into payroll deduction agreements.** Taxpayers should determine whether their employers will accept and process executed agreements before agreements are submitted for approval or finalized.

[SOURCE: <http://sedm.org/Exhibits/EX05.043.pdf>]

The U.S. Supreme Court has also held that the ability to regulate what it calls "private conduct" is repugnant to the constitution. It is the differentiation between PRIVATE rights and PUBLIC rights, in fact, that forms the basis for enforcing your right to be left alone:

"The power to "legislate generally upon" life, liberty, and property, as opposed to the "power to provide modes of redress" against offensive state action, was "repugnant" to the Constitution. Id., at 15. See also United States v. Reese, [92 U.S. 214, 218](#) (1876); United States v. Harris, [106 U.S. 629, 639](#) (1883); James v. Bowman, [190 U.S. 127, 139](#) (1903). Although the specific holdings of these early cases might have been superseded or modified, see, e.g., Heart of Atlanta Motel, Inc. v. United States, [379 U.S. 241](#) (1964); United States v. Guest, [383 U.S. 745](#) (1966), their treatment of Congress' §5 power as corrective or preventive, not definitional, has not been questioned."

[[City of Boerne v. Flores, Archbishop of San Antonio, 521 U.S. 507 \(1997\)](#)]

Only by taking on a "public character" or engaging in "public conduct" rather than a "private" character may our actions become the proper or lawful subject of federal or state legislation or regulation.

"One great object of the Constitution is to permit citizens to structure their private relations as they choose subject only to the constraints of statutory or decisional law. [500 U.S. 614, 620]

To implement these principles, courts must consider from time to time where the governmental sphere [e.g. "public purpose" and "public office"] ends and the private sphere begins. Although the conduct of private parties lies beyond the Constitution's scope in most instances, governmental authority may dominate an activity to such an extent that its participants must be deemed to act with the authority of the government and, as a result, be subject to constitutional constraints. This is the jurisprudence of state action, which explores the "essential dichotomy" between the private sphere and the public sphere, with all its attendant constitutional obligations. Moose Lodge, supra, at 172. "

[. . .]

Given that the statutory authorization for the challenges exercised in this case is clear, the remainder of our state action analysis centers around the second part of the Lugar test, whether a private litigant, in all fairness, must be deemed a government actor in the use of peremptory challenges. Although we have recognized that this aspect of the analysis is often a fact-bound inquiry, see Lugar, supra, 457 U.S. at 939, our cases disclose certain principles of general application. Our precedents establish that, in determining whether a particular action or course of conduct is governmental in character, it is relevant to examine the following: the extent to which the

*actor relies on governmental assistance and benefits, see Tulsa Professional Collection Services, Inc. v. Pope, 485 U.S. 478 (1988); Burton v. Wilmington Parking Authority, 365 U.S. 715 (1961); whether the actor is performing a traditional governmental function, see Terry v. Adams, 345 U.S. 461 (1953); Marsh v. Alabama, 326 U.S. 501 (1946); cf. San Francisco Arts & Athletics, Inc. v. United States Olympic [500 U.S. 614, 622] Committee, 483 U.S. 522, 544-545 (1987); and whether the injury caused is aggravated in a unique way by the incidents of governmental authority, see Shelley v. Kraemer, 334 U.S. 1 (1948). Based on our application of these three principles to the circumstances here, we hold that the exercise of peremptory challenges by the defendant in the District Court was pursuant to a course of state action. [Edmonson v. Leesville Concrete Company, 500 U.S. 614 (1991)]*

The phrase “subject only to the constraints of statutory or decisional law” refers ONLY to statutes or court decisions that pertain to licensed or privileged activities or franchises, all of which:

1. Cause the licensee or franchisee to represent a “public office” and work for the government.
2. Cause the licensee or franchisee to act in a representative capacity as an officer of the government, which is a federal corporation and therefore he or she becomes an “officer or employee of a corporation” acting in a representative capacity. See 26 U.S.C. §6671(b) and 26 U.S.C. §7434, which both define a “person” within the I.R.C. criminal and penalty provisions as an officer or employee of a corporation.
3. Change the effective domicile of the “office” or “public office” of the licensee or franchisee to federal territory pursuant to Federal Rule of Civil Procedure 17(b), 26 U.S.C. §7701(a)(39), and 26 U.S.C. §7408(d).

*IV. PARTIES > Rule 17.  
(b) Capacity to Sue or be Sued.*

*Capacity to sue or be sued is determined as follows:*

- (1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;*
- (2) for a corporation [or the officers or “public officers” of the corporation], by the law under which it was organized; and*
- (3) for all other parties, by the law of the state where the court is located, except that:*
  - (A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and*
  - (B) 28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.*

4. Create a “res” or “office” which is the subject of federal legislation and a “person” or “individual” within federal statutes. For instance, the definition of “individual” within 5 U.S.C. §552(a)(2) reveals that it is a government employee with a domicile in the statutory “United States”, which is federal territory. Notice that the statute below is in Title 5, which is “Government Organization and Employees”, and that “citizens and residents of the United States” share in common a legal domicile on federal territory. An “individual” is an officer of the government, and not a natural man or woman. The office is the “individual”, and not the man or woman who fills it:

*TITLE 5 > PART I > CHAPTER 5 > SUBCHAPTER II > § 552a  
§ 552a. Records maintained on individuals*

*(a) Definitions.— For purposes of this section—*

*(2) the term “individual” means a citizen of the United States or an alien lawfully admitted for permanent residence;*

If you don’t maintain a domicile on federal territory, which is called the “United States” in the U.S. Code, or you don’t work for the government by participating in its franchises, then the government has NO AUTHORITY to even keep records on you under the authority of the Privacy Act and you would be committing perjury under penalty of perjury to call yourself an “individual” on a government form. Why? Because you are the sovereign and the sovereign is not the subject of the law, but the author of the law!

*“Since in common usage, the term person does not include the sovereign, statutes not employing the phrase are ordinarily construed to exclude it.”  
[United States v. Cooper Corporation, 312 U.S. 600 (1941)]*

1 “There is no such thing as a power of inherent Sovereignty in the government of the United States. In this country  
 2 sovereignty resides in the People, and Congress can exercise no power which they have not, by their Constitution  
 3 entrusted to it: All else is withheld.”  
 4 [Juilliard v. Greenman, 110 U.S. 421 (1884)]

5 “Sovereignty itself is, of course, not subject to law for it is the author and source of law;”  
 6 [Yick Wo v. Hopkins, 118 U.S. 356 (1886)]

7 “Under our form of government, the legislature is NOT supreme. It is only one of the organs of that ABSOLUTE  
 8 SOVEREIGNTY which resides in the whole body of the PEOPLE; like other bodies of the government, it can only  
 9 exercise such powers as have been delegated to it, and when it steps beyond that boundary, its acts.. are utterly  
 10 VOID.”  
 11 [Billings v. Hall, 7 CA. 1]

12 “In Europe, the executive is synonymous with the sovereign power of a state...where it is too commonly acquired  
 13 by force or fraud, or both...In America, however the case is widely different. Our government is founded upon  
 14 compact. Sovereignty was, and is, in the people.”  
 15 [The Betsy, 3 Dall 6]

16 In summary, the only way the government can control you through civil law is to connect you to public conduct or a “public  
 17 office” within the government executed on federal territory. If they are asserting jurisdiction that you believe they don’t  
 18 have, it is probably because:

- 19 1. You misrepresented your domicile as being on federal territory within the “United States” or the “State of \_\_\_” by  
 20 declaring yourself to be either a statutory “U.S. citizen” pursuant to 8 U.S.C. §1401 or a statutory “resident” (alien)  
 21 pursuant to 26 U.S.C. §7701(b)(1)(A). This made you subject to their laws and put you into a privileged state.
- 22 2. You filled out a government application for a franchise, which includes government benefits, professional licenses,  
 23 driver’s licenses, marriage licenses, etc.
- 24 3. Someone else filed a document with the government which connected you to a franchise, even though you never  
 25 consented to participate in the franchise. For instance, IRS information returns such as W-2, 1042S, 1098, and 1099  
 26 presumptively connect you to a “trade or business” in the U.S. government pursuant to 26 U.S.C. §6041. A “trade or  
 27 business” is then defined in 26 U.S.C. §7701(a)(26) as “the functions of a public office”. The only way to prevent this  
 28 evidence from creating a liability under the franchise agreement provisions is to rebut it promptly. See:

Correcting Erroneous Information Returns, Form #04.001  
<http://sedm.org/Forms/FormIndex.htm>

#### 29 4.2.6 The PUBLIC You (straw man) vs. the PRIVATE You (human)

30 It is extremely important to know the difference between PRIVATE and PUBLIC “persons”, because we all have private and  
 31 public identities. This division of our identities is recognized in the following maxim of law:

32 *Quando duo juro concurrunt in und personâ, aequum est ac si essent in diversis.*  
 33 *When two rights [public right v. private right] concur in one person, it is the same as if they were two separate*  
 34 *persons.* 4 Co. 118.  
 35 [Bouvier’s Maxims of Law, 1856;  
 36 SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouvierMaxims.htm>]

37 The U.S. Supreme Court also recognizes the division of PUBLIC v. PRIVATE:

38 “A private person cannot make constitutions or laws, nor can he with authority construe them, nor can he  
 39 administer or execute them.”  
 40 [United States v. Harris, 106 U.S. 629, 1 S.Ct. 601, 27 L.Ed. 290 (1883)]

41 “All the powers of the government [including ALL of its civil enforcement powers against the public] must be  
 42 carried into operation by individual agency, either through the medium of public officers, or contracts made  
 43 with [private] individuals.”  
 44 [Osborn v. Bank of U.S., 22 U.S. 738 (1824)]

45  
 46 “...we are of the opinion that there is a clear distinction in this particular between an [PRIVATE] individual  
 47 and a [PUBLIC] corporation, and that the latter has no right to refuse to submit its books and papers for an  
 48 examination at the suit of the state. The individual may stand upon his constitutional rights as a citizen. He is

entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no duty to the state or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may tend to criminate him. He owes no such duty to the state, since he receives nothing therefrom, beyond the protection of his life and property. His rights are such as existed by the law of the land long antecedent to the organization of the state, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights.

“Upon the other hand, the [PUBLIC] corporation is a creature of the state. It is presumed to be incorporated for the benefit of the public. It receives certain special privileges and franchises, and holds them subject to the laws of the state and the limitations of its charter. Its powers are limited by law. It can make no contract not authorized by its charter. Its rights to [201 U.S. 43, 75] act as a corporation are only preserved to it so long as it obeys the laws of its creation. There is a reserved right in the legislature to investigate its contracts and find out whether it has exceeded its powers. It would be a strange anomaly to hold that a state, having chartered a corporation to make use of certain franchises, could not, in the exercise of its sovereignty, inquire how these franchises had been employed, and whether they had been abused, and demand the production of the corporate books and papers for that purpose. The defense amounts to this: That an officer of a corporation which is charged with a criminal violation of the statute, may plead the criminality of such corporation as a refusal to produce its books. To state this proposition is to answer it. While an individual may lawfully refuse to answer incriminating questions unless protected by an immunity statute, it does not follow that a corporation, vested with special privileges and franchises, may refuse to show its hand when charged with an abuse of such privileges.”  
[Hale v. Henkel, 201 U.S. 43 (1906)]

The next time you are in court as a PRIVATE person, here are some questions for the next jury, judge, or government prosecutor trying to enforce a civil obligation upon you as a PRESUMED public officer called a “citizen”, “resident”, “person”, or “taxpayer”:

1. How do you, a PRIVATE human, “OBEY” a law without “EXECUTING” it? We’ll give you a hint: It CAN’T BE DONE!
2. What “public office” or franchise does the government claim to have “created” and therefore have the right to control in the context of my otherwise exclusively PRIVATE property and PRIVATE rights under the Constitution?
3. Who is the “customer” in the context of the IRS: The STATUTORY “taxpayer” public office or the PRIVATE human filling the office?
4. Who gets to define what a “benefit” is in the context of “customers”? Isn’t it the human volunteering to be surety for the “taxpayer” office and not the government grantor of the public office franchise?
5. What if I as the human compelled to become surety for the office define that compulsion as an INJURY rather than a BENEFIT? Does that “end the privilege” and the jurisdiction to tax and regulate?
6. Does the national government claim the right to create franchises within a constitutional state in order to tax them? The Constitution says they CANNOT and that this is an “invasion” within the meaning of Article 4, Section 4 of the Constitution:

*“Thus, Congress having power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes, may, without doubt, provide for **granting** coasting **licenses**, licenses to pilots, licenses to trade with the Indians, and any other **licenses** necessary or proper for the exercise of that great and extensive power; and the same observation is applicable to every other power of Congress, to the exercise of which the granting of licenses may be incident. All such licenses confer authority, and give rights to the licensee.*

*But very different considerations apply to the **internal commerce or domestic trade** of the States. Over this commerce and trade Congress has **no power of regulation nor any direct control**. This power belongs exclusively to the States. **No interference by Congress with the business of citizens transacted within a State is warranted by the Constitution, except such as is strictly incidental to the exercise of powers clearly granted to the legislature.** The power to authorize a business within a State is plainly repugnant to the exclusive power of the State over the same subject. It is true that the power of Congress to tax is a very extensive power. It is given in the Constitution, with only one exception and only two qualifications. Congress cannot tax exports, and it must impose direct taxes by the rule of apportionment, and indirect taxes by the rule of uniformity. Thus limited, and thus only, it reaches every subject, and may be exercised at discretion. But, it reaches only existing subjects. **Congress cannot authorize a trade or business within a State in order to tax it.**”*  
[License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866)]

7. Isn’t a judge compelling you to violate your religious beliefs by compelling you to serve in a public office or accept the DUTIES of the office? Isn’t this a violation of the First Commandment NOT to serve “other gods”, which can and does mean civil rulers or governments?



1 *But the thing displeased Samuel when they said, "Give us a king to judge us." So Samuel prayed to the Lord. **And***  
 2 ***the Lord said to Samuel, "Heed the voice of the people in all that they say to you; for they have rejected Me***  
 3 ***[God], that I should not reign over them.** According to all the works which they have done since the day that I*  
 4 *brought them up out of Egypt, even to this day—with which they have forsaken Me and served other gods [Kings,*  
 5 ***in this case]—so they are doing to you also [government becoming idolatry]. Now therefore, heed their voice.***  
 6 ***However, you shall solemnly forewarn them, and show them the behavior of the king who will reign over***  
 7 ***them."***

8 *[1 Sam. 8:6-9, Bible, NKJV]*

- 9 8. How can one UNILATERALLY ELECT themselves into public office by filling out a government form? The form  
 10 isn't even signed by anyone in the government, such as a tax form or social security application, and therefore couldn't  
 11 POSSIBLY be a valid contract anyway? Isn't this a FRAUD upon the United States and criminal bribery, using illegal  
 12 "withholdings" to bribe someone to TREAT you as a public officer? See 18 U.S.C. §211.
- 13 9. How can a judge enforce civil statutory law that only applies to public officers without requiring proof on the record  
 14 that you are CONSENSUALLY and LAWFULLY engaged in a public office? In other words, that you waived  
 15 sovereign immunity by entering into a contract with the government.

16 *"It is true, that the person who accepts an office may be supposed to enter into a compact to be answerable to*  
 17 *the government, which he serves, for any violation of his duty; and, having taken the oath of office, he would*  
 18 *unquestionably be liable, in such case, to a prosecution for perjury in the Federal Courts. But because one*  
 19 *man, by his own act [CONSENT], renders himself amenable to a particular jurisdiction, shall another man,*  
 20 *who has not incurred a similar obligation, be implicated? If, in other words, it is sufficient to vest a jurisdiction*  
 21 *in this court, that a Federal Officer is concerned; if it is a sufficient proof of a case arising under a law of the*  
 22 *United States to affect other persons, that such officer is bound, by law, to discharge his duty with fidelity; a*  
 23 *source of jurisdiction is opened, which must inevitably overflow and destroy all the barriers between the judicial*  
 24 *authorities of the State and the general government. Anything which can prevent a Federal Officer from the*  
 25 *punctual, as well as from an impartial, performance of his duty; an assault and battery; or the recovery of a debt,*  
 26 *as well as the offer of a bribe, may be made a foundation of the jurisdiction of this court; and, **considering the***  
 27 ***constant disposition of power to extend the sphere of its influence, fictions will be resorted to, when real cases***  
 28 ***cease to occur. A mere fiction, that the defendant is in the custody of the marshal, has rendered the jurisdiction***  
 29 ***of the King's Bench universal in all personal actions."***

30 *[United States v. Worrall, 2 U.S. 384 (1798)]*

31 *SOURCE: [http://scholar.google.com/scholar\\_case?case=3339893669697439168/](http://scholar.google.com/scholar_case?case=3339893669697439168/)*

- 32 10. Isn't this involuntary servitude in violation of the Thirteenth Amendment to serve in a public office if you DON'T  
 33 consent and they won't let you TALK about the ABSENCE of your consent?
- 34 11. Isn't it a violation of due process of law to PRESUME that you are public officer WITHOUT EVIDENCE on the  
 35 record from an unbiased witness who has no financial interest in the outcome?

36 *"A presumption is an assumption of fact that the law requires to be made from another fact or group of facts*  
 37 *found or otherwise established in the action. **A presumption is not evidence."***  
 38 *[Black's Law Dictionary, Sixth Edition, p. 1185]*

39 \_\_\_\_\_

40 *"If any question of fact or liability be conclusively be presumed [rather than proven] against him, this is not*  
 41 *due process of law. [ . . . ] the presumption of innocence under which **guilt must be proven by legally obtained***  
 42 ***evidence** and the verdict must be supported by the evidence presented; rights at the earliest stage of the criminal*  
 43 *process; and the guarantee that an individual will not be tried more than once for the same offence (double*  
 44 *jeopardy).*

45 *[Black's Law Dictionary, Sixth Edition, p. 500]*

46 \_\_\_\_\_

47 *"**A presumption is neither evidence nor a substitute for evidence.**"<sup>83</sup>*

48 *[American Jurisprudence 2d, Evidence, §181 (1999)]*

- 49 12. If the judge won't enforce the requirement that the government as moving party has the burden of proving WITH  
 50 EVIDENCE that you were LAWFULLY "appointed or elected" to a public office, aren't you therefore PRESUMED to  
 51 be EXCLUSIVELY PRIVATE and therefore beyond the reach of the civil statutory law?

<sup>83</sup> *Levasseur v. Field (Me), 332 A.2d. 765; Hinds v. John Hancock Mut. Life Ins. Co., 155 Me 349, 155 A.2d. 721, 85 A.L.R.2d. 703 (superseded by statute on other grounds as stated in Poitras v. R. E. Glidden Body Shop, Inc. (Me) 430 A.2d. 1113); Connizzo v. General American Life Ins. Co. (Mo App), 520 S.W.2d. 661.*

- 1 13. Isn't the judge criminally obstructing justice to interfere with requiring evidence on the record that you lawfully  
 2 occupy a public office? See 18 U.S.C. §1503, whereby the judge is criminally "influencing" the PUBLIC you.
- 3 14. Isn't an unsupported presumption that prejudices a PRIVATE right a violation of the Constitution and doesn't the  
 4 rights that UNCONSTITUTIONAL presumption prejudicially conveys to the government constitute a taking of rights  
 5 without just compensation in violation of the Fifth Amendment Takings Clause?
- 6 15. Don't the rights that UNCONSTITUTIONAL presumptions prejudicially convey to the government constitute a taking  
 7 of rights without just compensation in violation of the Fifth Amendment Takings Clause?
- 8 16. By what authority does the judge impose federal civil law within a constitutional state of the Union because:  
 9 16.1. Constitutional states are legislatively but not constitutionally foreign jurisdiction.  
 10 16.2. Federal Rule of Civil Procedure 17(b) requires that those with a domicile outside of federal territory cannot be  
 11 sued under federal law.  
 12 16.3. The Rules of Decision Act, 28 U.S.C. §1652 dictates that state rather than federal law applies.  
 13 16.4. National franchises and the PRIVATE law that implements them cannot be offered or enforced within  
 14 constitutional states per License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866).
- 15 17. Even if we ARE lawfully serving in a public office, don't we have the right to:  
 16 17.1. Be off duty?  
 17 17.2. Choose WHEN we want to be off duty?  
 18 17.3. Choose WHAT financial transactions we want to connect to the office?  
 19 17.4. Be protected in NOT volunteering to connect a specific activity to the public office? Governments LIE by calling  
 20 something "voluntary" and yet refusing to protect those who do NOT consent to "volunteer", don't they?  
 21 17.5. Not be coerced to sign up for OTHER, unrelated public offices when we sign up for a single office? For instance,  
 22 do we have a right not become a FEDERAL officer when we sign up for a STATE "driver license" and "public  
 23 office" that ALSO requires us to have a Social Security Number to get the license, and therefore to ALSO  
 24 become a FEDERAL officer at the same time.  
 25 If the answer to all the above is NO, then there ARE no PRIVATE rights or PRIVATE property and there IS no  
 26 "government" because governments only protect PRIVATE rights and private property!

27 We'd love to hear a jury, judge, or prosecutor address this subject before they haul him away in a straight jacket to the  
 28 nuthouse because of a completely irrational and maybe even criminal answer.

29 The next time you end up in front of a judge or government attorney enforcing a civil statute against you, you might want to  
 30 insist on proof in the record during the process of challenging jurisdiction as a defendant or respondent:

- 31 1. WHICH of the two "persons" they are addressing or enforcing against.  
 32 2. How the two statuses, PUBLIC v. PRIVATE, became connected.  
 33 3. What specific act of EXPRESS consent connected the two. PRESUMPTION alone on the part of government can't. A  
 34 presumption that the two became connected WITHOUT consent is an unconstitutional eminent domain in violation of  
 35 the Fifth Amendment Takings Clause.

36 In a criminal trial, such a question would be called a "bill of particulars".

37 We can handle private and public affairs from the private, but we cannot handle private affairs from the public. The latter is  
 38 one of the biggest mistakes many people make when trying to handle their commercial and lawful (private) or legal (public)  
 39 affairs. Those who use PUBLIC property for PRIVATE gain in fact are STEALING and such stealing has always been a  
 40 crime.

41 In law, all rights attach to LAND, and all privileges attach to one's STATUS under voluntary civil franchises. An example  
 42 of privileged statuses include "taxpayer" (under the tax code), "person", "individual", "driver" (under the vehicle code),  
 43 "spouse" (under the family code). Rights are PRIVATE, PRIVILEGES are PUBLIC.

44 In our society, the PRIVATE "straw man" was created by the application for the birth certificate. It is a legal person under  
 45 contract law and under the Uniform Commercial Code (U.C.C.), with capacity to sue or be sued under the common law. It  
 46 is PRIVATE PROPERTY of the human being described in the birth certificate.

47 The PUBLIC officer "straw man" (e.g. statutory "taxpayer") was created by the Application for the Social Security Card,  
 48 SSA Form SS-5. It is a privileged STATUS under an unconstitutional national franchise of the de facto government. It is  
 49 PROPERTY of the national government. The PUBLIC "straw man" is thoroughly described in:

Proof that There Is a "Straw Man", Form #05.042  
<http://sedm.org/Forms/FormIndex.htm>

1 The PRIVATE "John Doe" is a statutory "non-resident non-person" not engaged in the "trade or business"/PUBLIC  
 2 OFFICER franchise in relation to the PUBLIC. He exists in the republic and is a free inhabitant under the Articles of  
 3 Confederation. He has inalienable rights and unlimited liabilities. Those unlimited liabilities are described in

The Unlimited Liability Universe  
<http://famguardian.org/Subjects/Spirituality/Articles/UnlimitedLiabilityUniverse.htm>

4 The PUBLIC "JOHN DOE" is a public office in the government corporation and statutory "U.S. citizen" per 8 U.S.C. §1401,  
 5 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c). He exists in the privileged [socialist democracy](#). He has "benefits", franchises,  
 6 obligations, immunities, and limited liability.

7 In the PRIVATE, money is an ASSET and always in the form of something that has intrinsic value, i.e. gold or silver. Payment  
 8 for anything is in the form of commercial set off.

9 In the PUBLIC, money is a LIABILITY or debt and normally takes the form of a promissory note, i.e. an Federal Reserve  
 10 Note (FRN), a check, bond or note. Payment is in the form of discharge in the future.

11 The PRIVATE realm is the basis for all contract and commerce under the Uniform Commercial Code (U.C.C.). The PUBLIC  
 12 realm was created by the bankruptcy of the PRIVATE entity. Generally, creditors can operate from the PRIVATE. PUBLIC  
 13 entities are all debtors (or slaves). The exercise of the right to contract by the PRIVATE straw man makes human beings into  
 14 SURETY for the PUBLIC straw man.

15 Your judicious exercise of your right to contract and the requirement for consent that protects it is the main thing that keeps  
 16 the PUBLIC separate from the PRIVATE. See:

Requirement for Consent, Form #05.003  
<http://sedm.org/Forms/FormIndex.htm>

17 **Be careful how you use your right to contract!** It is the most DANGEROUS right you have because it can destroy ALL  
 18 of your PRIVATE rights by converting them to PUBLIC rights and offices.

19 ***"These general rules are well settled:***

20 ***(1) That the United States, when it creates rights in individuals against itself [a "public right", which is a***  
 21 ***euphemism for a "franchise" to help the court disguise the nature of the transaction], is under no obligation***  
 22 ***to provide a remedy through the courts.*** *United States ex rel. Dunlap v. Black, 128 U.S. 40, 9 Sup.Ct. 12, 32*  
 23 *L.Ed. 354; Ex parte Atocha, 17 Wall. 439, 21 L.Ed. 696; Gordon v. United States, 7 Wall. 188, 195, 19 L.Ed. 35;*  
 24 *De Groot v. United States, 5 Wall. 419, 431, 433, 18 L.Ed. 700; Comegys v. Vasse, 1 Pet. 193, 212, 7 L.Ed. 108.*

25 ***(2) That where a statute creates a right and provides a special remedy, that remedy is exclusive.*** *Wilder*  
 26 *Manufacturing Co. v. Corn Products Co., 236 U.S. 165, 174, 175, 35 Sup.Ct. 398, 59 L.Ed. 520, Ann.Cas. 1916A,*  
 27 *118; Arnsion v. Murphy, 109 U.S. 238, 3 Sup.Ct. 184, 27 L.Ed. 920; Barnet v. National Bank, 98 U.S. 555, 558,*  
 28 *25 L.Ed. 212; Farmers' & Mechanics' National Bank v. Dearing, 91 U.S. 29, 35, 23 L.Ed. 196. Still the fact that*  
 29 *the right and the remedy are thus intertwined might not, if the provision stood alone, require us to hold that the*  
 30 *remedy expressly given excludes a right of review by the Court of Claims, where the decision of the special*  
 31 *tribunal involved no disputed question of fact and the denial of compensation was rested wholly upon the*  
 32 *construction of the act. See Medbury v. United States, 173 U.S. 492, 198, 19 Sup.Ct. 503, 43 L.Ed. 779; Parish v.*  
 33 *MacVeagh, 214 U.S. 124, 29 Sup.Ct. 556, 53 L.Ed. 936; McLean v. United States, 226 U.S. 374, 33 Sup.Ct. 122,*  
 34 *57 L.Ed. 260; United States v. Laughlin (No. 200), 249 U.S. 440, 39 Sup.Ct. 340, 63 L.Ed. 696, decided April 14,*  
 35 *1919."*

36 *[U.S. v. Babcock, 250 U.S. 328, 39 S.Ct. 464 (1919)]*

37 All PUBLIC franchises are contracts or agreements and therefore participating in them is an act of contracting.

1                   *"It is generally conceded that a franchise is the subject of a contract between the grantor and the grantee, and*  
 2 *that it does in fact constitute a contract when the requisite element of a consideration is present.<sup>84</sup> Conversely, a*  
 3 *franchise granted without consideration is not a contract binding upon the state, franchisee, or pseudo-*  
 4 *franchisee.<sup>85</sup> "*  
 5 *[36 American Jurisprudence 2d, Franchises, §6: As a Contract (1999)]*

6 Franchises include Social Security, income taxation ("trade or business"/public office franchise), unemployment insurance,  
 7 driver licensing ("driver" franchise), and marriage licensing ("spouse" franchise).

8                   *"You shall make no covenant [contract or franchise] with them [foreigners, pagans], nor with their [pagan*  
 9 *government] gods [laws or judges]. They shall not dwell in your land [and you shall not dwell in theirs by*  
 10 *becoming a "resident" or domiciliary in the process of contracting with them], lest they make you sin against Me*  
 11 *[God]. For if you serve their [government] gods [under contract or agreement or franchise], it will surely be a*  
 12 *snare to you."*  
 13 *[Exodus 23:32-33, Bible, NKJV]*

14 Governments become corrupt by:

- 15 1. Refusing to recognize the PRIVATE.
- 16 2. Undermining or interfering with the invocation of the common law in courts of justice.
- 17 3. Allowing false information returns to be abused to convert the PRIVATE into the PUBLIC without the consent of the  
 18 owner.
- 19 4. Destroying or undermining remedies for the protection of PRIVATE rights.
- 20 5. Replacing CONSTITUTIONAL courts with LEGISLATIVE FRANCHISE courts.
- 21 6. Making judges into statutory franchisees such as "taxpayers", through which they are compelled to have a conflict of  
 22 interest that ultimately destroys or undermines all private rights. This is a crime and a civil offense in violation of 18  
 23 U.S.C. §208, 28 U.S.C. §144, and 28 U.S.C. §455.
- 24 7. Offering or enforcing government franchises to people not domiciled on federal territory. This breaks down the  
 25 separation of powers and enforces franchise law extraterritorially.
- 26 8. Abusing "words of art" to blur or confuse the separation between the PUBLIC and the PRIVATE. (deception)
- 27 9. Removing the domicile prerequisite for participation in government franchises through policy or fiat, thus converting  
 28 them into essentially PRIVATE business ventures that operate entirely through the right to contract.
- 29 10. Abusing sovereign immunity to protect PRIVATE government business ventures, thus destroying competition and  
 30 implementing a state-sponsored monopoly.
- 31 11. Refusing to criminally prosecute those who compel participation in government franchises.
- 32 12. Turning citizenship into a statutory franchise, and thus causing people who claim citizen status to unwittingly become  
 33 PUBLIC officers.
- 34 13. Allowing presumption to be used as a substitute for evidence in any proceeding to enforce government franchises  
 35 against an otherwise PRIVATE party. This violates due process of law, unfairly advantages the government, and  
 36 imputes to the government supernatural powers as an object of religious worship.

37 Therefore, it is important to learn how to be EXCLUSIVELY PRIVATE and a CREDITOR in all of our affairs. Freedom is  
 38 possible in the PRIVATE; it is not even a valid fantasy in the realm of the PUBLIC.  
 39

<sup>84</sup> Larson v. South Dakota, 278 U.S. 429, 73 L.Ed. 441, 49 S.Ct. 196; Grand Trunk Western R. Co. v. South Bend, 227 U.S. 544, 57 L.Ed. 633, 33 S.Ct. 303; Blair v. Chicago, 201 U.S. 400, 50 L.Ed. 801, 26 S.Ct. 427; Arkansas-Missouri Power Co. v. Brown, 176 Ark. 774, 4 S.W.2d. 15, 58 A.L.R. 534; Chicago General R. Co. v. Chicago, 176 Ill. 253, 52 N.E. 880; Louisville v. Louisville Home Tel. Co., 149 Ky. 234, 148 S.W. 13; State ex rel. Kansas City v. East Fifth Street R. Co., 140 Mo. 539, 41 S.W. 955; Baker v. Montana Petroleum Co., 99 Mont. 465, 44 P.2d. 735; Re Board of Fire Comrs. 27 N.J. 192, 142 A.2d. 85; Chrysler Light & P. Co. v. Belfield, 58 N.D. 33, 224 N.W. 871, 63 A.L.R. 1337; Franklin County v. Public Utilities Com., 107 Ohio.St. 442, 140 N.E. 87, 30 A.L.R. 429; State ex rel. Daniel v. Broad River Power Co., 157 S.C. 1, 153 S.E. 537; Rutland Electric Light Co. v. Marble City Electric Light Co., 65 Vt. 377, 26 A. 635; Virginia-Western Power Co. v. Commonwealth, 125 Va. 469, 99 S.E. 723, 9 A.L.R. 1148, cert den 251 U.S. 557, 64 L.Ed. 413, 40 S.Ct. 179, disapproved on other grounds Victoria v. Victoria Ice, Light & Power Co. 134 Va. 134, 114 S.E. 92, 28 A.L.R. 562, and disapproved on other grounds Richmond v. Virginia Ry. & Power Co. 141 Va. 69, 126 S.E. 353.

<sup>85</sup> Pennsylvania R. Co. v. Bowers, 124 Pa. 183, 16 A. 836.

Below is a summary:

**Table 4-3: Public v. Private**

#	Characteristic	Private	Public
1	Name	“John Doe”	“JOHN DOE” (idemsonans)
2	Created by	Birth certificate	Application for SS Card, SSA Form SS-5
3	Property of	Human being	Government
4	Protected by	Common law	Statutory franchises
5	Type of rights exercised	Private rights Constitutional rights	Public rights Statutory privileges
6	Rights/privileges attach to	LAND you stand on	Statutory STATUS under a voluntary civil franchise
7	Courts which protect or vindicate rights/privileges	Constitutional courts under Article III in the true Judicial Branch	Legislative administrative franchise courts under Articles 1 and IV in the Executive Branch.
8	Domiciled on	Private property	Public property/federal territory
9	Commercial standing	Creditor	Debtor
10	Money	Gold and silver	Promissory note (debt instrument)
11	Sovereign being worshipped/obeyed	God	Governments and political rulers (The Beast, Rev. 19:19). Paganism
12	Purpose of government	Protect PRIVATE rights	Expand revenues and control over the populace and consolidate all rights and sovereignty to itself
13	Government consists of	Body POLITIC (PRIVATE) <b>and</b> body CORPORATE (PUBLIC)	Body CORPORATE (PUBLIC) <b>only</b> . All those in the body POLITIC are converted into officers of the corporation by abusing franchises.

**4.2.7 All PUBLIC/GOVERNMENT law attaches to government territory, all PRIVATE law attaches to your right to contract**

A very important consideration to understand is that:

1. All EXCLUSIVELY PUBLIC LAW attaches to the government’s own territory. By “PUBLIC”, we mean law that runs the government and ONLY the government.
2. All EXCLUSIVELY PRIVATE law attaches to one of the following:
  - 2.1. The exercise of your right to contract with others.
  - 2.2. The property you own and lend out to others based on specific conditions.

Item 2.2 needs further attention. Here is how that mechanism works:

*“How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or by equity alone. **But how can one person impose an obligation upon another? By giving property to the latter on the terms of his assuming an obligation in respect to it. At law there are only two means by which the object of the donor could be at all accomplished, consistently with the entire ownership of the property passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting the title of the donee to a condition subsequent.** The first of these the law does not permit; the second is entirely inadequate. Equity, however, can secure most of the objects of the doner, and yet avoid the mischiefs of real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come without value or with notice) **a personal obligation with respect to the property; and accordingly this is what equity does.** It is in this way that all trusts are created, and all equitable charges made (i.e., equitable hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation. **In short, as property is the subject of every equitable obligation, so the owner of property is the only person whose act or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself, in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some third person; and this he does in the way just explained.**”*

*[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 543]*

Next, we must describe exactly what we mean by “territory”, and the three types of “territory” identified by the U.S. Supreme Court in relation to the term “United States”. Below is how the United States Supreme Court addressed the question of the meaning of the term “United States” (see Black’s Law Dictionary) in the famous case of *Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945). The Court ruled that the term United States has three uses:

*"The term 'United States' may be used in any one of several senses. It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations. It may designate the territory over which the sovereignty of the United States extends, or it may be the collective name of the states which are united by and under the Constitution."*  
[\[Hooven & Allison Co. v. Evatt, 324 U.S. 652 \(1945\)\]](#)

We will now break the above definition into its three contexts and show what each means.

**Table 4-4: Meanings assigned to "United States" by the U.S. Supreme Court in Hooven & Allison v. Evatt**

#	U.S. Supreme Court Definition of "United States" in Hooven	Context in which usually used	Referred to in this article as	Interpretation
1	"It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations."	International law	"United States**"	"These <u>united States</u> ," when traveling abroad, you come under the jurisdiction of the President through his agents in the U.S. State Department, where "U.S." refers to the sovereign society. You are a "Citizen of the United States" like someone is a Citizen of France, or England. We identify this version of "United States" with a single asterisk after its name: "United States*" throughout this article.
2	"It may designate the territory over which the sovereignty of the United States extends, or"	Federal law Federal forms	"United States**"	"The United States (the District of Columbia, possessions and territories)". Here Congress has exclusive legislative jurisdiction. In this sense, the term "United States" is a singular noun. You are a person residing in the District of Columbia, one of its Territories or Federal areas (enclaves). Hence, even a person living in the one of the sovereign States could still be a member of the Federal area and therefore a "citizen of the United States." This is the definition used in most "Acts of Congress" and federal statutes. We identify this version of "United States" with two asterisks after its name: "United States**" throughout this article. This definition is also synonymous with the "United States" corporation found in 28 U.S.C. §3002(15)(A).
3	"...as the collective name for the states which are united by and under the Constitution."	Constitution of the United States	"United States****"	"The <u>several States</u> which is the <u>united States of America</u> ." Referring to the <u>50 sovereign States</u> , which are united under the <u>Constitution of the United States of America</u> . The federal areas within these states are not included in this definition because the <u>Congress does not</u> have exclusive legislative authority over any of the <u>50 sovereign States within the Union of States</u> . Rights are retained by the <u>States</u> in the 9th and 10th Amendments, and you are a "Citizen of these united States." This is the definition used in the Constitution for the United States of America. We identify this version of "United States" with a three asterisks after its name: "United States***" throughout this article.

The way our present system functions, all PUBLIC rights are attached to federal territory. They cannot lawfully attach to EXCLUSIVELY PRIVATE property because the right to regulate EXCLUSIVELY PRIVATE rights is repugnant to the constitution, as held by the U.S. Supreme Court.

Lastly, when the government enters the realm of commerce and private business activity, it operates in equity and is treated as EQUAL in every respect to everyone else. ONLY in this capacity can it enact law that does NOT attach to its own territory and to those DOMICILED on its territory:

*See also Clearfield Trust Co. v. United States, 318 U.S. 363, 369 (1943) ("The United States does business on business terms") (quoting United States v. National Exchange Bank of Baltimore, 270 U.S. 527, 534 (1926)); Perry v. United States, supra at 352 (1935) ("When the United States, with constitutional authority, makes contracts, it has rights and incurs responsibilities similar to those of individuals who are parties to such instruments. There is no difference . . . except that the United States cannot be sued without its consent") (citation omitted); United States v. Bostwick, 94 U.S. 53, 66 (1877) ("The United States, when they contract with their citizens, are controlled by the same laws that govern the citizen in that behalf"); Cooke v. United States, 91 U.S. 389, 398 (1875) (explaining that when the United States "comes down from its position of sovereignty, and enters the domain of commerce, it submits itself to the same laws that govern individuals there").*

*See Jones, 1 Cl.Ct. at 85 ("Wherever the public and private acts of the government seem to commingle, a citizen or corporate body must by supposition be substituted in its place, and then the question be determined whether*

*the action will lie against the supposed defendant"); O'Neill v. United States, 231 Ct.Cl. 823, 826 (1982) (sovereign acts doctrine applies where, "[w]here [the] contracts exclusively between private parties, the party hurt by such governing action could not claim compensation from the other party for the governing action"). The dissent ignores these statements (including the statement from Jones, from which case Horowitz drew its reasoning literally verbatim), when it says, post at 931, that the sovereign acts cases do not emphasize the need to treat the government-as-contractor the same as a private party. [United States v. Winstar Corp., 518 U.S. 839 (1996).]*

If a government wants to reach outside its territory and create PRIVATE law for those who have not consented to its jurisdiction by choosing a domicile on its territory, the ONLY method it has for doing this is to exercise its right to contract.

*Debt and contract [franchise agreement, in this case] are of no particular place.*

*Locus contractus regit actum.*

*The place of the contract [franchise agreement, in this case] governs the act.*

*[Bouvier's Maxims of Law, 1856;*

*SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouvierMaxims.htm>]*

The most important method by which governments exercise their PRIVATE right to contract and disassociate with the territorial limitation upon their lawmaking powers is through the use or abuse of franchises, which are contracts.

*As a rule, franchises spring from contracts between the sovereign power and private citizens, made upon valuable considerations, for purposes of individual advantage as well as public benefit,<sup>86</sup> and thus a franchise partakes of a double nature and character. So far as it affects or concerns the public, it is publici juris and is subject to governmental control. The legislature may prescribe the manner of granting it, to whom it may be granted, the conditions and terms upon which it may be held, and the duty of the grantee to the public in exercising it, and may also provide for its forfeiture upon the failure of the grantee to perform that duty. But when granted, it becomes the property of the grantee, and is a private right, subject only to the governmental control growing out of its other nature as publici juris.<sup>87</sup> [American Jurisprudence 2d, Franchises, §4: Generally (1999)]*

#### 4.2.8 The Ability to Regulate Private Rights and Private Conduct is Repugnant to the Constitution

The following cite establishes that private rights and private property are entirely beyond the control of the government:

*When one becomes a member of society, he necessarily parts with some rights or privileges which, as an individual not affected by his relations to others, he might retain. "A body politic," as aptly defined in the preamble of the Constitution of Massachusetts, "is a social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good." This does not confer power upon the whole people to control rights which are purely and exclusively private, Thorpe v. R. & B. Railroad Co., 27 Vt. 143; but it does authorize the establishment of laws requiring each citizen to so conduct himself, and so use his own property, as not unnecessarily to injure another. This is the very essence of government, and 125\*125 has found expression in the maxim sic utere tuo ut alienum non laedas. From this source come the police powers, which, as was said by Mr. Chief Justice Taney in the License Cases, 5 How. 583, "are nothing more or less than the powers of government inherent in every sovereignty, . . . that is to say, . . . the power to govern men and things." Under these powers the government regulates the conduct of its citizens one towards another, and the manner in which each shall use his own property, when such regulation becomes necessary for the public good. In their exercise it has been customary in England from time immemorial, and in this country from its first colonization, to regulate ferries, common carriers, hackmen, bakers, millers, wharfingers, innkeepers, &c., and in so doing to fix a maximum of charge to be made for services rendered, accommodations furnished, and articles sold. To this day, statutes are to be found in many of the States upon some or all these subjects; and we think it has never yet been successfully contended that such legislation came within any of the constitutional prohibitions against interference with private property. With the Fifth Amendment in force, Congress, in 1820, conferred power upon the city of Washington "to regulate . . . the rates of wharfage at private wharves, . . . the sweeping of chimneys, and to fix the rates of fees therefor, . . . and the weight and quality of bread," 3 Stat. 587, sect. 7; and, in 1848, "to make all necessary regulations respecting hackney carriages and the rates of fare of the same, and the rates of hauling by cartmen, wagoners, carmen, and draymen, and the rates of commission of auctioneers," 9 id. 224, sect. 2. [Munn v. Illinois, 94 U.S. 113 (1876), SOURCE: [http://scholar.google.com/scholar\\_case?case=6419197193322400931](http://scholar.google.com/scholar_case?case=6419197193322400931)]*

<sup>86</sup> Georgia R. & Power Co. v. Atlanta, 154 Ga. 731, 115 S.E. 263; Lippencott v. Allander, 27 Iowa 460; State ex rel. Hutton v. Baton Rouge, 217 La. 857, 47 So.2d. 665; Tower v. Tower & S. Street R. Co. 68 Minn 500, 71 N.W. 691.

<sup>87</sup> Georgia R. & Power Co. v. Atlanta, 154 Ga. 731, 115 S.E. 263; Lippencott v. Allander, 27 Iowa 460; State ex rel. Hutton v. Baton Rouge, 217 La. 857, 47 So.2d. 665; Tower v. Tower & S. Street R. Co. 68 Minn 500, 71 N.W. 691.

1 Notice that they say that the ONLY basis to regulate private rights is to prevent injury of one man to another by the use of  
 2 said property. They say that this authority is the origin of the "police powers" of the state. What they hide, however, is that  
 3 these same POLICE POWERS involve the CRIMINAL laws and EXCLUDE the CIVIL laws or even franchises. You can  
 4 TELL they are trying to hide something because around this subject they invoke the Latin language that is unknown to most  
 5 Americans to conceal the nature of what they are doing. Whenever anyone invokes Latin in a legal setting, a red flag ought  
 6 to go up because you KNOW they are trying to hide a KEY fact. Here is the Latin they invoked:

7 *"sic utere tuo ut alienum non laedas"*

8 The other phrase to notice in the Munn case above is the use of the word "social compact". A compact is legally defined as  
 9 a contract.

10 *"Compact, n. An agreement or contract between persons, nations, or states. Commonly applied to working*  
 11 *agreements between and among states concerning matters of mutual concern. A contract between parties, which*  
 12 *creates obligations and rights capable of being enforced and contemplated as such between the parties, in their*  
 13 *distinct and independent characters. A mutual consent of parties concerned respecting some property or right*  
 14 *that is the object of the stipulation, or something that is to be done or forborne. See also Compact clause;*  
 15 *Confederacy; Interstate compact; Treaty."*  
 16 *[Black's Law Dictionary, Sixth Edition, p. 281]*

17 Therefore, one cannot exercise their First Amendment right to legally associate with or contract with a SOCIETY and thereby  
 18 become a party to the "social compact/contract" without ALSO becoming a STATUTORY "citizen". By statutory citizen,  
 19 we really mean a domiciliary of a SPECIFIC municipal jurisdiction, and not someone who was born or naturalized in that  
 20 place. Hence, by STATUTORY citizen we mean a person who:

- 21 1. Has voluntarily chosen a civil domicile within a specific municipal jurisdiction and thereby become a "citizen" or  
 22 "resident" of said jurisdiction. "citizens" or "residents" collectively are called "inhabitants".
- 23 2. Has indicated their choice of domicile on government forms in the block called "residence" or "permanent address".
- 24 3. CONSENTS to be protected by the regional civil laws of a SPECIFIC municipal government.

25 A CONSTITUTIONAL citizen, on the other hand, is someone who cannot consent to choose the place of their birth. These  
 26 people in federal statutes are called "non-residents". Neither BEING BORN nor being PHYSICALLY PRESENT in a place  
 27 is an express exercise of one's discretion or an act of CONSENT, and therefore cannot make one a government contractor  
 28 called a statutory "U.S. citizen". That is why birth or naturalization determines nationality but not their status under the  
 29 CIVIL laws. All civil jurisdiction is based on "consent of the governed", as the Declaration of Independence indicates. Those  
 30 who do NOT consent to the civil laws that implement the social compact of the municipal government they are  
 31 PHYSICALLY situated within are called "free inhabitants", "nonresidents", "transient foreigners", or "foreign sovereigns".  
 32 These "free inhabitants" are mentioned in the Articles of Confederation, which continue to this day and they are NOT the  
 33 same and mutually exclusive to a statutory "U.S. citizen". These "free inhabitants" instead are CIVILLY governed by the  
 34 common law RATHER than the civil law.

35 Policemen are NOT allowed to involve themselves in CIVIL disputes and may ONLY intervene or arrest anyone when a  
 36 CRIME has been committed. They CANNOT arrest for an "infraction", which is a word designed to hide the fact that the  
 37 statute being enforced is a CIVIL or FRANCHISE statute not involving the CRIMINAL "police powers". Hence, civil  
 38 jurisdiction over PRIVATE rights is NOT authorized among those who HAVE such rights. Only those who know those  
 39 rights and claim and enforce them, not through attorneys but in their proper person, have such rights. Nor can those PRIVATE  
 40 rights lawfully be surrendered to a REAL, de jure government, even WITH consent, if they are, in fact UNALIENABLE as  
 41 the Declaration of Independence indicates.

42 *"Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred."*  
 43 *[Black's Law Dictionary, Fourth Edition, p. 1693]*

44 The only people who can consent to give away a right are those who HAVE no rights because domiciled on federal territory  
 45 not protected by the Constitution or the Bill of Rights:

46 *"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform*  
 47 *to the effect [182 U.S. 244, 279] that the Constitution is applicable to territories acquired by purchase or*  
 48 *conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every*  
 49 *state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the*  
 50 *definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and*



1 is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the  
 2 territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan,  
 3 Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing  
 4 a much greater analogy to a British Crown colony than a republican state of America, and to vest the legislative  
 5 power either in a governor and council, or a governor and judges, to be appointed by the President. It was not  
 6 until they had attained a certain population that power was given them to organize a legislature by vote of the  
 7 people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress  
 8 thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that  
 9 the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of  
 10 habeas corpus, as well as other privileges of the bill of rights."  
 11 [Downes v. Bidwell, [182 U.S. 244](#) (1901)]

12 To apply these concepts, the police enforce the "vehicle code", but most of the vehicle code is a civil franchise that they may  
 13 NOT enforce without ABUSING the police powers of the state. In recognition of these concepts, the civil provisions of the  
 14 vehicle code are called "infractions" rather than "crimes". AND, before the civil provisions of the vehicle code may lawfully  
 15 be enforced against those using the public roadways, one must be a "resident" with a domicile not within the state, but on  
 16 federal territory where rights don't exist. All civil law attaches to SPECIFIC territory. That is why by applying for a driver's  
 17 license, most state vehicle codes require that the person must be a "resident" of the state, meaning a person with a domicile  
 18 within the statutory but not Constitutional "United States", meaning federal territory.

19 So what the vehicle codes in most states do is mix CRIMINAL and CIVIL and even PRIVATE franchise law all into one  
 20 title of code, call it the "Vehicle code", and make it extremely difficult for even the most law abiding "citizen" to distinguish  
 21 which provisions are CIVIL/FRANCHISES and which are CRIMINAL, because they want to put the police force to an  
 22 UNLAWFUL use enforcing CIVIL rather than CRIMINAL law. This has the practical effect of making the "CODE" not  
 23 only a deception, but void for vagueness on its face, because it fails to give reasonable notice to the public at large, WHICH  
 24 specific provisions pertain to EACH subset of the population. That in fact, is why they have to call it "the code", rather than  
 25 simply "law": Because the truth is encrypted and hidden in order to unlawfully expand their otherwise extremely limited  
 26 civil jurisdiction. The two subsets of the population who they want to confuse and mix together in order to undermine your  
 27 sovereignty are:

- 28 1. Those who consent to the "social compact" by choosing a domicile or residence within a specific municipal  
 29 jurisdiction. These people are identified by the following statutory terms:
  - 30 1.1. Individuals.
  - 31 1.2. Residents.
  - 32 1.3. Citizens.
  - 33 1.4. Inhabitants.
  - 34 1.5. PUBLIC officers serving as an instrumentality of the government.
- 35 2. Those who do NOT consent to the "social compact" and who therefore are called:
  - 36 2.1. Free inhabitants.
  - 37 2.2. Nonresidents.
  - 38 2.3. Transient foreigners.
  - 39 2.4. Sojourners.
  - 40 2.5. EXCLUSIVELY PRIVATE human beings beyond the reach of the civil statutes implementing the social  
 41 compact.

42 So how can they reach those in constitutional states with the vehicle code who are neither domiciled on federal territory nor  
 43 representing a public office that is domiciled there? The way they get around the problem of only being able to enforce the  
 44 CIVIL provisions of the vehicle code against domiciliaries of the federal zone is to:

- 45 1. Force those who apply for driver licenses to misrepresent their status so they appear as either statutory citizens or  
 46 public officers on official business. This is done using the "permanent address" block and requiring a Social Security  
 47 Number to get a license.
- 48 2. Confuse CONSTITUTIONAL "citizens" with STATUTORY "citizens", to make them appear the same even though  
 49 they are NOT.
- 50 3. Arrest people domiciled in constitutional states for driving WITHOUT a license, even though technically these  
 51 provisions can only be enforceable against those who are acting as a public officer WHILE driving AND who are  
 52 STATUTORY but not CONSTITUTIONAL "citizens". This creates the false appearance that EVERYONE must have  
 53 a license, rather than only those domiciled on federal territory or representing an office domiciled there.

1 The act of "governing" WITHOUT consent therefore implies CRIMINAL governing, not CIVIL governing. To procure  
 2 CIVIL jurisdiction over a private right requires the CONSENT of the owner of the right. That is why the U.S. Supreme Court  
 3 states in Munn the following:

4 *"When one becomes a member of society, he necessarily parts with some rights or privileges which, as an*  
 5 *individual not affected by his relations to others, he might retain."*  
 6 *[Munn v. Illinois, 94 U.S. 113 (1876),*  
 7 *SOURCE: [http://scholar.google.com/scholar\\_case?case=6419197193322400931](http://scholar.google.com/scholar_case?case=6419197193322400931)]*

8 Therefore, if one DOES NOT consent to join a "society" as a statutory citizen, he RETAINS those SOVEREIGN rights that  
 9 would otherwise be lost through the enforcement of the civil law. Here is how the U.S. Supreme Court describes this  
 10 requirement of law:

11 *"Men are endowed by their Creator with certain unalienable rights, - 'life, liberty, and the pursuit of happiness;'*  
 12 *and to 'secure,' not grant or create, these rights, governments are instituted. **That property for income] which a***  
 13 ***man has honestly acquired he retains full control of, subject to these limitations:***

14 *[1] **First, that he shall not use it to his neighbor's injury, and that does not mean that he must***  
 15 ***use it for his neighbor's benefit [e.g. SOCIAL SECURITY, Medicare, and***  
 16 ***every other public "benefit"];***

17 *[2] **second, that if he devotes it to a public use, he gives to the public a right to control that use; and***

18 *[3] **third, that whenever the public needs require, the public may take it upon payment of due compensation.***  
 19 *[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

20 A PRIVATE right that is unalienable cannot be given away by a citizen, even WITH consent, to a de jure government. Hence,  
 21 the only people that any government may CIVILLY govern are those without unalienable rights, all of whom MUST therefore  
 22 be domiciled on federal territory where CONSTITUTIONAL rights do not exist.

23 Notice that when they are talking about "regulating" conduct using CIVIL law, all of a sudden they mention "citizens" instead  
 24 of ALL PEOPLE. These "citizens" are those with a DOMICILE within federal territory not protected by the Constitution:

25 *"Under these powers the government regulates the **conduct of its citizens** one towards another, and the manner*  
 26 *in which each shall use his own property, when such regulation becomes necessary for the public good."*  
 27 *[Munn v. Illinois, 94 U.S. 113 (1876),*  
 28 *SOURCE: [http://scholar.google.com/scholar\\_case?case=6419197193322400931](http://scholar.google.com/scholar_case?case=6419197193322400931)]*

29 All "citizens" that they can regulate therefore must be WITHIN the government and be acting as public officers. Otherwise,  
 30 they would continue to be PRIVATE parties beyond the CIVIL control of any government. Hence, in a Republican Form of  
 31 Government where the People are sovereign:

- 32 1. The only "subjects" under the civil law are public officers in the government.
- 33 2. The government is counted as a STATUTORY "citizen" but not a CONSTITUTIONAL "citizen". All  
 34 CONSTITUTIONAL citizens are human beings and CANNOT be artificial entities. All STATUTORY citizens, on the  
 35 other hand, are artificial entities and franchises and NOT CONSTITUTIONAL citizens.

36 *"A corporation [the U.S. government, and all those who represent it as public officers, is a federal corporation*  
 37 *per 28 U.S.C. §3002(15)(A) ] is a citizen, **resident**, or inhabitant of the state or country by or under the laws of*  
 38 *which it was created, and of that state or country only."*  
 39 *[19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003)]*

40  
 41 ***"Citizens of the United States within the meaning of this Amendment must be natural and not artificial***  
 42 ***persons; a corporate body is not a citizen of the United States."***<sup>14</sup>

43  
 44 *<sup>14</sup> Insurance Co. v. New Orleans, 13 Fed.Cas. 67 (C.C.D.La. 1870). Not being citizens of the United States,*  
 45 *corporations accordingly have been declared unable "to claim the protection of that clause of the Fourteenth*  
 46 *Amendment which secures the privileges and immunities of citizens of the United States against abridgment or*

1 *impairment by the law of a State." Orient Ins. Co. v. Daggs, 172 U.S. 557, 561 (1869) . This conclusion was in*  
 2 *harmony with the earlier holding in Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869), to the effect that corporations*  
 3 *were not within the scope of the privileges and immunities clause of state citizenship set out in Article IV, Sec. 2.*  
 4 *See also Selover, Bates & Co. v. Walsh, 226 U.S. 112, 126 (1912) ; Berea College v. Kentucky, 211 U.S. 45 (1908)*  
 5 *; Liberty Warehouse Co. v. Tobacco Growers, 276 U.S. 71, 89 (1928) ; Grosjean v. American Press Co., 297 U.S.*  
 6 *233, 244 (1936).*

7 [SOURCE: Annotated Fourteenth Amendment, Congressional Research Service:  
 8 [http://www.law.cornell.edu/aml#amdt14a\\_hd1](http://www.law.cornell.edu/aml#amdt14a_hd1)]

- 9 3. The only statutory "citizens" are public officers in the government.  
 10 4. By serving in a public office, one becomes the same type of "citizen" as the GOVERNMENT is.

11 These observations are consistent with the very word roots that form the word "republic". The following video says the word  
 12 origin comes from "res publica", which means a collection of PUBLIC rights shared by the public. You must therefore JOIN  
 13 "the public" and become a public officer before you can partake of said PUBLIC right.

Overview of America, SEDM Liberty University, Section 2.3  
<http://sedm.org/LibertyU/LibertyU.htm>

14 This gives a WHOLE NEW MEANING to Abraham Lincoln's Gettysburg Address, in which he refers to American  
 15 government as:

16 *"A government of the people, by the people, and for the people."*

17 You gotta volunteer as an uncompensated public officer for the government to CIVILLY govern you. Hence, the only thing  
 18 they can CIVILLY GOVERN, is the GOVERNMENT! Pretty sneaky, huh? Here is a whole memorandum of law on this  
 19 subject proving such a conclusion:

*Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037*  
 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
 DIRECT LINK: <http://sedm.org/Form...StatLawGovt.pdf>

20 The other important point we wish to emphasize is that those who are EXCLUSIVELY private and therefore beyond the  
 21 reach of the civil law are:

- 22 1. Free inhabitants.  
 23 2. Not a statutory "person" under the civil law or franchise statute in question.  
 24 3. Not "individuals" under the CIVIL law if they are human beings. All statutory "individuals", in fact, are identified as  
 25 "employees" under 5 U.S.C. §2105(a). This is the ONLY statute that describes HOW one becomes a statutory  
 26 "individual" that we have been able to find.  
 27 4. "foreign", a "transient foreigner", and sovereign in respect to government CIVIL but not CRIMINAL jurisdiction.  
 28 5. NOT "subject to" but also not necessarily statutorily "exempt" under the civil or franchise statute in question.

29 For a VERY interesting background on the subject of this section, we recommend reading the following case:

Mugler v. Kansas, 123 U.S. 623 (1887)  
 SOURCE: [http://scholar.google.com/scholar\\_case?case=12658364258779560123](http://scholar.google.com/scholar_case?case=12658364258779560123)

#### 30 4.2.9 "Political (PUBLIC) law" v. "civil (PRIVATE/COMMON) law"

31 Within our republican government, the founding fathers recognized three classes of law:

- 32 1. Criminal law. Protects both PUBLIC and PRIVATE rights.  
 33 2. Civil law. Protects exclusively PRIVATE rights. In effect, it implements ONLY the common law and does not  
 34 regulate the government at all.  
 35 3. Political law. Protects exclusively PUBLIC rights of public officers and offices within the government.

The above three types of law were identified in the following document upon which the founding fathers wrote the constitution and based the design of our republican form of government:

*The Spirit of Laws*, Charles de Montesquieu, 1758  
SOURCE: <http://famguardian.org/Publications/SpiritOfLaws/sol.htm>

*The Spirit of Laws* book is where the founding fathers got the idea of separation of powers and three branches of government: Executive, Legislative, and Judicial. Montesquieu defines “political law” and “political liberty” as follows:

*1. A general Idea.*

***I make a distinction between the laws that establish political liberty, as it relates to the constitution, and those by which it is established, as it relates to the citizen. The former shall be the subject of this book; the latter I shall examine in the next.***

[*The Spirit of Laws*, Charles de Montesquieu, 1758, Book XI, Section 1;

SOURCE: [http://famguardian.org/Publications/SpiritOfLaws/sol\\_11.htm#001](http://famguardian.org/Publications/SpiritOfLaws/sol_11.htm#001)]

The Constitution in turn is a POLITICAL document which represents law EXCLUSIVELY for public officers within the government. It does not obligate or abrogate any PRIVATE right. It defines what the courts call “public rights”, meaning rights possessed and owned exclusively by the government ONLY.

***“And the Constitution itself is in every real sense a law-the lawmakers being the people themselves, in whom under our system all political power and sovereignty primarily resides, and through whom such power and sovereignty primarily speaks. It is by that law, and not otherwise, that the legislative, executive, and judicial agencies which it created exercise such political authority as they have been permitted to possess. The Constitution speaks for itself in terms so plain that to misunderstand their import is not rationally possible. ‘We the People of the United States,’ it says, ‘do ordain and establish this Constitution.’ Ordain and establish! These are definite words of enactment, and without more would stamp what follows with the dignity and character of law. The framers of the Constitution, however, were not content to let the matter rest here, but provided explicitly-‘This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; ... shall be the supreme Law of the Land.’ (Const. art. 6, cl. 2.) The supremacy of the Constitution as law is thus declared without qualification. That supremacy is absolute; the supremacy of a statute enacted by Congress is not absolute but conditioned upon its being made in pursuance of the Constitution. And a judicial tribunal, clothed by that instrument with complete judicial power, and, therefore, by the very nature of the power, required to ascertain and apply the law to the facts in every case or proceeding properly brought for adjudication, must apply the supreme law and reject the inferior stat- [298 U.S. 238, 297] ute whenever the two conflict. In the discharge of that duty, the opinion of the lawmakers that a statute passed by them is valid must be given great weight, Adkins v. Children’s Hospital, 261 U.S. 525, 544, 43 S.Ct. 394, 24 A.L.R. 1238; but their opinion, or the court’s opinion, that the statute will prove greatly or generally beneficial is wholly irrelevant to the inquiry. Schechter Poultry Corp. v. United States, 295 U.S. 495, 549, 550 S., 55 S.Ct. 837, 97 A.L.R. 947. “***  
[Carter v. Carter Coal Co., 298 U.S. 238 (1936)]

The vast majority of laws passed by Congress are what Montesquieu calls “political law” that is intended exclusively for the government and not the private citizen. The authority for implementing such political law is Article 4, Section 3, Clause 2 of the United States Constitution. To wit:

*United States Constitution  
Article 4, Section 3, Clause 2*

***The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.***

Tax franchise codes such as the Internal Revenue Code, for instance, are what Montesquieu calls “political law” exclusively for the government or public officer and not the private (CONSTITUTIONAL) citizen. Why? Because:

1. The U.S. Supreme Court identified taxes as a “political matter”. “Political law”, “political questions”, and “political matters” cannot be heard by true constitutional courts and may ONLY be heard in legislative franchise courts officiated by the Executive and not Judicial branch:

***“Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes. Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously***

includes a duty to pay taxes, and their nature and measure is largely a political matter. Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located."

[Miller Brothers Co. v. Maryland, [347 U.S. 340](#) (1954)]

2. The U.S. Tax Court:

- 2.1. Is an Article I Court in the LEGISLATIVE and not JUDICIAL branch, and hence, can only officiate over matters INTERNAL to the government. See 26 U.S.C. §7441.
  - 2.2. Is a POLITICAL court in the POLITICAL branch of the government. Namely, the Executive branch.
  - 2.3. Is limited to the District of Columbia because all public offices are limited to serve there per 4 U.S.C. §72. It travels all over the country, but this is done ILLEGALLY and in violation of the separation of powers.
3. The activity subject to excise taxation is limited exclusively to "public offices" in the government, which is what a "trade or business" is statutorily defined as in 26 U.S.C. §7701(a)(26).

[26 U.S.C. Sec. 7701\(a\)\(26\)](#)

"The term 'trade or business' includes the performance of the functions of a public office."

In Book XXVI, Section 15 of the Spirit of Laws, Montesquieu says that POLITICAL laws should not be allowed to regulate CIVIL conduct, meaning that POLITICAL laws limited exclusively to the government should not be enforced upon the PRIVATE citizen or made to "appear" as though they are "civil law" that applies to everyone:

*The Spirit of Laws, Book XXVI, Section 15*

15. That we should not regulate by the Principles of political Law those Things which depend on the Principles of civil Law.

As men have given up their natural independence to live under political laws, they have given up the natural community of goods to live under civil laws.

By the first, they acquired [PUBLIC] liberty; by the second, [PRIVATE] property. We should not decide by the laws of [PUBLIC] liberty, which, as we have already said, is only the government of the community, what ought to be decided by the laws concerning [PRIVATE] property. It is a paralogism to say that the good of the individual should give way to that of the public; this can never take place, except when the government of the community, or, in other words, the liberty of the subject is concerned; this does not affect such cases as relate to private property, because the public good consists in every one's having his property, which was given him by the civil laws, invariably preserved.

Cicero maintains that the Agrarian laws were unjust; because the community was established with no other view than that every one might be able to preserve his property.

Let us, therefore, lay down a certain maxim, that whenever the public good happens to be the matter in question, it is not for the advantage of the public to deprive an individual of his property, or even to retrench the least part of it by a law, or a political regulation. In this case we should follow the rigour of the civil law, which is the Palladium of [PRIVATE] property.

Thus when the public has occasion for the estate of an individual, it ought never to act by the rigour of political law; it is here that the civil law ought to triumph, which, with the eyes of a mother, regards every individual as the whole community.

If the political magistrate would erect a public edifice, or make a new road, he must indemnify those who are injured by it; the public is in this respect like an individual who treats with an individual. It is fully enough that it can oblige a citizen to sell his inheritance, and that it can strip him of this great privilege which he holds from the civil law, the not being forced to alienate his possessions.

After the nations which subverted the Roman empire had abused their very conquests, the spirit of liberty called them back to that of equity. They exercised the most barbarous laws with moderation: and if any one should doubt the truth of this, he need only read Beaumanoir's admirable work on jurisprudence, written in the twelfth century.

They mended the highways in his time as we do at present. He says, that when a highway could not be repaired, they made a new one as near the old as possible; but indemnified the proprietors at the expense of those who reaped any advantage from the road.<sup>43</sup> They determined at that time by the civil law; in our days, we determine by the law of politics.

1 *[The Spirit of Laws, Charles de Montesquieu, 1758, Book XXVI, Section 15;*  
 2 *SOURCE: [http://famguardian.org/Publications/SpiritOfLaws/sol\\_11.htm#001](http://famguardian.org/Publications/SpiritOfLaws/sol_11.htm#001)]*

3 What Montesquieu is implying is what we have been saying all along, and he said it in 1758, which was even before the  
 4 Declaration of Independence was written:

- 5 1. The purpose of establishing government is exclusively to protect PRIVATE rights.
- 6 2. PRIVATE rights are protected by the CIVIL law. The civil law, in turn is based in EQUITY rather than PRIVILEGE:

7 *“Thus when the public has occasion for the estate of an individual, it ought never to act by the rigour of*  
 8 *political law; it is here that the civil law ought to triumph, which, with the eyes of a mother, regards every*  
 9 *individual as the whole community.”*

- 10 3. PUBLIC or government rights are protected by the PUBLIC or POLITICAL or GOVERNMENT law and NOT the  
 11 CIVIL law.
- 12 4. The first and most important role of government is to prevent the POLITICAL or GOVERNMENT law from being  
 13 used or especially ABUSED as an excuse to confiscate or jeopardize PRIVATE property.

14 Unfortunately, it is precisely the above type of corruption that Montesquieu describes that is the foundation of the present de  
 15 facto government, tax system, and money system. ALL of them treat every human being as a PUBLIC officer against their  
 16 consent, and impose what he calls the “rigors of the political law” upon them, in what amounts to a THEFT and  
 17 CONFISCATION of otherwise PRIVATE property by enforcing PUBLIC law against PRIVATE people.

18 The implications of Montesquieu’s position are that the only areas where POLITICAL law and CIVIL law should therefore  
 19 overlap is in the exercise of the political rights to vote and serve on jury duty. Why? Because jurists are regarded as public  
 20 officers in 18 U.S.C. §201(a)(1):

21 [TITLE 18 > PART 1 > CHAPTER 11 > § 201](#)  
 22 [§ 201. Bribery of public officials and witnesses](#)

23 (a) For the purpose of this section—

24 (1) the term “public official” means Member of Congress, Delegate, or Resident Commissioner, either before or  
 25 after such official has qualified, or an officer or employee or person acting for or on behalf of the United States,  
 26 or any department, agency or branch of Government thereof, including the District of Columbia, in any official  
 27 function, under or by authority of any such department, agency, or branch of Government, **or a juror**;

28 However, it has also repeatedly been held by the courts that poll taxes are unconstitutional. Hence, voters technically are  
 29 NOT to be regarded as public officers or franchisees for any purpose OTHER than their role as a voter. Recall that all  
 30 statutory “Taxpayers” are public officers in the government.

31 In the days since Montesquieu, the purpose and definition of what he has called the CIVIL law has since been purposefully  
 32 and maliciously corrupted so that it no longer protects exclusively PRIVATE rights or implements the COMMON law, but  
 33 rather protects mainly PUBLIC rights and POLITICAL officers in the government. In other words, society has become  
 34 corrupted by the following means that he warned would happen:

- 35 1. What Montesquieu calls CIVIL law has become the POLITICAL law.
- 36 2. There is not CIVIL (common) law anymore as he defines it, because the courts interfere with the enforcement of the  
 37 common law and the protection of PRIVATE rights.
- 38 3. The purpose of government has transformed from protecting mainly PRIVATE rights using the common law to that of  
 39 protecting PUBLIC rights using the STATUTE law, which in turn has become exclusively POLITICAL law.
- 40 4. All those who insist on remaining exclusively private cannot utilize any government service, because the present  
 41 government forms refuse to recognize such a status or provide services to those with such status.
- 42 5. Everyone who wants to call themselves a “citizen” is no longer PRIVATE, but PUBLIC. “citizen” has become a  
 43 public officer in the government rather than a private human being.
- 44 6. All “citizens” are STATUTORY rather than CONSTITUTIONAL in nature.
  - 45 6.1. There are no longer any CONSTITUTIONAL citizens because the courts refuse to recognize or protect them.
  - 46 6.2. People are forced to accept the duties of a statutory “citizen” and public officer to get any remedy at all in court or  
 47 in any government agency.

The above transformations are documented in the following memorandum of law on our site:

[De Facto Government Scam](http://sedm.org/Forms/FormIndex.htm), Form #05.043  
<http://sedm.org/Forms/FormIndex.htm>

#### 4.2.10 Lawful methods for converting PRIVATE property into PUBLIC property

Next, we must carefully consider all the rules by which EXCLUSIVELY PRIVATE property is lawfully converted into PUBLIC property subject to government control or civil regulation. These rules are important, because the status of a particular type of property as either PRIVATE or PUBLIC determines whether either COMMON LAW or STATUTORY LAW apply respectively.

In general, only by either accepting physical property from the government or voluntarily applying for and claiming a status or right under a government franchise can one procure a PUBLIC status and be subject to STATUTORY civil law. If one wishes to be governed ONLY by the common law, then they must make their status very clear in every interaction with the government and on EVERY government form they fill out so as to avoid connecting them to any statutory franchise. Below is an example from a U.S. Department of Justice guide for prosecuting “sovereign citizens” that proves WHY this is the case:

*“What evidence refutes a good faith defense will depend on the facts and circumstances of each case. It is often helpful to focus on evidence that shows the defendant knew the law but disregarded it or was simply defying it. For instance, evidence that the defendant received proper advice from a CPA or tax preparer, or that the defendant failed to consult legitimate sources about his or her understanding of the tax laws can be helpful. To refute claims that wages are not income, that the defendant did not understand the meaning of “wages,” or that the defendant is a state citizen but not a citizen of the United States, look for loan applications during the prosecution period. Tax defiers and sovereign citizens never seem to have a problem understanding the definition of income on a loan application. They also do not hesitate to check the “yes” box to the question “are you a U.S. citizen.” Any evidence that the defendant accepted Government benefits, such as unemployment, Medicare, social security, or the Alaska Permanent Fund Dividend will also be helpful to refute the defendant’s claims that he or she is not a citizen subject to federal laws.”*

*[Prosecuting Tax Defier and Sovereign Citizen Cases—Frequently Asked Questions, U.S. Attorneys Bulletin, Volume 61, No. 2, March 2013, p. 48;*

*SOURCE: <http://famguardian.org/Publications/USAttyBulletins/usab6102.pdf>]*

The bottom line is that if you accept a government benefit, they PRESUME the right to rape and pillage absolutely ANYTHING you own. The Path to Freedom, Form #09.015 process, by the way, makes the use of the above OFFENSE by the government in prosecuting you IMPOSSIBLE. The exhaustive list of attachment forms we provide which define the terms on all government forms they could use as evidence to prove the above also defeat the above tactic by U.S. Attorneys. Also keep in mind that the above tactic is useful against the GOVERNMENT as an offensive weapon. If your property is private, you can loan it to THEM with FRANCHISE conditions found in Form #06.027. If they argue that you can’t do it to them, indirectly they are destroying the main source of THEIR jurisdiction as well. Let them shoot themselves in the foot in front of the jury!

Below is a detailed list of the rules for converting PRIVATE property to PUBLIC property:

1. The purpose for establishing governments is mainly to protect private property. The Declaration of Independence affirms this:

*“We hold these truths to be self-evident, that all men 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.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,*

*”*  
*[Declaration of Independence, 1776]*

2. Government protects private rights by keeping “public [government] property” and “private property” separate and never allowing them to be joined together. This is the heart of the separation of powers doctrine: separation of what is private from what is public with the goal of protecting mainly what is private. See:

[Government Conspiracy to Destroy the Separation of Powers](http://sedm.org/Forms/FormIndex.htm), Form #05.023  
<http://sedm.org/Forms/FormIndex.htm>

3. All property BEGINS as private property. The only way to lawfully change it to public property is through the exercise of your unalienable constitutional right to contract. All franchises qualify as a type of contract, and therefore, franchises

are one of many methods to lawfully convert PRIVATE property to PUBLIC property. The exercise of the right to contract, in turn, is an act of consent that eliminates any possibility of a legal remedy of the donor against the donee:

*“Voluntati non fit injuria.*

*He who consents cannot receive an injury. 2 Bouv. Inst. n. 2279, 2327; 4 T. R. 657; Shelf. on mar. & Div. 449.*

*Consensus tollit errorem.*

*Consent removes or obviates a mistake. Co. Litt. 126.*

*Melius est omnia mala pati quam malo consentire.*

*It is better to suffer every wrong or ill, than to consent to it. 3 Co. Inst. 23.*

*Nemo videtur fraudare eos qui sciunt, et consentiunt.*

*One cannot complain of having been deceived when he knew the fact and gave his consent. Dig. 50, 17, 145.”*

*[Bouvier’s Maxims of Law, 1856;*

*SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviereMaxims.htm>]*

#### 4. In law, all rights are “property”.

**Property.** *That which is peculiar or proper to any person; that which belongs exclusively to one. In the strict legal sense, an aggregate of rights which are guaranteed and protected by the government. Fulton Light, Heat & Power Co. v. State, 65 Misc.Rep. 263, 121 N.Y.S. 536. The term is said to extend to every species of valuable right and interest. More specifically, ownership; the unrestricted and exclusive right to a thing; the right to dispose of a thing in every legal way, to possess it, to use it, and to exclude everyone else from interfering with it. That dominion or indefinite right of use or disposition which one may lawfully exercise over particular things or subjects. The exclusive right of possessing, enjoying, and disposing of a thing. The highest right a man can have to anything; being used to refer to that right which one has to lands or tenements, goods or chattels, which no way depends on another man’s courtesy.*

*The word is also commonly used to denote everything which is the subject of ownership, corporeal or incorporeal, tangible or intangible, visible or invisible, real or personal, everything that has an exchangeable value or which goes to make up wealth or estate. It extends to every species of valuable right and interest, and includes real and personal property, easements, franchises, and incorporeal hereditaments, and includes every invasion of one’s property rights by actionable wrong. Labberton v. General Cas. Co. of America, 53 Wash.2d. 180, 332 P.2d. 250, 252, 254.*

*Property embraces everything which is or may be the subject of ownership, whether a legal ownership, or whether beneficial, or a private ownership. Davis v. Davis. TexCiv-App., 495 S.W.2d. 607. 611. Term includes not only ownership and possession but also the right of use and enjoyment for lawful purposes. Hoffmann v. Kinealy, Mo., 389 S.W.2d. 745, 752.*

**Property, within constitutional protection, denotes group of rights inhering in citizen’s relation to physical thing, as right to possess, use and dispose of it.** *Cereghino v. State By and Through State Highway Commission, 230 Or. 439, 370 P.2d. 694, 697.*

*[Black’s Law Dictionary, Fifth Edition, p. 1095]*

By protecting your constitutional rights, the government is protecting your PRIVATE property. Your rights are private property because they came from God, not from the government. Only what the government creates can become public property. An example is corporations, which are a public franchise that makes officers of the corporation into public officers.

#### 5. The process of taxation is the process of converting “private property” into a “public use” and a “public purpose”. Below are definitions of these terms for your enlightenment.

**Public use.** *Eminent domain. The constitutional and statutory basis for taking property by eminent domain. For condemnation purposes, “public use” is one which confers some benefit or advantage to the public; it is not confined to actual use by public. It is measured in terms of right of public to use proposed facilities for which condemnation is sought and, as long as public has right of use, whether exercised by one or many members of public, a “public advantage” or “public benefit” accrues sufficient to constitute a public use. Montana Power Co. v. Bokma, Mont., 457 P.2d. 769, 772, 773.*

*Public use, in constitutional provisions restricting the exercise of the right to take property in virtue of eminent domain, means a use concerning the whole community distinguished from particular individuals. But each and every member of society need not be equally interested in such use, or be personally and directly affected by it; if the object is to satisfy a great public want or exigency, that is sufficient. Ringe Co. v. Los Angeles County, 262 U.S. 700, 43 S.Ct. 689, 692, 67 L.Ed. 1186. The term may be said to mean public usefulness, utility, or advantage, or what is productive of general benefit. It may be limited to the inhabitants of a small or restricted locality, but*



1 must be in common, and not for a particular individual. The use must be a needful one for the public, which  
 2 cannot be surrendered without obvious general loss and inconvenience. A "public use" for which land may be  
 3 taken defies absolute definition for it changes with varying conditions of society, new appliances in the sciences,  
 4 changing conceptions of scope and functions of government, and other differing circumstances brought about by  
 5 an increase in population and new modes of communication and transportation. *Katz v. Brandon*, 156 Conn.  
 6 521, 245 A.2d. 579, 586.

7 See also *Condemnation; Eminent domain*.  
 8 [Black's Law Dictionary, Sixth Edition, p. 1232]

9  
 10 **"Public purpose.** In the law of taxation, eminent domain, etc., this is a term of classification to distinguish the  
 11 objects for which, according to settled usage, the government is to provide, from those which, by the like usage,  
 12 are left to private interest, inclination, or liberality. **The constitutional requirement that the purpose of any tax,**  
 13 **police regulation, or particular exertion of the power of eminent domain shall be the convenience, safety, or**  
 14 **welfare of the entire community and not the welfare of a specific individual or class of persons [such as, for**  
 15 **instance, federal benefit recipients as individuals].** "Public purpose" that will justify expenditure of public  
 16 money generally means such an activity as will serve as benefit to community as a body and which at same time  
 17 is directly related function of government. *Pack v. Southwestern Bell Tel. & Tel. Co.*, 215 Tenn. 503, 387 S.W.2d.  
 18 789, 794 .

19 The term is synonymous with governmental purpose. As employed to denote the objects for which taxes may be  
 20 levied, it has no relation to the urgency of the public need or to the extent of the public benefit which is to follow;  
 21 **the essential requisite being that a public service or use shall affect the inhabitants as a community, and not**  
 22 **merely as individuals.** A public purpose or public business has for its objective the promotion of the public  
 23 health, safety, morals, general welfare, security, prosperity, and contentment of all the inhabitants or residents  
 24 within a given political division, as, for example, a state, the sovereign powers of which are exercised to promote  
 25 such public purpose or public business."  
 26 [Black's Law Dictionary, Sixth Edition, p. 1231, Emphasis added]

- 27 6. The federal government has no power of eminent domain within states of the Union. This means that they cannot  
 28 lawfully convert private property to a public use or a public purpose within the exclusive jurisdiction of states of the  
 29 Union:

30 **"The United States have no constitutional capacity to exercise municipal jurisdiction, sovereignty, or eminent**  
 31 **domain, within the limits of a State or elsewhere, except in cases where it is delegated, and the court**  
 32 **denies the faculty of the Federal Government to add to its powers by treaty**  
 33 **or compact."**  
 34 [Dred Scott v. Sandford, 60 U.S. 393, 508-509 (1856)]

- 35 7. The Fifth Amendment prohibits converting private property to a public use or a public purpose without just compensation  
 36 if the owner does not consent, and this prohibition applies to the Federal government as well as states of the Union. It  
 37 was made applicable to states of the Union by the Fourteenth Amendment in 1868.

38 *Fifth Amendment - Rights of Persons*

39 **No person shall** be held to answer for a capital, or otherwise infamous crime, unless on a presentment or  
 40 indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual  
 41 service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in  
 42 jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor **be**  
 43 **deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public**  
 44 **use, without just compensation.**  
 45 [United States Constitution, Fifth Amendment]

46 If the conversion of private property to public property is done without the express consent of the party affected by the  
 47 conversion and without compensation, then the following violations have occurred:

- 48 7.1. Violation of the Fifth Amendment "takings clause" above.  
 49 7.2. "Conversion" in violation of 18 U.S.C. §654.  
 50 7.3. Theft.

- 51 8. Because taxation involves converting private property to a public use, public purpose, and public office, then it involves  
 52 eminent domain if the owner of the property did not expressly consent to the taking:

**Eminent domain.** The power to take private property for public use by the state, municipalities, and private persons or corporations authorized to exercise functions of public character. *Housing Authority of Cherokee National of Oklahoma v. Langley, Okl., 555 P.2d. 1025, 1028. Fifth Amendment, U.S. Constitution.*

*In the United States, the power of eminent domain is founded in both the federal (Fifth Amend.) and state constitutions. **However, the Constitution limits the power to taking for a public purpose and prohibits the exercise of the power of eminent domain without just compensation to the owners of the property which is taken. The process of exercising the power of eminent domain is commonly referred to as "condemnation" or, "expropriation".***

*The right of eminent domain is the right of the state, through its regular organization, to reassert, either temporarily or permanently, its dominion over any portion of the soil of the state on account of public exigency and for the public good. Thus, in time of war or insurrection, the proper authorities may possess and hold any part of the territory of the state for the common safety; and in time of peace the legislature may authorize the appropriation of the same to public purposes, such as the opening of roads, construction of defenses, or providing channels for trade or travel. Eminent domain is the highest and most exact idea of property remaining in the government, or in the aggregate body of the people in their sovereign capacity. It gives a right to resume the possession of the property in the manner directed by the constitution and the laws of the state, whenever the public interest requires it.*

*See also Adequate compensation; Condemnation; Constructive taking; Damages; Expropriation; Fair market value; Just compensation; Larger parcel; Public use; Take.  
[Black's Law Dictionary, Fifth Edition, p. 470]*

9. The Fifth Amendment requires that any taking of private property without the consent of the owner ***must*** involve compensation. The Constitution must be consistent with itself. The taxation clauses found in Article 1, Section 8, Clauses 1 and 3 cannot conflict with the Fifth Amendment. The Fifth Amendment contains no exception to the requirement for just compensation upon conversion of private property to a public use, even in the case of taxation. This is why all taxes must be indirect excise taxes against people who provide their consent by applying for a license to engage in the taxed activity: The application for the license constitutes constructive consent to donate the fruits of the activity to a public use, public purpose, and public office.
10. There is only ONE condition in which the conversion of private property to public property does NOT require compensation, which is when the owner donates the private property to a public use, public purpose, or public office. To wit:

*"Men are endowed by their Creator with certain unalienable rights, -life, liberty, and the pursuit of happiness; and to 'secure,' not grant or create, these rights, governments are instituted. **That property [or income] which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit [e.g. SOCIAL SECURITY, Medicare, and every other public "benefit"]; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation.**"*  
[*Budd v. People of State of New York, 143 U.S. 517 (1892) ]*

The above rules are summarized below:

Table 4-5: Rules for converting private property to a public use or a public office

#	Description	Requires consent of owner to be taken from owner?
1	The owner of property justly acquired enjoys full and exclusive use and control over the property. This right includes <u>the right to exclude government uses</u> or ownership of said property.	Yes
2	He may not use the property to injure the equal rights of his neighbor. For instance, when you murder someone, the government can take your liberty and labor from you by putting you in jail or your life from you by instituting the death penalty against you. Both your life and your labor are “property”. Therefore, the basis for the “taking” was violation of the equal rights of a fellow sovereign “neighbor”.	No
3	He cannot be compelled or required to use it to “benefit” his neighbor. That means he cannot be compelled to donate the property to any franchise that would “benefit” his neighbor such as Social Security, Medicare, etc.	Yes
4	If he donates it to a public use, he gives the public the right to control that use.	Yes
5	Whenever the public needs require, the public may take it without his consent upon payment of due compensation. E.g. “eminent domain”.	No

11. The following two methods are the ONLY methods involving consent of the owner that may be LAWFULLY employed to convert PRIVATE property into PUBLIC property. Anything else is unlawful and THEFT:

11.1. DIRECT CONVERSION: Owner donates the property by conveying title or possession to the government.<sup>88</sup>

11.2. INDIRECT CONVERSION: Owner assumes a PUBLIC status as a PUBLIC officer in the HOLDING of title to the property.<sup>89</sup> All such statuses and the rights that attach to it are creations and property of the government, the use of which is a privilege. The status and all PUBLIC RIGHTS that attach to it conveys a “benefit” for which the status user must pay an excise tax. The tax acts as a rental or use fee for the status, which is government property.

12. You and ONLY you can authorize your private property to be donated to a public use, public purpose, and public office. No third party can lawfully convert or donate your private property to a public use, public purpose, or public office without your knowledge and express consent. If they do, they are guilty of theft and conversion, and especially if they are acting in a quasi-governmental capacity as a “withholding agent” as defined in 26 U.S.C. §7701(a)(16).

12.1. A withholding agent cannot file an information return connecting your earnings to a “trade or business” without you actually occupying a “public office” in the government BEFORE you filled out any tax form.

12.2. A withholding agent cannot file IRS Form W-2 against your earnings if you didn’t sign an IRS Form W-4 contract and thereby consent to donate your private property to a public office in the U.S. government and therefore a “public use”.

12.3. That donation process is accomplished by your own voluntary self-assessment and ONLY by that method. Before such a self-assessment, you are a “nontaxpayer” and a private person. After the assessment, you become a “taxpayer” and a public officer in the government engaged in the “trade or business” franchise.

12.4. In order to have an income tax liability, you must complete, sign, and “file” an income tax return and thereby assess yourself:

*“Our system of taxation is based upon voluntary assessment and payment, not distraint.”*  
[Flora v. U.S., 362 U.S. 145 (1960)]

By assessing yourself, you implicitly give your consent to allow the public the right to control that use of the formerly PRIVATE property donated to a public use.

<sup>88</sup> An example of direct conversion would be the process of “registering” a vehicle with the Department of Motor Vehicles in your state. The act of registration constitutes consent by original ABSOLUTE owner to change the ownership of the property from ABSOLUTE to QUALIFIED and to convey legal title to the state and qualified title to himself.

<sup>89</sup> An example of a PUBLIC status is statutory “taxpayer” (public office called “trade or business”), statutory “citizen”, statutory “driver” (vehicle), statutory voter (registered voters are public officers).

1 A THEFT of property has occurred on behalf of the government if it attempts to do any of the following:

- 2 1. Circumvents any of the above rules.
- 3 2. Blurs, confuses, or obfuscates the distinction between PRIVATE property and PUBLIC property.
- 4 3. Refuses to identify EXACTLY which of the mechanisms identified in item 10 above was employed in EACH specific
- 5 case where it:
- 6 3.1. Asserts a right to regulate the use of private property.
- 7 3.2. Asserts a right to convert the character of property from PRIVATE to PUBLIC.
- 8 3.3. Asserts a right to TAX what you THOUGHT was PRIVATE property.

9 The next time someone from the government asserts a tax obligation, you might want to ask them the following very insightful  
10 questions based on the content of this section:

- 11 1. Please describe at EXACTLY what point in the taxation process my earnings were LAWFULLY converted from  
12 EXCLUSIVELY PRIVATE to PUBLIC and thereby became SUBJECT to civil statutory law and government  
13 jurisdiction. Check one or more. If none are checked, it shall CONCLUSIVELY be PRESUMED that no tax is owed:
- 14 1.1.  There is no private property. EVERYTHING belongs to us and we just "RENT" it to you through taxes.  
15 Hence, we are NOT a "government" because there is not private property to protect. Everything is PUBLIC  
16 property by default.
- 17 1.2.  When I was born?
- 18 1.3.  When I became a CONSTITUTIONAL citizen?
- 19 1.4.  When I changed my domicile to a CONSTITUTIONAL and not STATUTORY "State".
- 20 1.5.  When I indicated "U.S. citizen" or "U.S. resident" on a government form, and the agent accepting it  
21 FALSELY PRESUMED that meant I was a STATUTORY "national and citizen of the United States" per 8  
22 U.S.C. §1401 rather than a CONSTITUTIONAL "citizen of the United States".
- 23 1.6.  When I disclosed and used a Social Security Number or Taxpayer Identification Number to my otherwise  
24 PRIVATE employer?
- 25 1.7.  When I submitted my withholding documents, such as IRS Forms W-4 or W-8?
- 26 1.8.  When the information return was filed against my otherwise PRIVATE earnings that connected my  
27 otherwise PRIVATE earnings to a PUBLIC office in the national government?
- 28 1.9.  When I FAILED to rebut the false information return connecting my otherwise PRIVATE earnings to a  
29 PUBLIC office in the national government?
- 30 1.10.  When I filed a "taxpayer" form, such as IRS Forms 1040 or 1040NR?
- 31 1.11.  When the IRS or state did an assessment under the authority of 26 U.S.C. §6020(b).
- 32 1.12.  When I failed to rebut a collection notice from the IRS?
- 33 1.13.  When the IRS levied monies from my EXCLUSIVELY private account, which must be held by a PUBLIC  
34 OFFICER per 26 U.S.C. §6331(a) before it can lawfully be levied?
- 35 1.14.  When the government decided they wanted to STEAL my money and simply TOOK it, and were protected  
36 from the THEFT by a complicit Department of Justice, who split the proceeds with them?
- 37 1.15.  When I demonstrated legal ignorance of the law to the government sufficient to overlook or not recognize  
38 that it is impossible to convert PRIVATE to PUBLIC without my consent, as the Declaration of Independence  
39 requires.
- 40 2. How can the conversion from PRIVATE to PUBLIC occur without my consent and without violating the Fifth  
41 Amendment Takings Clause?
- 42 3. If you won't answer the previous questions, how the HELL am I supposed to receive constitutionally mandated  
43 "reasonable notice" of the following:
- 44 3.1. EXACTLY what property I exclusively own and therefore what property is NOT subject to government taxation  
45 or regulation?
- 46 3.2. EXACTLY what conduct is expected of me by the law?
- 47 4. EXACTLY where in your publications is the first question answered and why should I believe it if even you refuse to  
48 take responsibility for the accuracy of said publications?
- 49 5. EXACTLY where in the statutes and regulations is the first question answered?
- 50 6. How can you refuse to answer the above questions if your own mission statement says you are required to help people  
51 obey the law and comply with the law?

#### 52 **4.2.11 Unlawful methods abused by government to convert PRIVATE property to PUBLIC property**

1 There are a LOT more ways to UNLAWFULLY convert PRIVATE property to PUBLIC property than there are ways to do  
 2 it lawfully. This section will address the most prevalent methods abused by state actors so that you will immediately recognize  
 3 them when you are victimized by them. For the purposes of this section CONTROL and OWNERSHIP are synonymous.  
 4 Hence, if the TITLE of the property remains in your name but there is any aspect of control over the USE of said property  
 5 that does not demonstrably injure others, then the property ceases to be absolutely owned and therefore is owned by the  
 6 government.

7 Based on the previous section, there is ONLY one condition in which PRIVATE property can be converted to PUBLIC  
 8 property without the consent of the owner, which is when it is used to INJURE the rights of others. Any other type of  
 9 conversion is THEFT. The U.S. Supreme Court describes that process of illegally CONVERTING property from PRIVATE  
 10 to PUBLIC as follows. Notice that they only reference the “citizen” as being the object of regulation, which implies that  
 11 those who are “nonresidents” and “transient foreigners” are beyond the control of those governments in whose territory they  
 12 have not chosen a civil domicile:

13 *“The doctrine that each one must so use his own as not to injure his neighbor — sic utere tuo ut alienum non*  
 14 *lædas — is the rule by which every member of society must possess and enjoy his property; and all legislation*  
 15 *essential to secure this common and equal enjoyment is a legitimate exercise of State authority. Except in cases*  
 16 *where property may be destroyed to arrest a conflagration or the ravages of pestilence, or be taken under the*  
 17 *pressure of an immediate and overwhelming necessity to prevent a public calamity, the power of the State over*  
 18 *the property of the citizen [NOT EVERYONE, but only those consent to become citizens by choosing a*  
 19 *domicile] does not extend beyond such limits.”*  
 20 *[Munn v. Illinois, 94 U.S. 113 (1876)]*

21 Below is a list of the more prevalent means abused by corrupt and covetous governments to illegally convert PRIVATE  
 22 property to PUBLIC PROPERTY without the express consent of the owner. Many of these techniques are unrecognizable  
 23 to the average American and therefore surreptitious, which is why they continue to be abused so regularly and chronically by  
 24 public dis-servants:

- 25 1. Deceptively label statutory PRIVILEGES as RIGHTS.
- 26 2. Confuse STATUTORY citizenship with CONSTITUTIONAL citizenship.
- 27 3. Refuse to admit that the court you are litigating in is a FRANCHISE court that has no jurisdiction over non-franchisees  
 28 or people who do not consent to the franchise.
- 29 4. Abuse the words “includes” and “including” to add anything they want to the definition of “person” or “individual”  
 30 within the franchise. All such “persons” are public officers and not private human beings. See:  

[Legal Deception, Propaganda, and Fraud](http://sedm.org/Forms/FormIndex.htm), Form #05.014  
<http://sedm.org/Forms/FormIndex.htm>
- 31 5. Refuse to impose the burden of proof upon the government to show that you EXPRESSLY CONSENTED to convert  
 32 PRIVATE property into PUBLIC property BEFORE they can claim jurisdiction over it.
- 33 6. Silently PRESUME that the property in question is PUBLIC property connected with the “trade or business” (public  
 34 office per 26 U.S.C. §7701(a)(26)) franchise and force you to prove that it ISN’T by CHALLENGING false  
 35 information returns filed against it, such as IRS Forms W-2, 1098, 1099, and K-1. See:  

[Correcting Erroneous Information Returns](http://sedm.org/Forms/FormIndex.htm), Form #04.001  
<http://sedm.org/Forms/FormIndex.htm>
- 36 7. Presume that the STATUTORY and CONSTITUTIONAL contexts for geographical words are the same. They are  
 37 NOT, and in fact are mutually exclusive.
- 38 8. Presume that because you submitted an application for a franchise, that you:  
 39 8.1. CONSENTED to the franchise and were not under duress.  
 40 8.2. Were requesting a “benefit” and therefore agreed to the obligations associated with the “benefit”.

41 CALIFORNIA CIVIL CODE  
 42 DIVISION 3. OBLIGATIONS  
 43 PART 2. CONTRACTS  
 44 CHAPTER 3. CONSENT  
 45 [Section 1589](#)

46  
 47 *1589. A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations*  
 48 *arising from it, so far as the facts are known, or ought to be known, to the person accepting.*

- 49 8.3. Agree to accept the obligations associated with the status described on the application, such as “taxpayer”,  
 50 “driver”, “spouse”.

If you want to prevent the above, reserve all your rights on the application, indicate duress, and define all terms on the form as NOT connected with any government or statutory law.

9. PRESUME that the OWNER has a civil statutory status that he or she did not consent to, such as:
  - 9.1. "spouse" under the family code of your state, which is a franchise.
  - 9.2. "driver" under the vehicle code of your state, which is a franchise.
  - 9.3. "taxpayer" under the tax code of your state, which is a franchise.
10. PRESUME in the case of physical PROPERTY that it was situated on federal territory to which the general and exclusive jurisdiction of the national government applies, even though it is not. This is primarily done by playing word games with geographical "words of art" such as "State" and "United States".
11. Refuse to satisfy the burden of proving that the owner of the property expressly consented in a manner that he/she prescribed to change the status of either himself or the property over which they claim a public interest.
12. Judges will interfere with attempts to introduce evidence in the proceeding that challenges any of the above presumptions.
13. Unlawfully compel the use of Social Security Numbers or Taxpayer Identification Numbers in violation of 42 U.S.C. §408(a)(8) in connection with specific property as a precondition of rendering a usually essential service. It will be illegally compelled because:
  - 13.1. The party against whom it was compelled was not a statutory "Taxpayer" or "person" or "individual" or to whom a duty to furnish said number lawfully applies.
  - 13.2. The property was not located on territory subject to the territorial jurisdiction of that national government.
14. Use one franchise as a way to recruit franchisees under OTHER franchises that are completely unrelated. For instance, they will enact a vehicle code statute that allows for confiscation of REGISTERED vehicles only that are being operated by UNLICENSED drivers. That way, everyone who wants to protect their vehicle also indirectly has to ALSO become a statutory "driver" using the public road ways for commercial activity and thus subject to regulation by the state, even though they in fact ARE NOT intending to do so.
15. Issue a license and then refuse to recognize the authority and ability in court of those possessing said license to act in an EXCLUSIVELY PRIVATE capacity. For instance:
  - 15.1. They may have a contractor's license but they are NOT allowed to operate as OTHER than a licensed contractor...OR are NOT allowed to operate in an exclusively PRIVATE capacity.
  - 15.2. They may have a vehicle registration but are NOT allowed to remove it or NOT use it during times when they are NOT using the public roadways for hire, which is most of the time. In other words, the vehicle is the equivalent to "off duty" at some times. They allow police officers, who are PUBLIC officers, to be off duty, but not anyone who DOESN'T work for the government.
16. Issue or demand GOVERNMENT ID and then presume that the applicant is a statutory "resident" for ALL purposes, rather than JUST the specific reason the ID was issued. Since a "resident" is a public officer, in effect they are PRESUMING that you are a public officer 24 hours a day, 7 days a week, and that you HAVE to assume this capacity without pay or "benefit" and without the ability to quit. See:

*Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002, Section 13.6  
<http://sedm.org/Forms/FormIndex.htm>

What all of the above government abuses have in common is that they do one or more of the following:

1. Involve PRESUMPTIONS which violate due process of law and are therefore UNCONSTITUTIONAL. See:
 

*Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction*, Form #05.017  
<http://sedm.org/Forms/FormIndex.htm>
2. Refuse to RECOGNIZE the existence of PRIVATE property or PRIVATE rights.
3. Violate the very purpose of establishing government to begin with, which is to PROTECT PRIVATE property by LEAVING IT ALONE and not regulating or benefitting from its use or abuse until AFTER it has been used to injure the equal rights of anyone OTHER than the original owner.
4. Violate the Unconstitutional Conditions Doctrine of the U.S. Supreme Court.
5. Needlessly interfere with the ownership or control of otherwise PRIVATE property.
6. Often act upon property BEFORE it is used to institute an injury, instead of AFTER. Whenever the law acts to PREVENT future harm rather than CORRECT past harm, it requires the consent of the owner. The common law itself only provides remedies for PAST harm and cannot act on future conduct, except in the case of injunctions where PAST harm is already demonstrated.
7. Institute involuntary servitude against the owner in violation of the Thirteenth Amendment.
8. Represent an eminent domain over PRIVATE property in violation of the state constitution in most states.
9. Violate the takings clauses of the Fifth Amendment to the United States Constitution.

1 10. Violate the maxim of law that the government has a duty to protect your right to NOT receive a “benefit” and NOT pay  
2 for “benefits” that you don’t want or don’t need.

3 *Invito beneficium non datur.*

4 *No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent he will be*  
5 *considered as assenting. Vide Assent.*

6 *Quilibet potest renunciare juri pro se inducto.*

7 *Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv.*  
8 *Inst. n. 83.*

9 *[Bouvier’s Maxims of Law, 1856,*

10 *SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviarsMaxims.htm>]*

11 It ought to be obvious to the reader that the basis for Socialism is public ownership of ALL property.

12 *“socialism n (1839) 1: any of various economic and political theories advocating collective or governmental*  
13 *ownership and administration of the means of production and distribution of goods 2 a: a system of society or*  
14 *group living in which there is no private property b: a system or condition of society in which the means of*  
15 *production are owned and controlled by the state 3: a stage of society in Marxist theory transitional between*  
16 *capitalism and communism and distinguished by unequal distribution of goods and pay according to work done.”*  
17 *[Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 1118]*

18 Any system of law that recognizes no absolute and inviolable constitutional boundary between PRIVATE property and  
19 PUBLIC property, or which regards ALL property as being subject to government taxation and/or regulation is a socialist or  
20 collectivist system. That socialist system is exhaustively described in the following:

*Socialism: The New American Civil Religion*, Form #05.016  
<http://sedm.org/Forms/FormIndex.htm>

21 Below is how the U.S. Supreme Court characterizes efforts to violate the rules for converting PRIVATE property into  
22 PUBLIC property listed above and thereby STEAL PRIVATE property. The text below the following line up to the end of  
23 the section comes from the case indicated:

24 \_\_\_\_\_  
25 Munn v. Illinois, 94 U.S. 113 (1876)

26 The question presented, therefore, is one of the greatest importance, — whether it is within the competency of a State to fix  
27 the compensation which an individual may receive for the use of his own property in his private business, and for his services  
28 in connection with it.

29 [. . .]

30 139\*139 The validity of the legislation was, among other grounds, assailed in the State court as being in conflict with that  
31 provision of the State Constitution which declares that no person shall be deprived of life, liberty, or property without due  
32 process of law, and with that provision of the Fourteenth Amendment of the Federal Constitution which imposes a similar  
33 restriction upon the action of the State. The State court held, in substance, that the constitutional provision was not violated  
34 so long as the owner was not deprived of the title and possession of his property; and that it did not deny to the legislature the  
35 power to make all needful rules and regulations respecting the use and enjoyment of the property, referring, in support of the  
36 position, to instances of its action in prescribing the interest on money, in establishing and regulating public ferries and public  
37 mills, and fixing the compensation in the shape of tolls, and in delegating power to municipal bodies to regulate the charges  
38 of hackmen and draymen, and the weight and price of bread. In this court the legislation was also assailed on the same ground,  
39 our jurisdiction arising upon the clause of the Fourteenth Amendment, ordaining that no State shall deprive any person of  
40 life, liberty, or property without due process of law. But it would seem from its opinion that the court holds that property  
41 loses something of its private character when employed in such a way as to be generally useful. The doctrine declared is that  
42 property "becomes clothed with a public interest when used in a manner to make it of public consequence, and affect the  
43 community at large;" and from such clothing the right of the legislature is deduced to control the use of the property, and to  
44 determine the compensation which the owner may receive for it. **When Sir Matthew Hale, and the sages of the law in his**  
45 **day, spoke of property as affected by a public interest, and ceasing from that cause to be juris privati solely, that is,**

1 ceasing to be held merely in private right, they referred to property dedicated by the owner to public uses, or to  
 2 property the use of which was granted by the government, or in connection with which special privileges were  
 3 conferred. Unless the property was thus dedicated, or some right bestowed by the government was held with the  
 4 property, either by specific grant or by prescription of so long a time as 140\*140 to imply a grant originally, the  
 5 property was not affected by any public interest so as to be taken out of the category of property held in private right.

6 But it is not in any such sense that the terms "clothing property with a public interest" are used in this case. From the nature  
 7 of the business under consideration — the storage of grain — which, in any sense in which the words can be used, is a private  
 8 business, in which the public are interested only as they are interested in the storage of other products of the soil, or in articles  
 9 of manufacture, it is clear that the court intended to declare that, whenever one devotes his property to a business which is  
 10 useful to the public, — "affects the community at large," — the legislature can regulate the compensation which the owner  
 11 may receive for its use, and for his own services in connection with it. "When, therefore," says the court, "one devotes his  
 12 property to a use in which the public has an interest, he, in effect, grants to the public an interest in that use, and must submit  
 13 to be controlled by the public for the common good, to the extent of the interest he has thus created. He may withdraw his  
 14 grant by discontinuing the use; but, so long as he maintains the use, he must submit to the control." The building used by the  
 15 defendants was for the storage of grain: in such storage, says the court, the public has an interest; therefore the defendants,  
 16 by devoting the building to that storage, have granted the public an interest in that use, and must submit to have their  
 17 compensation regulated by the legislature.

18 If this be sound law, if there be no protection, either in the principles upon which our republican government is  
 19 founded, or in the prohibitions of the Constitution against such invasion of private rights, all property and all business  
 20 in the State are held at the mercy of a majority of its legislature. The public has no greater interest in the use of buildings  
 21 for the storage of grain than it has in the use of buildings for the residences of families, nor, indeed, anything like so great an  
 22 interest; and, according to the doctrine announced, the legislature may fix the rent of all tenements used for residences, without  
 23 reference to the cost of their erection. If the owner does not like the rates prescribed, he may cease renting his houses. He has  
 24 granted to the public, says the court, an interest in the use of the 141\*141 buildings, and "he may withdraw his grant by  
 25 discontinuing the use; but, so long as he maintains the use, he must submit to the control." The public is interested in the  
 26 manufacture of cotton, woollen, and silken fabrics, in the construction of machinery, in the printing and publication of books  
 27 and periodicals, and in the making of utensils of every variety, useful and ornamental; indeed, there is hardly an enterprise  
 28 or business engaging the attention and labor of any considerable portion of the community, in which the public has  
 29 not an interest in the sense in which that term is used by the court in its opinion; and the doctrine which allows the  
 30 legislature to interfere with and regulate the charges which the owners of property thus employed shall make for its  
 31 use, that is, the rates at which all these different kinds of business shall be carried on, has never before been asserted,  
 32 so far as I am aware, by any judicial tribunal in the United States.

33 The doctrine of the State court, that no one is deprived of his property, within the meaning of the constitutional  
 34 inhibition, so long as he retains its title and possession, and the doctrine of this court, that, whenever one's property  
 35 is used in such a manner as to affect the community at large, it becomes by that fact clothed with a public interest,  
 36 and ceases to be juris privati only, appear to me to destroy, for all useful purposes, the efficacy of the constitutional  
 37 guaranty. All that is beneficial in property arises from its use, and the fruits of that use; and whatever deprives a  
 38 person of them deprives him of all that is desirable or valuable in the title and possession. If the constitutional guaranty  
 39 extends no further than to prevent a deprivation of title and possession, and allows a deprivation of use, and the fruits  
 40 of that use, it does not merit the encomiums it has received. Unless I have misread the history of the provision now  
 41 incorporated into all our State constitutions, and by the Fifth and Fourteenth Amendments into our Federal Constitution, and  
 42 have misunderstood the interpretation it has received, it is not thus limited in its scope, and thus impotent for good. It has a  
 43 much more extended operation than either court, State, or Federal has given to it. The provision, it is to be observed,  
 44 places property under the same protection as life and liberty. Except by due process of law, no State can 142\*142  
 45 deprive any person of either. The provision has been supposed to secure to every individual the essential conditions  
 46 for the pursuit of happiness; and for that reason has not been heretofore, and should never be, construed in any  
 47 narrow or restricted sense.

48 No State "shall deprive any person of life, liberty, or property without due process of law," says the Fourteenth Amendment  
 49 to the Constitution. By the term "life," as here used, something more is meant than mere animal existence. The inhibition  
 50 against its deprivation extends to all those limbs and faculties by which life is enjoyed. The provision equally prohibits the  
 51 mutilation of the body by the amputation of an arm or leg, or the putting out of an eye, or the destruction of any other organ  
 52 of the body through which the soul communicates with the outer world. The deprivation not only of life, but of whatever God  
 53 has given to everyone with life, for its growth and enjoyment, is prohibited by the provision in question, if its efficacy be not  
 54 frittered away by judicial decision.



1 By the term "liberty," as used in the provision, something more is meant than mere freedom from physical restraint or the  
 2 bounds of a prison. It means freedom to go where one may choose, and to act in such manner, not inconsistent with the equal  
 3 rights of others, as his judgment may dictate for the promotion of his happiness; that is, to pursue such callings and avocations  
 4 as may be most suitable to develop his capacities, and give to them their highest enjoyment.

5 **The same liberal construction which is required for the protection of life and liberty, in all particulars in which life**  
 6 **and liberty are of any value, should be applied to the protection of private property. If the legislature of a State, under**  
 7 **pretence of providing for the public good, or for any other reason, can determine, against the consent of the owner,**  
 8 **the uses to which private property shall be devoted, or the prices which the owner shall receive for its uses, it can**  
 9 **deprive him of the property as completely as by a special act for its confiscation or destruction. If, for instance, the**  
 10 **owner is prohibited from using his building for the purposes for which it was designed, it is of little consequence that**  
 11 **he is permitted to retain the 143\*143 title and possession; or, if he is compelled to take as compensation for its use less**  
 12 **than the expenses to which he is subjected by its ownership, he is, for all practical purposes, deprived of the property,**  
 13 **as effectually as if the legislature had ordered his forcible dispossession. If it be admitted that the legislature has any**  
 14 **control over the compensation, the extent of that compensation becomes a mere matter of legislative discretion. The**  
 15 **amount fixed will operate as a partial destruction of the value of the property, if it fall below the amount which the**  
 16 **owner would obtain by contract, and, practically, as a complete destruction, if it be less than the cost of retaining its**  
 17 **possession. There is, indeed, no protection of any value under the constitutional provision, which does not extend to**  
 18 **the use and income of the property, as well as to its title and possession.**

19 This court has heretofore held in many instances that a constitutional provision intended for the protection of rights of private  
 20 property should be liberally construed. It has so held in the numerous cases where it has been called upon to give effect to  
 21 the provision prohibiting the States from legislation impairing the obligation of contracts; the provision being construed to  
 22 secure from direct attack not only the contract itself, but all the essential incidents which give it value and enable its owner  
 23 to enforce it. Thus, in *Bronson v. Kinzie*, reported in the 1st of Howard, it was held that an act of the legislature of Illinois,  
 24 giving to a mortgagor twelve months within which to redeem his mortgaged property from a judicial sale, and prohibiting its  
 25 sale for less than two-thirds of its appraised value, was void as applied to mortgages executed prior to its passage. It was  
 26 contended, in support of the act, that it affected only the remedy of the mortgagee, and did not impair the contract; but the  
 27 court replied that there was no substantial difference between a retrospective law declaring a particular contract to be  
 28 abrogated and void, and one which took away all remedy to enforce it, or encumbered the remedy with conditions that  
 29 rendered it useless or impracticable to pursue it. And, referring to the constitutional provision, the court said, speaking through  
 30 Mr. Chief Justice Taney, that

31 *"it would be unjust to the memory of the distinguished men who framed it, to suppose that it was designed to*  
 32 *protect a mere barren and 144\*144 abstract right, without any practical operation upon the business of life. It*  
 33 *was undoubtedly adopted as a part of the Constitution for a great and useful purpose. It was to maintain the*  
 34 *integrity of contracts, and to secure their faithful execution throughout this Union, by placing them under the*  
 35 *protection of the Constitution of the United States. And it would but Ill. become this court, under any*  
 36 *circumstances, to depart from the plain meaning of the words used, and to sanction a distinction between the*  
 37 *right and the remedy, which would render this provision illusive and nugatory, mere words of form, affording no*  
 38 *protection and producing no practical result."*

39 And in *Pumpelly v. Green Bay Company*, 13 Wall. 177, the language of the court is equally emphatic. That case arose in  
 40 Wisconsin, the constitution of which declares, like the constitutions of nearly all the States, that private property shall not be  
 41 taken for public use without just compensation; and this court held that the flooding of one's land by a dam constructed across  
 42 a river under a law of the State was a taking within the prohibition, and required compensation to be made to the owner of  
 43 the land thus flooded. The court, speaking through Mr. Justice Miller, said: —

44 *"It would be a very curious and unsatisfactory result, if, in construing a provision of constitutional law, always*  
 45 *understood to have been adopted for protection and security to the rights of the individual as against the*  
 46 *government, and which has received the commendation of jurists, statesmen, and commentators, as placing the*  
 47 *just principles of the common law on that subject beyond the power of ordinary legislation to change or control*  
 48 *them, it shall be held that, if the government refrains from the absolute conversion of real property to the uses of*  
 49 *the public, it can destroy its value entirely, can inflict irreparable and permanent injury to any extent, can, in*  
 50 *effect, subject it to total destruction without making any compensation, because, in the narrowest sense of the*  
 51 *word, it is not taken for the public use. Such a construction would pervert the constitutional provision into a*  
 52 *restriction on the rights of the citizen, as those rights stood at the common law, instead of the government, and*  
 53 *make it an authority for invasion of private right under the pretext of the public good, which had no warrant*  
 54 *in the laws or practices of our ancestors."*

**The views expressed in these citations, applied to this case, would render the constitutional provision invoked by the defendants effectual to protect them in the uses, income, and revenues of their property, as well as in its title and possession. The construction actually given by the State court and by this court makes the provision, in the language of Taney, a protection to "a mere barren and abstract right, without any practical operation upon the business of life," and renders it "illusiv and nugatory, mere words of form, affording no protection and producing no practical result."**

The power of the State over the property of the citizen under the constitutional guaranty is well defined. The State may take his property for public uses, upon just compensation being made therefor. It may take a portion of his property by way of taxation for the support of the government. It may control the use and possession of his property, so far as may be necessary for the protection of the rights of others, and to secure to them the equal use and enjoyment of their property. **The doctrine that each one must so use his own as not to injure his neighbor — sic utere tuo ut alienum non lædas — is the rule by which every member of society must possess and enjoy his property; and all legislation essential to secure this common and equal enjoyment is a legitimate exercise of State authority. Except in cases where property may be destroyed to arrest a conflagration or the ravages of pestilence, or be taken under the pressure of an immediate and overwhelming necessity to prevent a public calamity, the power of the State over the property of the citizen does not extend beyond such limits.**

It is true that the legislation which secures to all protection in their rights, and the equal use and enjoyment of their property, embraces an almost infinite variety of subjects. Whatever affects the peace, good order, morals, and health of the community, comes within its scope; and every one must use and enjoy his property subject to the restrictions which such legislation imposes. What is termed the police power of the State, which, from the language often used respecting it, one would suppose to be an undefined and irresponsible element in government, can only interfere with the conduct of individuals in their intercourse with each other, and in the use of their property, so far 146\*146 as may be required to secure these objects. **The compensation which the owners of property, not having any special rights or privileges from the government in connection with it, may demand for its use, or for their own services in union with it, forms no element of consideration in prescribing regulations for that purpose.** If one construct a building in a city, the State, or the municipality exercising a delegated power from the State, may require its walls to be of sufficient thickness for the uses intended; it may forbid the employment of inflammable materials in its construction, so as not to endanger the safety of his neighbors; if designed as a theatre, church, or public hall, it may prescribe ample means of egress, so as to afford facility for escape in case of accident; it may forbid the storage in it of powder, nitro-glycerine, or other explosive material; it may require its occupants daily to remove decayed vegetable and animal matter, which would otherwise accumulate and engender disease; it may exclude from it all occupations and business calculated to disturb the neighborhood or infect the air. Indeed, there is no end of regulations with respect to the use of property which may not be legitimately prescribed, having for their object the peace, good order, safety, and health of the community, thus securing to all the equal enjoyment of their property; but in establishing these regulations it is evident that compensation to the owner for the use of his property, or for his services in union with it, is not a matter of any importance: whether it be one sum or another does not affect the regulation, either in respect to its utility or mode of enforcement. One may go, in like manner, through the whole round of regulations authorized by legislation, State or municipal, under what is termed the police power, and in no instance will he find that the compensation of the owner for the use of his property has any influence in establishing them. **It is only where some right or privilege is conferred by the government or municipality upon the owner, which he can use in connection with his property, or by means of which the use of his property is rendered more valuable to him, or he thereby enjoys an advantage over others, that the compensation to be received by him becomes a legitimate matter of regulation. Submission to the regulation of compensation in such cases is an implied condition 147\*147 of the grant, and the State, in exercising its power of prescribing the compensation, only determines the conditions upon which its concession shall be enjoyed. When the privilege ends, the power of regulation ceases.**

Jurists and writers on public law find authority for the exercise of this police power of the State and the numerous regulations which it prescribes in the doctrine already stated, that everyone must use and enjoy his property consistently with the rights of others, and the equal use and enjoyment by them of their property. "The police power of the State," says the Supreme Court of Vermont, "extends to the protection of the lives, limbs, health, comfort, and quiet of all persons, and the protection of all property in the State. According to the maxim, sic utere tuo ut alienum non lædas, which, being of universal application, it must, of course, be within the range of legislative action to define the mode and manner in which every one may so use his own as not to injure others." Thorpe v. Rutland & Burlington Railroad Co., 27 Vt. 149. "We think it a settled principle growing out of the nature of well-ordered civil society," says the Supreme Court of Massachusetts, "that every holder of property, however absolute and unqualified may be his title, holds it under the implied liability that his use of it shall not be injurious to the equal enjoyment of others having an equal right to the enjoyment of their property, nor injurious to the rights

1 of the community." Commonwealth v. Alger, 7 Cush. 84. In his Commentaries, after speaking of the protection afforded by  
 2 the Constitution to private property, Chancellor Kent says: —

3 *"But though property be thus protected, it is still to be understood that the law-giver has the right to prescribe*  
 4 *the mode and manner of using it, so far as may be necessary to prevent the abuse of the right, to the injury or*  
 5 *annoyance of others, or of the public. The government may, by general regulations, interdict such uses of property*  
 6 *as would create nuisances and become dangerous to the lives, or health, or peace, or comfort of the citizens.*  
 7 *Unwholesome trades, slaughter-houses, operations offensive to the senses, the deposit of powder, the application*  
 8 *of steam-power to propel cars, the building with combustible materials, and the burial of the dead, may all be*  
 9 *interdicted by law, in the-midst of dense masses of population, 148\*148 on the general and rational principle*  
 10 *that every person ought so to use his property as not to injure his neighbors, and that private interests must be*  
 11 *made subservient to the general interests of the community. 2 Kent, 340.*

12 The Italics in these citations are mine. The citations show what I have already stated to be the case, that the regulations which  
 13 the State, in the exercise of its police power, authorizes with respect to the use of property are entirely independent of any  
 14 question of compensation for such use, or for the services of the owner in connection with it.

15 There is nothing in the character of the business of the defendants as warehousemen which called for the interference  
 16 complained of in this case. Their buildings are not nuisances; their occupation of receiving and storing grain infringes upon  
 17 no rights of others, disturbs no neighborhood, infects not the air, and in no respect prevents others from using and enjoying  
 18 their property as to them may seem best. **The legislation in question is nothing less than a bold assertion of absolute**  
 19 **power by the State to control at its discretion the property and business of the citizen, and fix the compensation he**  
 20 **shall receive. The will of the legislature is made the condition upon which the owner shall receive the fruits of his**  
 21 **property and the just reward of his labor, industry, and enterprise. "That government," says Story, "can scarcely be**  
 22 **deemed to be free where the rights of property are left solely dependent upon the will of a legislative body without any**  
 23 **restraint. The fundamental maxims of a free government seem to require that the rights of personal liberty and private**  
 24 **property should be held sacred." Wilkeson v. Leland, 2 Pet. 657. The decision of the court in this case gives**  
 25 **unrestrained license to legislative will.**

26 The several instances mentioned by counsel in the argument and by the court in its opinion, in which legislation has fixed the  
 27 compensation which parties may receive for the use of their property and services, do not militate against the views I have  
 28 expressed of the power of the State over the property of the citizen. They were mostly cases of public ferries, bridges, and  
 29 turnpikes, of wharfingers, hackmen, and draymen, and of interest on money. In all these cases, except that of interest on  
 30 money, which I shall presently notice there was some special 149\*149 privilege granted by the State or municipality; and no  
 31 one, I suppose, has ever contended that the State had not a right to prescribe the conditions upon which such privilege should  
 32 be enjoyed. **The State in such cases exercises no greater right than an individual may exercise over the use of his own**  
 33 **property when leased or loaned to others. The conditions upon which the privilege shall be enjoyed being stated or**  
 34 **implied in the legislation authorizing its grant, no right is, of course, impaired by their enforcement. The recipient of**  
 35 **the privilege, in effect, stipulates to comply with the conditions. It matters not how limited the privilege conferred, its**  
 36 **acceptance implies an assent to the regulation of its use and the compensation for it.** The privilege which the hackman  
 37 and drayman have to the use of stands on the public streets, not allowed to the ordinary coachman or laborer with teams,  
 38 constitutes a sufficient warrant for the regulation of their fares. In the case of the warehousemen of Chicago, no right or  
 39 privilege is conferred by the government upon them; and hence no assent of theirs can be alleged to justify any interference  
 40 with their charges for the use of their property.

41 The quotations from the writings of Sir Matthew Hale, so far from supporting the positions of the court, do not recognize the  
 42 interference of the government, even to the extent which I have admitted to be legitimate. They state merely that the franchise  
 43 of a public ferry belongs to the king, and cannot be used by the subject except by license from him, or prescription time out  
 44 of mind; and that when the subject has a public wharf by license from the king, or from having dedicated his private wharf  
 45 to the public, as in the case of a street opened by him through his own land, he must allow the use of the wharf for reasonable  
 46 and moderate charges. Thus, in the first quotation which is taken from his treatise De Jure Maris, Hale says that the king has

47 *"a right of franchise or privilege, that no man may set up a common ferry for all passengers without a prescription*  
 48 *time out of mind or a charter from the king. He may make a ferry for his own use or the use of his family, but not*  
 49 *for the common use of all the king's subjects passing that way; because it doth in consequent tend to a common*  
 50 *charge, and is become a thing of public interest and use, and every man for his passage 150\*150 pays a toll,*  
 51 *which is a common charge, and every ferry ought to be under a public regulation, viz., that it give attendance at*  
 52 *due times, keep a boat in due order, and take but reasonable toll; for if he fail in these he is finable."*

1 Of course, one who obtains a license from the king to establish a public ferry, at which "every man for his passage pays a  
2 toll," must take it on condition that he charge only reasonable toll, and, indeed, subject to such regulations as the king may  
3 prescribe.

4 In the second quotation, which is taken from his treatise De Portibus Maris, Hale says: —

5 *"A man, for his own private advantage, may, in a port or town, set up a wharf or crane, and may take what rates*  
6 *he and his customers can agree for crannage, wharfage, housellage, pesage; for he doth no more than is lawful*  
7 *for any man to do, viz., makes the most of his own. If the king or subject have a public wharf, unto which all*  
8 *persons that come to that port must come and unlade or lade their goods as for the purpose, because they are the*  
9 *wharves only licensed by the king, or because there is no other wharf in that port, as it may fall out where a port*  
10 *is newly erected, in that case there cannot be taken arbitrary and excessive duties for crannage, wharfage, pesage,*  
11 *&c.; neither can they be enhanced to an immoderate rate, but the duties must be reasonable and moderate, though*  
12 *settled by the king's license or charter. For now the wharf and crane and other conveniences are affected with a*  
13 *public interest, and they cease to be juris privati only; as if a man set out a street in new building on his own land,*  
14 *it is now no longer bare private interest, but is affected by the public interest."*

15 The purport of which is, that if one have a public wharf, by license from the government or his own dedication, he must exact  
16 only reasonable compensation for its use. By its dedication to public use, a wharf is as much brought under the common-law  
17 rule of subjection to reasonable charges as it would be if originally established or licensed by the crown. All property  
18 dedicated to public use by an individual owner, as in the case of land for a park or street, falls at once, by force of the  
19 dedication, under the law governing property appropriated by the government for similar purposes.

20 I do not doubt the justice of the encomiums passed upon Sir 151\*151 Matthew Hale as a learned jurist of his day; but I am  
21 unable to perceive the pertinency of his observations upon public ferries and public wharves, found in his treatises on "The  
22 Rights of the Sea" and on "The Ports of the Sea," to the questions presented by the warehousing law of Illinois, undertaking  
23 to regulate the compensation received by the owners of private property, when that property is used for private purposes.

24 The principal authority cited in support of the ruling of the court is that of Alnutt v. Inglis, decided by the King's Bench, and  
25 reported in 12 East. But that case, so far from sustaining the ruling, establishes, in my judgment, the doctrine that everyone  
26 has a right to charge for his property, or for its use, whatever he pleases, unless he enjoys in connection with it some right or  
27 privilege from the government not accorded to others; and even then it only decides what is above stated in the quotations  
28 from Sir Matthew Hale, that he must submit, so long as he retains the right or privilege, to reasonable rates. In that case, the  
29 London Dock Company, under certain acts of Parliament, possessed the exclusive right of receiving imported goods into  
30 their warehouses before the duties were paid; and the question was whether the company was bound to receive them for a  
31 reasonable reward, or whether it could arbitrarily fix its compensation. In deciding the case, the Chief Justice, Lord  
32 Ellenborough, said: —

33 *"There is no doubt that the general principle is favored, both in law and justice, that every man may fix what*  
34 *price he pleases upon his own property, or the use of it; but if, for a particular purpose, the public have a right*  
35 *to resort to his premises and make use of them, and he have a monopoly in them for that purpose, if he will take*  
36 *the benefit of that monopoly, he must, as an equivalent, perform the duty attached to it on reasonable terms."*

37 And, coming to the conclusion that the company's warehouses were invested with "the monopoly of a public privilege," he  
38 held that by law the company must confine itself to take reasonable rates; and added, that if the crown should thereafter think  
39 it advisable to extend the privilege more generally to other persons and places, so that the public would not be restrained from  
40 exercising a choice of warehouses for the purpose, the company might be enfranchised from the restriction which 152\*152  
41 attached to a monopoly; but, so long as its warehouses were the only places which could be resorted to for that purpose, the  
42 company was bound to let the trade have the use of them for a reasonable hire and reward. The other judges of the court  
43 placed their concurrence in the decision upon the ground that the company possessed a legal monopoly of the business, having  
44 the only warehouses where goods imported could be lawfully received without previous payment of the duties. From this  
45 case it appears that it is only where some privilege in the bestowal of the government is enjoyed in connection with the  
46 property, that it is affected with a public interest in any proper sense of the terms. It is the public privilege conferred with the  
47 use of the property which creates the public interest in it.

48 In the case decided by the Supreme Court of Alabama, where a power granted to the city of Mobile to license bakers, and to  
49 regulate the weight and price of bread, was sustained so far as regulating the weight of the bread was concerned, no question  
50 was made as to the right to regulate the price. 3 Ala. 137. There is no doubt of the competency of the State to prescribe the  
51 weight of a loaf of bread, as it may declare what weight shall constitute a pound or a ton. But I deny the power of any  
52 legislature under our government to fix the price which one shall receive for his property of any kind. If the power can be

exercised as to one article, it may as to all articles, and the prices of everything, from a calico gown to a city mansion, may be the subject of legislative direction.

**Other instances of a similar character may, no doubt, be cited of attempted legislative interference with the rights of property.** The act of Congress of 1820, mentioned by the court, is one of them. There Congress undertook to confer upon the city of Washington power to regulate the rates of wharfage at private wharves, and the fees for sweeping chimneys. Until some authoritative adjudication is had upon these and similar provisions, I must adhere, notwithstanding the legislation, to my opinion, that those who own property have the right to fix the compensation at which they will allow its use, and that those who control services have a right to fix the compensation at which they will be rendered. The chimney-sweeps may, I think, safely claim all the compensation which 153\*153 they can obtain by bargain for their work. In the absence of any contract for property or services, the law allows only a reasonable price or compensation; but what is a reasonable price in any case will depend upon a variety of considerations, and is not a matter for legislative determination.

**The practice of regulating by legislation the interest receivable for the use of money, when considered with reference to its origin, is only the assertion of a right of the government to control the extent to which a privilege granted by it may be exercised and enjoyed. By the ancient common law it was unlawful to take any money for the use of money; all who did so were called usurers, a term of great reproach, and were exposed to the censure of the church; and if, after the death of a person, it was discovered that he had been a usurer whilst living, his chattels were forfeited to the king, and his lands escheated to the lord of the fee. No action could be maintained on any promise to pay for the use of money, because of the unlawfulness of the contract. Whilst the common law thus condemned all usury, Parliament interfered, and made it lawful to take a limited amount of interest. It was not upon the theory that the legislature could arbitrarily fix the compensation which one could receive for the use of property, which, by the general law, was the subject of hire for compensation, that Parliament acted, but in order to confer a privilege which the common law denied. The reasons which L.Ed. to this legislation originally have long since ceased to exist; and if the legislation is still persisted in, it is because a long acquiescence in the exercise of a power, especially when it was rightfully assumed in the first instance, is generally received as sufficient evidence of its continued lawfulness. 10 Bac. Abr. 264.]\***

There were also recognized in England, by the ancient common law, certain privileges as belonging to the lord of the manor, which grew out of the state of the country, the condition of the people, and the relation existing between him and 154\*154 his tenants under the feudal system. Among these was the right of the lord to compel all the tenants within his manor to grind their corn at his mill. No one, therefore, could set up a mill except by his license, or by the license of the crown, unless he claimed the right by prescription, which presupposed a grant from the lord or crown, and, of course, with such license went the right to regulate the tolls to be received. Woolrych on the Law of Waters, c. 6, of Mills. Hence originated the doctrine which at one time obtained generally in this country, that there could be no mill to grind corn for the public, without a grant or license from the public authorities. It is still, I believe, asserted in some States. This doctrine being recognized, all the rest followed. The right to control the toll accompanied the right to control the establishment of the mill.

It requires no comment to point out the radical differences between the cases of public mills and interest on money, and that of the warehouses in Chicago. No prerogative or privilege of the crown to establish warehouses was ever asserted at the common law. **The business of a warehouseman was, at common law, a private business and is so in its nature. It has no special privileges connected with it, nor did the law ever extend to it any greater protection than it extended to all other private business. No reason can be assigned to justify legislation interfering with the legitimate profits of that business, that would not equally justify an intermeddling with the business of every man in the community, so soon, at least, as his business became generally useful.**

#### 4.2.12 The franchisee is a public officer and a “fiction of law”

The U.S. Supreme Court acknowledged that a frequent source of unconstitutional activity by government actors is to create fictitious offices, when it held:

*“An unconstitutional act is not a law; it confers no rights; it imposes no duties; it affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed.”*  
[Norton v. Shelby County, 118 US 425 (1885)]

An unlawfully created public office is sometimes called a “fiction of law”. All those engaged in franchises are public officers in the government. The fictitious public office and/or “trade or business” (26 U.S.C. §7701(a)(26)) to which all the government’s enforcement rights attach is also called a “fiction of law” by some judges. Here is the definition:

*"Fiction of law. An assumption or supposition of law that something which is or may be false is true, or that a state of facts exists which has never really taken place. **An assumption [PRESUMPTION], for purposes of justice, of a fact that does not or may not exist. A rule of law which assumes as true, and will not allow to be disproved, something which is false, but not impossible.** Ryan v. Motor Credit Co., 30 N.J.Eq. 531, 23 A.2d. 607, 621. These assumptions are of an innocent or even beneficial character, and are made for the advancement of the ends of justice. They secure this end chiefly by the extension of procedure from cases to which it is applicable to other cases to which it is not strictly applicable, the ground of inapplicability being some difference of an immaterial character. See also Legal fiction."*  
[Black's Law Dictionary, Sixth Edition, p. 623]

The key elements of all fictions of law from the above are:

1. A PRESUMPTION of the existence or truth of an otherwise nonexistent thing.
2. The presumptions are of an INNOCENT or BENEFICIAL character.
3. The presumptions are made for the advancement of the ends of justice.
4. All of the above goals are satisfied against BOTH parties to the dispute, not just the government. Otherwise the constitutional requirement for equal protection and equal treatment has been transgressed.

The fictitious public office that forms the heart of the modern SCAM income tax clearly does not satisfy the elements for being a "fiction of law" because:

1. All presumptions that violate due process of law or result in an injury to EITHER party affected by the presumption are unconstitutional. See:

*Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction*, Form #05.017  
<http://sedm.org/Forms/FormIndex.htm>

2. The presumption does not benefit BOTH parties to a dispute that involves it. It ONLY benefits the government at the expense of innocent nontaxpayers and EXCLUSIVELY PRIVATE parties.
3. The presumption of the existence of the BOGUS office does NOT advance justice for BOTH parties to any dispute involving it. The legal definition of justice is the RIGHT TO BE LEFT ALONE. The presumption of the existence of the BOGUS office ensures that those who do not want to volunteer for the office but who are the subject of FALSE information returns are NEVER left alone and are continually harassed illegally by the IRS. Here is the legal definition of "justice" so you can see for yourself:

*"PAULSEN, ETHICS (Thilly's translation), chap. 9.*

***Justice, as a moral habit, is that tendency of the will and mode of conduct which refrains from disturbing the lives and interests of others [INCLUDING us], and, as far as possible, hinders such interference on the part of others.** This virtue springs from the individual's respect for his fellows as ends in themselves and as his co equals. The different spheres of interests may be roughly classified as follows: body and life; the family, or the extended individual life; property, or the totality of the instruments of action; honor, or the ideal existence; and finally freedom, or the possibility of fashioning one's life as an end in itself. The law defends these different spheres, thus giving rise to a corresponding number of spheres of rights, each being protected by a prohibition. . . . **To violate the rights, to interfere with the interests of others, is injustice. All injustice is ultimately directed against the life of the neighbor;** it is an open avowal that the latter is not an end in itself, having the same value as the individual's own life. The general formula of the duty of justice may therefore be stated as follows: Do no wrong yourself, and permit no wrong to be done, so far as lies in your power; or, expressed positively: Respect and protect the right."*  
[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 2]

Therefore it is clearly a CRUEL FRAUD for any judge to justify his PRESUMPTION of the existence of the BOGUS public office that is the subject of the excise tax by calling it a "fiction of law".

If you want to see an example of WHY this fiction of law was created as a way to usurp jurisdiction, read the following U.S. Supreme Court cite:

*"It is true, that the person who accepts an office may be supposed to enter into a compact to be answerable to the government, which he serves, for any violation of his duty; and, having taken the oath of office, he would unquestionably be liable, in such case, to a prosecution for perjury in the Federal Courts. But because one man, by his own act, renders himself amenable to a particular jurisdiction, shall another man, who has not incurred a similar obligation, be implicated? If, in other words, it is sufficient to vest a jurisdiction in this court, that a Federal Officer is concerned; if it is a sufficient proof of a case arising under a law of the United States to affect other persons, that such officer is bound, by law, to discharge his duty with fidelity; a source of jurisdiction is opened, which must inevitably overflow and destroy all the barriers between the judicial authorities of the State and the general government. Any thing which can prevent a Federal Officer from the punctual, as well as from an impartial, performance of his duty; an assault and battery; or the recovery of a debt, as well as the offer of a bribe, may be made a foundation of the jurisdiction of this court; and, **considering the constant disposition of power to extend the sphere of its influence, fictions will be resorted to, when real cases cease to occur. A mere***

fiction, that the defendant is in the custody of the marshall, has rendered the jurisdiction of the King's Bench universal in all personal actions."

[United States v. Worrall, 2 U.S. 384 (1798)]

SOURCE: [http://scholar.google.com/scholar\\_case?case=3339893669697439168/](http://scholar.google.com/scholar_case?case=3339893669697439168/)

The reason for the controversy in the above case was that a bribe occurred on state land by a nonresident domiciled in the state, and therefore that federal law did not apply. In the above case, the court admitted that a "fiction" was resorted to usurp jurisdiction because no legal authority could be found. The fact that the defendant was in custody created the jurisdiction. It didn't exist before they ILLEGALLY KIDNAPPED him. Notice also that they mention an implied "compact" or contract related to the office being exercised, and that THAT compact was the source of their jurisdiction over the officer who was bribed. This is the SAME contract to which all those who engage in a statutory "trade or business" are party to.

#### 4.2.13 "Public" v. "Private" Franchises Compared

Another useful exercise is to compare PUBLIC franchises, meaning government franchise, with PRIVATE franchises that involve private parties exclusively. Understanding these distinctions is very important to those who want to be able to produce legally admissible evidence that governments are illegally implementing or enforcing their franchises. Below is a table summarizing the main differences between PUBLIC and PRIVATE franchises:

**Table 4-6: Public v. Private Franchises Compared**

<i>Characteristic</i>	<i>PUBLIC/GOVERNMENT Franchise</i>	<i>PRIVATE Franchise</i>
<b>Franchise agreement is</b>	Civil law associated with the <a href="#">domicile</a> of those who are <a href="#">statutory but not constitutional "citizens" and "residents"</a> within the venue of the GRANTOR	Private law among all those who expressly consented in writing
<b><a href="#">Consent</a> to the franchise procured by</b>	IMPLIED by ACTION of participants: 1. Using the government's license number; 2. Declaring a STATUS under the franchise such as "taxpayer"	EXPRESS by signing a WRITTEN contract absent duress
<b>Franchise rights are property of</b>	Government ( <a href="#">de facto government</a> if property outside of federal territory)	Human being or private company
<b>Choice of law governing disputes under the franchise agreement</b>	Franchise agreement itself and <a href="#">Federal Rule of Civil Procedure 17(b)</a> .	Franchise agreement only
<b>Disputes legally resolved in</b>	<a href="#">Article 4, Section 3, Clause 2</a> statutory FRANCHISE court with INEQUITY	Constitutional court in EQUITY
<b>Courts officiating disputes operate in</b>	POLITICAL context and issue [political] OPINIONS	LEGAL context and issue ORDERS
<b>Parties to the contract</b>	Are "public officers" within the government grantor of the franchise	Maintain their status as private parties
<b>Domicile of franchise participants</b>	<a href="#">Federal territory</a> . See <a href="#">26 U.S.C. §7701(a)(39)</a> and <a href="#">§7408(d)</a>	Wherever the parties declare it or express it in the franchise

How can we prove that a so-called "government" is operating a franchise as a PRIVATE company or corporation in EQUITY rather than as a *parens patriae* protected by sovereign immunity? Below are the conditions that trigger this status as we understand them so far:

- When they are implementing the franchises against parties domiciled outside of their EXCLUSIVE rather than subject matter jurisdiction. For instance, when the federal government implements or enforces a federal franchise within states of the Union, then it is operating outside its territory and implicitly waives sovereign immunity. Hence, they are "purposefully availing themselves" of commercial activity outside of their jurisdiction and waive immunity within the jurisdiction they are operating. See:

[Federal Jurisdiction](#), Form #05.018

<http://sedm.org/Forms/FormIndex.htm>

- When [domicile](#) and one's status as a statutory "citizen", "resident", or "U.S. person" under the civil laws of the grantor:

- 2.1. Is not required in the franchise agreement itself.
- 2.2. Is in the franchise agreement but is ignored or disregarded as a matter of policy rather than law by the government. For instance, the government ignores the legal requirements of the franchise found in [20 C.F.R. §422.104](#) and insists that EVERYONE is eligible and TO HELL with the law.
3. When any of the above conditions occur, then the government engaging in them:
  - 3.1. Is engaging in PRIVATE business activity beyond its core purpose as a de jure “government”
  - 3.2. Is operating in a de facto capacity and not as a “sovereign”. See:
 

*De Facto Government Scam*, Form #05.043  
<http://sedm.org/Forms/FormIndex.htm>
  - 3.3. Is abusing its monopolistic authority to compete with private business concerns
  - 3.4. Is “purposefully availing itself” of commerce in the foreign jurisdictions, such as states of the Union, that it operates the franchise
  - 3.5. Implicitly waives sovereign immunity under the [Foreign Sovereign Immunities Act \(F.S.I.A.\)](#), 28 U.S.C. Chapter 97 and its equivalent act in the foreign jurisdictions that it operates the franchise
  - 3.6. Implicitly agrees to be sued IN EQUITY in a Constitutional court if it enforces the franchise against [NONRESIDENTS](#)
  - 3.7. Cannot truthfully identify the [statutory FRANCHISE courts](#) that administer the franchise as “government” courts, but simply PRIVATE arbitration boards.

The following ruling by the U.S. Supreme Court confirms some of the above.

*See also Clearfield Trust Co. v. United States*, 318 U.S. 363, 369 (1943) (“**The United States does business on business terms**”) (quoting *United States v. National Exchange Bank of Baltimore*, 270 U.S. 527, 534 (1926)); *Perry v. United States*, *supra* at 352 (1935) (“**When the United States, with constitutional authority, makes contracts, it has rights and incurs responsibilities similar to those of individuals who are parties to such instruments. There is no difference . . . except that the United States cannot be sued without its consent**”) (citation omitted); *United States v. Bostwick*, 94 U.S. 53, 66 (1877) (“**The United States, when they contract with their citizens, are controlled by the same laws that govern the citizen in that behalf**”); *Cooke v. United States*, 91 U.S. 389, 398 (1875) (explaining that when the United States “comes down from its position of sovereignty, and enters the domain of commerce, it submits itself to the same laws that govern individuals there”).

*See Jones*, 1 Cl.Ct. at 85 (“**Wherever the public and private acts of the government seem to commingle, a citizen or corporate body must by supposition be substituted in its place, and then the question be determined whether the action will lie against the supposed defendant**”); *O’Neill v. United States*, 231 Ct.Cl. 823, 826 (1982) (sovereign acts doctrine applies where, “[w]here [the] contracts exclusively between private parties, the party hurt by such governing action could not claim compensation from the other party for the governing action”). The dissent ignores these statements (including the statement from Jones, from which case Horowitz drew its reasoning literally verbatim), when it says, post at 931, that the sovereign acts cases do not emphasize the need to treat the government-as-contractor the same as a private party.  
[\[United States v. Winstar Corp., 518 U.S. 839 \(1996\).\]](#)

Only one sentence in the above seems suspicious:

*“When the United States, with constitutional authority, makes contracts, it has rights and incurs responsibilities similar to those of individuals who are parties to such instruments. There is no difference . . . **except that the United States cannot be sued [IN ITS OWN COURTS] without its consent**”*

What they are referring to above is that the “United States” federal corporation cannot be sued IN THEIR OWN COURTS without their consent, not that they cannot be sued in EQUITY in a court of a constitutional state. The federal government has no direct control over the courts of a legislatively “foreign state”, such as a state of the Union. Hence, it cannot impede itself being sued directly there when it is operating a private business in competition with other private businesses in a commercial market place. An example is “insurance services”, such as Social Security, which is private insurance. The government deceptively calls the premiums a “tax” on the 800 line of Social Security, but in fact, they are simply PRIVATE insurance premiums. No one can make you buy any commercial product the government offers, including private “Social Insurance”. Otherwise, we are talking about THEFT and involuntary servitude. The definition of “State” found in the Social Security Act is entirely consistent with these conclusions. “State” is nowhere defined to expressly include states of the Union and therefore, they are NOT included under the rules of statutory construction. Hence, they are “foreign” for the subject matter of Social Security, Medicare, and every other federal socialism program.

*“**Expressio unius est exclusio alterius. A maxim of statutory interpretation meaning that the expression of one thing is the exclusion of another.** *Burgin v. Forbes*, 293 Ky. 456, 169 S.W.2d. 321, 325; *Newblock v. Bowles*, 170 Okl. 487, 40 P.2d. 1097, 1100. Mention of one thing implies exclusion of another. **When certain persons or***



*things are specified in a law, contract, or will, an intention to exclude all others from its operation may be inferred. Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects of a certain provision, other exceptions or effects are excluded.*"  
[Black's Law Dictionary, Sixth Edition, p. 581]

A legal term useful in describing the proper operation of government franchises is "publici juris". Here is a legal definition:

*"PUBLICI JURIS. Lat. Of public right. The word "public" in this sense means pertaining to the people, or affecting the community at large [the SOCIALIST collective]; that which concerns a multitude of people; and the word "right," as so used, means a well-founded claim; an interest; concern; advantage; benefit. State v. Lyon, 63 Okl. 285, 165 P. 419, 420.*

*This term, as applied to a thing or right [PRIVILEGE], means that it is open to or exercisable by all persons. It designates things which are owned by "the public:" that is, the entire state or community, and not by any private person. When a thing is common property, so that anyone can make use of it who likes, it is said to be publici juris; as in the case of light, air, and public water. Sweet. "*  
[Black's Law Dictionary, Fourth Edition, p. 1397]

We allege that:

1. Associating anything with a government identifying number (SSN or TIN)
  - 1.1. Changes the character of the thing so associated to "publici juris"
  - 1.2. Donates and converts private property to a public use, public purpose, and public office
  - 1.3. Makes you the trustee with equitable title over the thing donated, instead of the LEGAL OWNER of the property
2. The compelled, involuntary use of government identifying numbers therefore constitutes THEFT and CONVERSION, which are CRIMES.

For further details on the compelled use of government identifying numbers, see:

[Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number", Form #04.205](http://sedm.org/Forms/FormIndex.htm)  
<http://sedm.org/Forms/FormIndex.htm>

### 4.3 PUBLIC Privileges v. PRIVATE Rights<sup>90</sup>

*"This nation, as experience has proved, cannot always remain at peace, and has no right to expect that it always will have wise and humane rulers, sincerely attached to the principles of the Constitution. Wicked men, ambitious of power, with hatred of liberty and contempt of law, may fill the place once occupied by Washington and Lincoln; and if this right is conceded, and the calamities of war again befall us, the dangers to human liberty are frightful to contemplate. ... For this, and other equally weighty reasons, they secured the inheritance they had fought to maintain, by incorporating in a written Constitution the safeguards which time had proven were essential to its preservation. Not one of these safeguards can the President or Congress or the Judiciary disturb, except the one concerning the writ of habeas corpus."*  
[Ex Parte Milligan, 71 U.S. 2, 18 L.Ed. 281, 297 (1866)]

This section concerns itself with the origin and nature of rights and privileges. We discuss the subject both from a biblical as well as a legal/civil perspective. The subject of rights and privileges is of utmost importance in understanding our role in society and the relationship that government has to us as the sovereign people that they serve. Failure to fully understand this subject can result in making you into a government slave and signing away all your rights and sovereignty without even realizing it.

The various articles contained within this chapter will demonstrate to you the facts and the proof, not only that these things are true, but just how they are used to infringe upon your Unalienable Rights as Sovereign Americans and "natural persons" of the several Union states. These Sovereign Americans of the several Union states are the only People who have Constitutional (Natural) Rights. No other status of "citizenship" or "residency" has these Natural Rights, yet you claim these other forms of citizenship every day, and as you do so, you are unknowingly waving your Natural Rights for the illusion of benefits and privileges from the federal government. In effect, you have exchanged your own Natural Rights for mere "government privileges" and thereby irreparably compromised your personal liberty and sovereignty [Whoops.]

<sup>90</sup> Source: *Government Instituted Slavery Using Franchises*, Form #05.030, Section 4; <http://sedm.org/Forms/FormIndex.htm>.

1 It is all a matter of perspective and choice. The problem is, you probably don't know or understand that there are two sides  
2 to this coin - and more importantly, that you have a choice. If you don't know how or when to "Reserve your Rights" then  
3 you become prey to oppression and tyranny by anyone, including the various levels of government, who might wish to take  
4 advantage of you for their own sake or their notions of what is best for you. It is time to take charge of your own destiny and  
5 stop being so casual about your Rights. You do have them, in that they do still exist. The question is do you have access to  
6 them, when you need them the most. Not likely, unless you understand and use this valuable information at every turn in your  
7 involvement with all levels of government.

8 So, please, take the time to read, study and verify this information thoroughly for yourself. And please, feel free to share it  
9 with others. Organize discussion groups with your friends, relatives, and with your various clubs and organizations. The more  
10 people who become enlightened, the sooner we can stop the insanity of oppression and tyranny, by any one, especially our  
11 own government.

12 Time after time we have all heard the expression, "*The People have the power.*" Probably more times than any one of us can  
13 count. We have heard that "We the People..." are the masters and the federal government is the servant of the People. Today,  
14 most of us would agree that it is the other way around. Yet few of us can explain how or why this has come to be true. While  
15 most of us understand these powers are actually our Rights as they were known, understood and written into the Declarations  
16 of Independence, the Constitution of the United States of America and the Bill of Rights, few of us understand how to use  
17 and enforce these Rights. The majority of us are unaware of how to protect these rights and ourselves from those who would  
18 choose to usurp them, entrapping us into a web of deceit and misleading us to believe we must obey what are obviously laws  
19 which function outside our protections under the Constitution.

20 We often hear speakers proclaim "*The people must protect (reserve) their Rights or they won't have any.*" Yet, few actually  
21 know how. Of course every elected official is required to take an oath of office, which includes the statement "... to protect  
22 and defend the Constitution of the United States of America...". As we all have come to realize, we are gradually losing our  
23 Rights with each passing year, as the government continues to erode them away with still more federal regulation being  
24 imposed.

25 In paraphrasing Supreme Court Justice Clarence Thomas (well known for his conservative views), he said:

26 *"... I promise to fight federalism at every turn. But, the People must first 'reserve' their 'Rights' or I can do nothing*  
27 *..."*

28 We have all heard other notable people make similar statements in the past, and yet I have found that very few of us actually  
29 know and understand what is meant by these words. Most of us assume that the government itself is waging the battle to  
30 protect our Rights, or simply believe that these Rights we have are just there and known to all. So, who in their right mind  
31 would, or even could, get away with denying them? As you read this section, not only will you come to know exactly what  
32 Justice Thomas meant in those few words, but you will also understand precisely how to go about "reserving your Rights."  
33 You will learn that there is a lot more going on here than first meets the eye.

34 So, how do we protect and enforce these Unalienable Rights granted to us by our Creator, from those who would steal them  
35 away? Who are those that would trick us into being unknowing and unwilling victims of what seems to be unconstitutional  
36 laws that violate our natural rights?

37 Most would agree that it is the government and big business which seek to usurp our rights. The government on all levels  
38 (local, county, state and federal) operates on a system that is actually outside the protections of the Constitution, which is a  
39 little known and even less understood conspiracy perpetrated on the American People to control their lives and their money  
40 (property and other assets). Meanwhile, big business lobbies congress to the point that "We the People..." have little if any  
41 input or affect in the legislative process. So, it is our elected officials in government who have betrayed both their oaths of  
42 office, and our faith that they will do what they promised during the election process.

43 It is our goal, as set forth in this book, to inform you as to precisely how government and big business accomplish these deeds  
44 of deception, trickery and fraud. Then, to further instruct you, we will educate you as to how to overcome these obstacles  
45 and barriers to the freedoms we were granted by our Creator, and guaranteed by our Constitution, for which so many have  
46 fought and died to preserve and protect for ourselves and for our posterity.

1 We have the power - we always have! It is time then to reeducate ourselves, getting away from the leftist rhetoric and back  
 2 to the simple facts of the matter in an effort to save our Constitution and our Individual Freedoms. Our tolerance and silence  
 3 has too long been mistaken for ignorance, and the faith we have entrusted in our elected officials has certainly been betrayed.

4 *"No legislative act contrary to the Constitution can be valid. To deny this would be to affirm that the deputy  
 5 (agent) is greater than his principal; that the servant is above the master; that the representatives of the people  
 6 are superior to the people; that men, acting by virtue of powers may do not only what their powers do not  
 7 authorize, but what they forbid. It is not to be supposed that the Constitution could intend to enable the  
 8 representatives of the people to substitute their will to that of their constituents. A Constitution is, in fact, and  
 9 must be regarded by judges, as fundamental law. If there should happen to be an irreconcilable variance between  
 10 the two, the Constitution is to be preferred to the statute."  
 11 [Alexander Hamilton (Federalist Paper # 78)]*

12 *"Where rights secured by the Federal Constitution are involved, there can be no rule-making or legislation  
 13 which would abrogate them."  
 14 [Miranda v. Arizona, 384 U.S. 436 (1966) ]*

15 *"Truth is incontrovertible, ignorance can deride it, panic may resent it, malice may destroy it, but there it is."  
 16 [Winston Churchill]*

### 17 **4.3.1 PRIVATE Rights Defined and Explained**

18 *"The people...are the only sure reliance for the preservation of our liberty."  
 19 [Thomas Jefferson to James Madison, 1787. ME 6:392]*

20 *"The people of every country are the only safe guardians of their own rights."  
 21 [Thomas Jefferson to John Wyche, 1809]*

22 The Bill of Rights documents PRIVATE rights. We define "private" as follows:

#### 23 **SEDM Disclaimer**

#### 24 **4. Meaning of Words**

25 *The word "private" when it appears in front of other entity names such as "person", "individual", "business",  
 26 "employee", "employer", etc. shall imply that the entity is:*

- 27 1. *In possession of absolute, exclusive ownership and control over their own labor, body, and all their  
 28 property. In Roman Law this was called "[dominium](#)".*
- 29 2. *On [an EQUAL rather than inferior relationship to government in court](#). This means that they have no  
 30 obligations to any government OTHER than possibly the duty to serve on jury and vote upon voluntary  
 31 acceptance of the obligations of that civil status of "citizen". Otherwise, they are entirely free and  
 32 unregulated.*
- 33 3. *A "[nonresident](#)" in relation to the state and federal government.*
- 34 4. *Not a PUBLIC entity defined within any state or federal statutory law. This includes but is not limited to  
 35 statutory "person", "individual", "taxpayer", "driver", "spouse" under any under any civil statute or  
 36 franchise.*
- 37 5. *Not engaged in [a public office or "trade or business"](#) (per 26 U.S.C. §7701(a)(26)). Such offices include but  
 38 are not limited to statutory "person", "individual", "taxpayer", "driver", "spouse" under any civil statute or  
 39 franchise.*
- 40 6. *[Not consenting](#) to contract with or acquire any public status, public privilege, or public right under any  
 41 state or federal franchise. For instance, the phrase "private employee" means a common law worker that is  
 42 NOT the statutory "employee" defined within 26 U.S.C. §3401(c) or 26 C.F.R. §301.3401(c)-1 or any other  
 43 federal or state law or statute.*
- 44 7. *Not sharing ownership or control of their body or property with anyone, and especially a government. In  
 45 other words, ownership is not "qualified" but "absolute".*
- 46 8. *Not subject to [civil enforcement or regulation](#) of any kind, except AFTER an injury to the equal rights of  
 47 others has occurred. Preventive rather than corrective regulation is an unlawful taking of property  
 48 according to the Fifth Amendment takings clause.*

49 *Every attempt by anyone in government to alienate rights that the Declaration of Independence says are  
 50 UNALIENABLE shall also be treated as "PRIVATE BUSINESS ACTIVITY" that cannot be protected by sovereign,  
 51 official, or judicial immunity. So called "government" cannot make a [profitable business or franchise](#) out of  
 52 alienating inalienable rights without ceasing to be a classical/de jure government and instead becoming in effect  
 53 an [economic terrorist and de facto government in violation of Article 4, Section 4](#).*

1 "No servant [or government or biological person] can serve **two masters**; for either he  
 2 will hate the one and love the other, or else he will be loyal to the one and despise the  
 3 other. **You cannot serve God and mammon [government].**"  
 4 [[Luke 16:13](#), Bible, NKJV]

5 [SEDM Disclaimer, Section 4: Meaning of Words; SOURCE: <http://sedm.org/disclaimer.htm>]

6 Black's Law Dictionary (Sixth Edition) defines our Constitutional Rights:

7 "... Natural rights are those which grow out of the nature of man [the Creator] and depend upon personality, as  
 8 distinguished from such as are created by law and depend upon civilized society; or those which are plainly  
 9 assured by natural law..."  
 10 [Black's Law Dictionary, Sixth Edition, p. 1324]

11 In other words, Natural Rights or Natural Laws come from nature [the Creator] and are separate and distinct from those laws  
 12 derived by man. We also call them PRIVATE rights. Our Constitution not only recognizes these Natural Rights (Natural  
 13 Laws), but guarantees them as individual Rights. The Constitution recognizes that they are superior to all other laws,  
 14 including the laws made by man (any level of government). That is, unless of course you freely waive your Rights, which is  
 15 exactly what you do under compulsion every time you file an income tax return. It is likely, however, that you didn't know  
 16 that is what you were doing. Hence, this section.

17 Possession of a legal right conveys certain advantages upon us in a court of law as revealed by the U.S. supreme Court,  
 18 *Marbury v. Madison*, 5 U.S. 137, 1 Cranch 137, 2 L.Ed. 60 (1803):

19 *The very essence of civil liberty certainly consists in the right of every individual [note that he said **individual**,  
 20 and not **citizen**, since you don't have to be a **citizen** to have the protection of government] to claim the protection  
 21 of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection. In  
 22 Great Britain the king himself is sued in the respectful form of a petition, and he never fails to comply with the  
 23 judgment of his court.*

24 *In the 3d vol. of his Commentaries, p. 23, Blackstone states two cases in which a remedy is afforded by mere  
 25 operation of law.*

26 *"In all other cases," he says, "it is a general and indisputable rule, that where there is a  
 27 legal right, there is also a legal remedy by suit, or action at law, whenever that right is  
 28 invaded."*

29 *And afterwards, p. 109, of the same vol. he says,*

30 *"I am next to consider such injuries as are cognizable by the court of the common law.  
 31 And herein I shall for the present only remark, that all possible injuries whatsoever, that  
 32 did not fall within the exclusive cognizance of either the ecclesiastical, military, or  
 33 maritime tribunals, are, for that very reason, within the cognizance of the common law  
 34 courts of justice; for it is a settled and invariable principle in the laws of England, that  
 35 every right, when withheld, must have a remedy, and every injury its proper redress.*

36 *The government of the United States has been emphatically termed a government of laws, and not of men. It will  
 37 certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested legal  
 38 right."*

39 The above case is often cited as an authority on the subject of rights, even by the government, and makes mandatory reading  
 40 for the budding freedom fighter.

41 The supreme Court has said repeatedly that governments may not tax or regulate the exercise of PRIVATE rights. Here is  
 42 but one example:

43 *"A state may not impose a charge for the enjoyment of a right granted by the Federal Constitution."  
 44 [Murdock v. Commonwealth of Pennsylvania, 319 U.S. 105, 63 S.Ct. 870 (1943)]*

45 However, governments can regulate the exercise of "privileges":

46 *"The power to tax the exercise of a privilege is the power to control or suppress its enjoyment."  
 47 [Murdock v. Commonwealth of Pennsylvania, 319 U.S. 105, 63 S.Ct. 870 (1943)]*

### 4.3.2 PUBLIC Rights/Privileges Defined and Explained

What is a “privilege”? It is a PUBLIC right created by government in civil statutes conveying a right AGAINST the government or an agent of the government ONLY.

**PRIVILEGE.** *A particular and peculiar benefit or advantage enjoyed by a person, company, or class, beyond the common advantages of other citizens. An exceptional or extraordinary power or exemption. A right, power, franchise, or immunity held by a person or class, against or beyond the course of the law. Waterloo Water Co. v. Village of Waterloo, 193 N.Y.S. 360, 362, 200 App.Div. 718; Colonial Motor Coach Corporation v. City of Oswego, 215 N.Y.S. 159,163,126 Misc. 829; Cope v. Flanery, 234 P. 845, 849, 70 Cal.App. 738; Bank of Commerce & Trust Co. v. Senter, 260 S.W. 144, 147, 149 Tenn. 569; State v. Betts, 24 N.J.L. 557.*

*An exemption from some burden or attendance, with which certain persons are indulged, from a supposition of law that the stations they All, or the offices they are engaged in, are such as require all their time and care, and that, therefore, without this indulgence, it would be impracticable to execute such offices to that advantage which the public good requires. Dike v. State, 38 Min. 366, 38 N.W. 95; International Trust Co. v. American L. & T. Co., 62 Minn. 501, 65 N.W. 78. State v. Gilman, 33 W.Va. 146, 10 S.E. 283, 6 L.R.A. 847. That which releases one from the performance of a duty or obligation, or exempts one from a liability which he would otherwise be required to perform, or sustain in common with all other persons. State v. Grosnickle, 189 Wis. 17, 206 N.W. 895, 896. A peculiar advantage, exemption, or immunity. Sacramento Orphanage & Children's Home v. Chambers, 25 Cal.App. 536, 144 P. 317, 319.*

#### Civil Law

*A right which the nature of a debt gives to a creditor, and which entitles him to be preferred before other creditors. Civil Code La. art. 3186. It is merely an accessory of the debt which it secures, and falls with the extinguishment of the debt. A. Baldwin & Co. v. McCain, 159 La. 966, 106 So. 459, 460. The civil-law privilege became, by adoption of the admiralty courts, the admiralty lien. Howe, Stud. Civ. L. 89; The J. E. Rumbell, 148 U.S. 1, 13S.Ct. 498, 37 L.Ed. 345.*

**Privileges and immunities.** *Within the meaning of the 14th amendment of the United States constitution, such privileges as are fundamental, which belong to the citizens of all free governments and which have at all times been enjoyed by citizens of the United States. La Tourette v. McMaster, 104 S.C. 501, 89 S.E. 398, 399. They are only those which owe their existence to the federal government, its national character, its Constitution, or its laws. Ownbey v. Morgan, 256 U.S. 94, 41 S.Ct. 433, 65 L.Ed. 837, 17 A.L.R. 873; Prudential Ins. Co. of America v. Cheek, 25 U.S. 530, 42 S.Ct. 516, 520, 66 L.Ed. 1044, 27 A.L.R. 27; Rosenthal v. New York, 33 S.Ct. 27, 226 U.S. 260, 57 L.Ed. 212, Ann.Cas.1914B, 71. [Black's Law Dictionary, Fourth Edition, pp. 1359-1360]*

Those who may exercise government privileges must hold an OFFICE within the government to do so. It is interesting that we had to go to the English dictionary rather than the law dictionary to determine that privileges=offices:

**priv•i•lege** \ 'priv-lij, 'pri-və- \ noun

*[Middle English, from Anglo-French, from Latin privilegium law for or against a private person, from privus private + leg-, lex law] 12th century: a right or immunity granted as a peculiar benefit, advantage, or favor: PREROGATIVE especially: such a right or immunity **attached specifically to a position or an office.** [Mish, F. C. (2003). Preface. Merriam-Webster's collegiate dictionary. (Eleventh ed.). Springfield, MA: Merriam-Webster, Inc.]*

The key to having PRIVATE rights is to *avoid* the government trap of becoming a person in receipt of government privileges, meaning PUBLIC privileges. Even the U.S. Supreme court admitted this, when it said:

***“The rights of sovereignty extend to all persons and things not privileged, that are within the territory. They extend to all strangers resident therein; not only to those who are naturalized, and to those who are domiciled therein, having taken up their abode with the intention of permanent residence, but also to those whose residence is transitory. All strangers are under the protection of the sovereign while they are within his territory and owe a temporary allegiance in return for that protection.”***  
[Carlisle v. United States, 83 U.S. 147, 154 (1973)]

Keep in mind that being a statutory “U.S. citizen”, in receipt of the “privileges and immunities” of federal citizenship derived from 8 U.S.C. §1401 is the very privilege that in effect, denies you your other Constitutionally guaranteed rights and personal sovereignty. Therefore, the key to having rights is also to *not* be a privileged statutory “U.S. citizen” or a “citizen of the United States” under 8 U.S.C. §1401, but instead to be a “national” defined in [8 U.S.C. §1101\(a\)\(21\)](#) and the Fourteenth

Amendment. You don't need statutory federal citizenship found in 8 U.S.C. §1401 to have rights. As we said at the beginning of this chapter and will say again in section 4.9, your PRIVATE rights come from the land you live on and not your citizenship status. The only thing that being a statutory "U.S. citizen" under 8 U.S.C. §1401 does is take away rights, not endow you with rights. "U.S. citizen" status under 8 U.S.C. §1401 was invented only to regulate and enslave people born in and occupying territories and possessions of the United States and has absolutely no bearing upon persons born in states of the Union. Everyone else who was born in a state of the Union already had the rights of kings!

*"No white person born within the limits of the United States, and subject to their [the states, and not the federal government] jurisdiction, or born without those limits, and subsequently naturalized under their laws, owes the status of citizenship to the recent amendments [Thirteenth and Fourteenth Amendments] to the Federal Constitution."  
[Van Valkenburg v. Brown, 43 Cal. 43 (1872)]*

### **4.3.3 PUBLIC rights are created legislatively by the State and can be taken away while PRIVATE rights are created by God and cannot be taken away**

A PRIVATE right is a behavior or a choice, the exercise of which can't be taken away, fined, taxed, or regulated by anyone, including the government. The rights recognized by the Bill of Rights are "unalienable" according to the Declaration of Independence.

*"We hold these truths to be self-evident, that all men 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.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,"  
--  
[Declaration of Independence]*

The word "unalienable" is defined as follows:

*"Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred."  
[Black's Law Dictionary, Fourth Edition, p. 1693]*

So in other words, PRIVATE rights protected by the Constitution or a REAL, de jure government may not lawfully be bargained away, sold, or transferred in relation to that government, including by the commercial mechanism of a franchise. Governments must drop to the level of PRIVATE individuals and surrender their sovereign immunity, in fact, before they can entice you out of a right protected by the Constitution without violating the Constitution and even then, they are violating the purpose of their creation and engaging in a commercial conflict of interest in criminal violation of 18 U.S.C. §208 to make a business (franchise) out of destroying and enticing you out of your rights.

*See also Clearfield Trust Co. v. United States, 318 U.S. 363, 369 (1943) ("The United States does business on business terms") (quoting United States v. National Exchange Bank of Baltimore, 270 U.S. 527, 534 (1926)); Perry v. United States, supra at 352 (1935) ("When the United States, with constitutional authority, makes contracts, it has rights and incurs responsibilities similar to those of individuals who are parties to such instruments. There is no difference . . . except that the United States cannot be sued without its consent") (citation omitted); United States v. Bostwick, 94 U.S. 53, 66 (1877) ("The United States, when they contract with their citizens, are controlled by the same laws that govern the citizen in that behalf"; Cooke v. United States, 91 U.S. 389, 398 (1875) (explaining that when the United States "comes down from its position of sovereignty, and enters the domain of commerce, it submits itself to the same laws that govern individuals there").*

*See Jones, 1 Cl.Ct. at 85 ("Wherever the public and private acts of the government seem to commingle, a citizen or corporate body must by supposition be substituted in its place, and then the question be determined whether the action will lie against the supposed defendant"; O'Neill v. United States, 231 Ct.Cl. 823, 826 (1982) (sovereign acts doctrine applies where, "[w]here [the] contracts exclusively between private parties, the party hurt by such governing action could not claim compensation from the other party for the governing action"). The dissent ignores these statements (including the statement from Jones, from which case Horowitz drew its reasoning literally verbatim), when it says, post at 931, that the sovereign acts cases do not emphasize the need to treat the government-as-contractor the same as a private party.  
[United States v. Winstar Corp., 518 U.S. 839 (1996)]*

What specifically do PRIVATE rights attach to? They attach irrevocably to LAND protected by the Constitution, and not to the STATUS of the people standing on said land.

*"It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it."*

[Balzac v. Porto Rico, 258 U.S. 298 (1922) ]

Notice that the Declaration of Independence also states that all men are EQUAL. The results of the requirement that rights are unalienable and that all men are equal are the following:

1. Kings are impossible.
2. The source of all sovereignty is the People as private individuals and NOT as a collective.

"Sovereignty is the right to govern; a nation or State-sovereign is the person or persons in whom that resides. In Europe the sovereignty is generally ascribed to the Prince; here it rests with the people; there, the sovereign actually administers the Government; here, never in a single instance; our Governors are the agents [fiduciaries] of the people, and at most stand in the same relation to their sovereign, in which regents in Europe stand to their sovereigns. Their Princes have personal powers, dignities, and pre-eminences, our rulers have none but official; nor do they partake in the sovereignty otherwise, or in any other capacity, than as private citizens." at 472.

[Justice Wilson, Chisholm, Ex'r. v. Georgia, 2 Dall. (U.S.) 419, 1 L.ed. 454, 457, 471, 472) (1794)]

3. All governments are established by authority delegated by the people they serve. In that sense, they govern ONLY by our continuing consent and when they fail to do their job properly, it is our right AND duty as the Sovereigns they serve to fire them by changing our domicile and forming a competing government that does a better job.
4. No group or collection of men can have any more authority than a single man.
5. No government, which is simply a collection of men, can have any more authority, rights, or privileges than a single man.
6. The people cannot delegate an authority they do not themselves individually have. For instance, they cannot delegate the authority to injure the equal rights of others by stealing from others. Hence, they cannot delegate an authority to a government to collect a tax that redistributes wealth by taking from one group of private individuals and giving it to another group or class of private individuals.
7. A government that asserts "sovereign immunity" must also give natural persons the same right. When governments assert sovereign immunity in court, their opponent has to produce evidence of consent to be sued in writing. The same concept of sovereign immunity pertains to us as natural persons, where if the government attempts to allege that we consented to something, they too must produce evidence of consent to be sued and surrender rights IN WRITING.
8. The only place where all men are UNEQUAL is on federal territory where Constitutional rights do not exist.

If you would like a wonderful, animated version of the above concepts, then we highly recommend the following:

Philosophy of Liberty

<http://sedm.org/LibertyU/PhilosophyOfLiberty.htm>

Why is all of this relevant and important to the subject of government authority over private persons? Because once you understand this concept of equality, you also understand that:

1. The foundation of the Constitution is equal protection.
2. Any attempt to make us unequal constitutes tyranny, usurpation, and slavery.
3. Any attempt to do any of the following constitutes tyranny, usurpation, and slavery:
  - 3.1. Replace rights with privileges.
  - 3.2. Describe rights as privileges.
  - 3.3. Call a privilege a "right".
4. Any attempt to do any of the following constitutes tyranny, usurpation, and slavery because it compels us into subjection and subordination to a political ruler as a "public official":
  - 4.1. Compel us to participate in a government franchise.
  - 4.2. Presume that we consented to participate in said franchise without being required to obtain our consent in writing where all rights surrendered to procure the benefits of the franchise are fully disclosed.
  - 4.3. Replace a de jure government service with a franchise.
  - 4.4. Confer benefits of a franchise against our will and without our consent.
5. Any attempt to make some persons or groups of persons more equal than others is idolatry in violation of the first four commandments of the Ten Commandments. See Exodus 20:3-8. It amounts to the establishment of a religion and a "superior being". All religions are based on the "worship" of superior beings, and the essence of "worship" is obedience. The fact that obedience to this superior being is a product of the force implemented under the authority of law doesn't change the nature of the relationship at all. It is STILL a religion.

1                   *“You shall have no other gods [or rulers or governments] before Me.*

2                   *You shall not make for yourself a carved image—any likeness of anything that is in heaven above, or*  
 3                   *that is in the earth beneath, or that is in the water under the earth; **you shall not bow down to them***  
 4                   ***nor serve them [rulers or governments].** For I, the LORD your God, am a jealous God, visiting the*  
 5                   *iniquity of the fathers upon the children to the third and fourth generations of those who hate Me,*  
 6                   *but showing mercy to thousands, to those who love Me and keep My commandments.*  
 7                   *[Exodus 20:3-6, Bible, NKJV]*

8       A PUBLIC privilege, on the other hand, is something that can be taken away at any moment, usually at the discretion of the  
 9       entity providing it, subject only to the contractual and legal constraints governing your relationship with that entity. They  
 10      attach to your CIVIL STATUS, which you acquire through a domicile in a specific place and thereby becoming subject to  
 11      the statutory civil laws of that place. For instance, it is unconstitutional for the government to tax or fine you for exercising  
 12      your right to free speech guaranteed by the First Amendment to the Constitution. Voting, for instance, is a privilege. It is  
 13      also called the “elective franchise”. The government can lawfully revoke that privilege if you are convicted of a felony.  
 14      Anything that can be revoked legislatively is a privilege rather than a right.

15     You can’t be fined for exercising the right not to incriminate yourself guaranteed by the 5<sup>th</sup> Amendment, by, for instance,  
 16     fining you \$500 (under the “Jurat” amendment and 26 U.S.C. §6702) for refusing to sign your 1040 income tax return “under  
 17     penalty of perjury”. The government also should never be permitted to fine you for your right under the Petition clause of  
 18     the constitution to correct a government wrongdoing (the First Amendment states that we have a right “to petition the  
 19     Government for a redress of grievances.”), but in fact the courts routinely do this anyway, in violation of the Constitution.  
 20     This tactic is part of the “judicial conspiracy to protect the income tax” defined elsewhere in this document, including in  
 21     section 6.6. The fact that most Americans allow and tolerate this kind of injustice, abuse, and violation of their God-given  
 22     rights confounds us and simply reveals how apathetic and indifferent we have become about our heritage and our treasured  
 23     rights under the Constitution of the United States.

24     PUBLIC Privileges attach to a statutory “status” rather than to land protected by the Constitution as in the case of rights.  
 25     Such statutory statuses include “taxpayer”, “citizen”, “resident”, “employee”, “driver”, “spouse”, etc. If you don’t have the  
 26     status, then you can’t exercise the privilege, and usually the only way you can acquire the status is by filling out a government  
 27     form that usually calls itself an “application”. For instance, IRS Form W-4 identifies itself as an “Employee Withholding  
 28     Allowance Certificate”. If you fill out, sign, and submit that form the regulations controlling its use say that it is an agreement  
 29     or contract and that you are to be treated as a statutory “employee” beyond that point but NOT before. If you don’t want the  
 30     status of statutory “employee” under federal law or don’t want the “benefits” associated with said status such as social  
 31     insurance, then you have to use a different form such as IRS Form W-8BEN.

32     Privileges, however, are much different from rights. Privileges we want are how the government, our employer, and others  
 33     we know enslave and coerce us into giving up our rights voluntarily. Giving up a right is an injury, and as one shrewd friend  
 34     frequently said:

35                   *“The more you want, the more the world can hurt you.”*

36     The more needy and desperate we allow ourselves to become, the more susceptible we become to being abused by voluntarily  
 37     jeopardizing our rights and becoming willing slaves to others. There is nothing unconstitutional or illegal about giving away  
 38     our rights to PRIVATE parties and not governments in exchange for benefits in this way, so long as we do it voluntarily and  
 39     with full knowledge of exactly what we are giving up to procure the benefit. The Constitution doesn’t apply to transactions  
 40     involving private parties, in fact. This is called “informed consent”. Situations where we surrender rights in exchange for  
 41     privileges are commonplace and actually are the foundation of the commercial marketplace. This exchange is referred to as  
 42     a business transaction and is usually governed by some contractual or legal vehicle in order to protect the property interests  
 43     of the parties to the transaction. This legal vehicle is the Uniform Commercial Code, or UCC and the contract that fixes the  
 44     rights of the two or PRIVATE parties to it. An example of a privilege we give up our property rights to exercise is legalized  
 45     gambling. If a person is a compulsive gambler and they lose their whole life savings and gamble themselves into massive  
 46     debt, they in effect have sold themselves into legalized financial slavery to the casino. That’s perfectly legal, and the laws  
 47     will protect the property interest of the casino and the right of the casino to collect on the debt. Even though the Thirteenth  
 48     Amendment outlawed slavery and even though the gambler might be a slave in this circumstance, because it was his choice  
 49     and he wasn’t compelled to do it, then it isn’t illegal or unconstitutional.



Another example of privileges being exchanged for rights is when we obtain a state marriage license. When we voluntarily get a marriage license, we basically surrender our God-given right to control the fruit of our marriage, including our children and all our property, and give jurisdiction to the government to control every aspect of our lives. Many people do this because their hormones get the better of them and they aren't practical or rational enough to negotiate the terms of their marriage and won't sit down with their spouse and write down an agreement that will keep the government out of their lives. Marriage is supposed to be a confidential spiritual and religious union between a man and a woman, but when we get a marriage license, we violate the separation of church and state and actually get married not only to our spouse, but also to the government. We become, in effect, a polygamist! A marriage license is a license to the government, not to us, that allows them to invade our lives any way they see fit at any time at the request of either spouse and based on the presumption that they are furthering the "public good", whatever that is! If couples get married in the church and get a marriage certificate but don't get a marriage license from the state, then the government has no jurisdiction over the spouses, the children, or the property of the marriage, and the only way it can get jurisdiction, under such circumstances is to PROVE that someone within the relationship is being hurt by the actions of others. If divorce results from an unlicensed marriage, the parties can litigate if need be, but the government has to stay within the bounds of any written or verbal agreement that the spouses have between them.

The government can't take away or even bargain away rights protected by the Constitution because the Declaration of Independence, which is "organic law" of this country which is implemented by the Constitution, says these rights are "unalienable", which means they can't be sold or transferred by any commercial process, including franchises.

*"Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred [to the government]."*  
*[Black's Law Dictionary, Fourth Edition, p. 1693]*

However, governments can definitely take away privileges, often indiscriminately. For instance, receiving social security checks is a privilege, and not a right. The courts have repeatedly ruled that social security is not a contract or a right, but a privilege. We can only earn that privilege by "volunteering" to be a U.S. or "federal" statutory and NOT constitutional "citizen" and paying into the Social Security System. Paying into the Social Security System means participants have to waive their right to not be taxed on our income with direct taxes, which the Constitution forbids. Same thing for Medicare and disability insurance. There is nothing immoral or unethical or illegal with being taxed on our income to support these programs provided:

1. The programs are ONLY offered to those domiciled and physically present on federal territory that is no part of any state of the Union, who are called statutory "U.S. citizens" and "U.S. residents". Offering the "benefit" to those domiciled outside the territory of the sovereign such as those domiciled in states of the Union is a violation of the separation of powers doctrine.
2. Those being offered the "benefit" are informed prior to joining that participation was voluntary and that we could not be coerced to join or punished for not joining.
3. The program is only offered to EXISTING public officers in the government and is NOT used as a mechanism to unlawfully create any NEW offices. Pursuant to 4 U.S.C. §72, all such public offices may be exercised ONLY in the District of Columbia and NOT elsewhere, except as expressly provided by law. There is no provision within the I.R.C. or the Social Security Act that in fact authorizes the creation of NEW public offices or the exercise of the offices that it does regulate within the exclusive jurisdiction of any state of the Union. Furthermore, there are no internal revenue districts within any state of the Union, so revenue can't be collected outside the District of Columbia, which is the only remaining internal revenue district.
4. There is some measure of accountability and fiduciary duty associated with the government in managing and investing our money. Good stewardship of our contributions by the government is expected and bad stewardship is punished by the law and those who enforce the law.
5. We are informed frequently by the fiduciary that we can leave the program at any time, and that our benefits will be proportional to our contributions.
6. We made a conscious, informed decision on a signed contract to sacrifice our rights to qualify to receive the benefit or privilege. This is called "informed consent", which can only exist where there is "full disclosure" by either party of the rights surrendered and the benefits obtained through the surrender of rights. This approach is the basis for what is called "good faith" dealing.
7. If you die young or never collect benefits, your contributions plus interest should be given to your relatives, so that the government doesn't benefit financially from people dying.
8. There is no unwritten or invisible or undisclosed contract that binds us, and nothing will be expected of us that wasn't clearly explained up front before we signed the contract.

1 However, the problem is that our federal government has mismanaged the funds put into the Social Security System and  
2 squandered the money. This has lead them to violate their fiduciary duties and the above requirements as follows:

- 3 1. Government employees routinely and deliberately waive or overlook the domicile requirement as a matter of public  
4 policy rather than law, and thereby turn a government function into private business. See 20 C.F.R. §422.104, which  
5 says that only statutory “citizens” and “residents” domiciled on federal territory within a statutory but not  
6 constitutional “State” may lawfully participate.
- 7 2. The government refuses to be accountable or to notify us of the benefits we have earned. They also don’t tell us on  
8 their statements how much we would earn if we quit contributing today and only drew benefits based on what we  
9 paid in the past.
- 10 3. The federal government won’t tell us that participation is voluntary and they provide no means on the social security  
11 website (<http://www.ssa.gov>) to *de-enroll* from the program. Instead, they try to fool us all into thinking that the  
12 program is mandatory when in fact it is entirely voluntary. The reason the U.S. Government won’t tell us that  
13 participation is voluntarily is that so many people would leave such an inefficient and poorly managed system to  
14 start their own plans when they find this out that the Ponzi scheme it has become would suffer instant meltdown and  
15 would turn into a big scandal!
- 16 4. If you never collect benefits or you die young, all the money you paid in and the interest aren’t given to your relatives  
17 as an inheritance. The government keeps EVERYTHING, and this is a BIG injustice that would not occur if the  
18 program were run more like the annuity that it should be.
- 19 5. There is no written agreement or contract, so they have no obligation or liability to be good stewards over our  
20 contributions.
- 21 6. Our kids are coerced into joining the system when they are born under the Enumeration At Birth program and the  
22 decision is made by their parents and not by them directly. This is unethical and immoral. See section 2.8.7.1 for  
23 details on this type of scamming by the government.
- 24 7. We are also coerced by our parents to join because the IRS deceives us into thinking that we are obligated to get  
25 Socialist Security Numbers for each of our children in order to qualify to use them as deductions on our taxes. In  
26 effect, they bribe us with our own money to sell our children into slavery into this inept and poorly managed system.

27 For all the above reasons and many more, *we recommend exiting this bankrupt welfare-state system as quickly as you can!*  
28 It’s a “privilege” you can’t be coerced to participate in anyway. We have to ask ourselves: Is a *compelled* benefit really a  
29 benefit, or just another form of slavery? The trick is determining how to escape, because you will get absolutely NO help  
30 from the Social Security Administration or the government! We provide answers to this dilemma of how to abandon the  
31 Social Security Program and your federal citizenship in Chapter 3 of the *Tax Fraud Prevention Manual*, Form #06.008.

#### 32 4.3.4 The Creator of a Right Determines Who May Regulate and Tax It

33 The creator of a right determines who may regulate and tax a specific right. If the creator is God or the Constitution, the right  
34 is PRIVATE. If the creator is the state through a legislative enactment, the right is PUBLIC.

35 According to the Declaration of Independence, our PRIVATE rights come from God and not government or any law enacted  
36 by government:

37 *“We hold these truths to be self-evident, that **all men are created equal, that they are endowed by their Creator***  
38 ***with certain unalienable Rights**, that among these are Life, Liberty and the pursuit of Happiness.--That to secure*  
39 *these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,*  
40 *–”*  
41 *[Declaration of Independence, 1776]*

42 Some people ignorantly argue that the Declaration of Independence cited above is not “LAW” and they are wrong. The very  
43 first enactment of Congress on p. 1 of volume 1 of the Statutes At Large incorporated the Declaration of Independence as the  
44 laws of this country. Don’t believe us on this critical point? Watch Judge Andrew Napolitano say the same thing. He also  
45 says that law is THE MOST VIOLATED provision of law in existence:

*Judge Andrew Napolitano says the Declaration of Independence is LAW enacted by Congress*, SEDM Exhibit #03.006  
<http://sedm.org/Exhibits/ExhibitIndex.htm>

46 An unalienable PRIVATE right is one that cannot be sold, bargained away, or transferred by any process, including either  
47 your consent or through any franchise:

**The Great  IRS Hoax: Why We Don't Owe Income Tax, version 4.54**

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1                    "Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred."  
2                    [Black's Law Dictionary, Fourth Edition, p. 1693]

3 As the Declaration of Independence states, governments are established to secure and protect PRIVATE rights. Here is an  
4 affirmation of these principles by the U.S. Supreme Court:

5                    "The most basic function of any government is to provide for the security of the individual and of his [PRIVATE]  
6                    property. Lanzetta v. New Jersey, 306 U. S. 451, 455. These ends of society are served by the criminal laws which  
7                    for the most part are aimed at the prevention of crime. Without the reasonably effective performance of the task  
8                    of preventing private violence and retaliation, it is idle to talk about human dignity and civilized values."  
9                    [Miranda v. Arizona, 384 U.S. 436, 539 (1966)]

10 Any attempt to alienate PRIVATE rights, and especially if done without the consent of the owner of the right, therefore:

- 11 1. Works a purpose OPPOSITE for which government was created.
- 12 2. Is a breach of fiduciary duty on the part of the government.
- 13 3. Is a theft.
- 14 4. Must be classified as PRIVATE business activity that may not be protected with sovereign immunity. Sovereign  
15 immunity, recall, may only be invoked by de jure governments, not private corporations masquerading as  
16 "government", which we call "de facto government".

17 We should be asking ourselves: Just how sacred are our God given constitutionally protected PRIVATE rights? Have we  
18 lost sight of our objective of restoring liberty for ourselves and family? And even if we know something is wrong, and we  
19 start to do something about it, are we standing on solid ground?

20 We are the masters over our government and not its subjects. We are the "sovereign people" as the U.S. Supreme Court called  
21 us in Boyd v. State of Nebraska, 12 S.Ct. 375, 143 U.S. 135, 36 L.Ed. 103 (1892). We should not allow ourselves to be  
22 compelled to waive fundamental rights to comply with some taxing scheme, merely for exercising my right to work and exist.

23 We absolutely have no "legal duty" to waive our fundamental rights to:

- 24 1. Speak or not to speak, as protected under the First Amendment.
- 25 2. Be secure in my personal home, papers and effects, as protected under the Fourth Amendment.
- 26 3. Not be compelled to be a witness against myself per the Fifth Amendment.
- 27 4. Due process of law, as protected under the Fifth and Fourteenth Amendments.
- 28 5. An impartial jury, as protected under the Sixth amendment.
- 29 6. Any other rights protected under the Ninth Amendment.

30 This is not a wild theory claim. We don't need to claim rights under the state Uniform Commercial Code. Our rights are God  
31 given, not commercially given. Neither do I need to fear waiving a right because I use a "zip code" as part of my mailing  
32 address.

33 The Supreme Court of the United States has already ruled on the standard for waiver of rights.

34                    "Waivers of constitutional rights not only must be voluntary but must be knowing, intelligent acts done with  
35                    sufficient awareness of the relevant circumstances and likely consequences."  
36                    [Brady v. U.S., 397 U.S. at 749, 90 S.Ct. 1463 at 1i469 (1970). ]

37 See also the following cases:

38                    Fuentes v. Shevin, 407 U.S. 67 (1972);  
39                    Brookhart v. Janis, 384 U.S. 6 (1966);  
40                    Empsak v. U.S., 349 U.S. 190 (1955);  
41                    Johnson v. Zerbst, 304 U.S. 58 (1938).

42 The issue of protection of rights has a track record 10 miles long. We should be able to confidently say:

43                    "We got em, they are ours, you (government) can't take em. If you (government) say that we lost them or waived  
44                    them, the burden of proof is on you (government) to show us how we lost them or waived them or where you have  
45                    the authority to take them."

1 Let us cite an example that establishes a standard for the protection of rights, so you can see some of these cases that establish  
2 that track record. Back in the 60's, there was a voting rights case down in Texas. The state of Texas was imposing a poll tax  
3 on the voters prior to letting them vote. The Texas U.S. District Court said in *U.S. v. Texas*, 252 F.Supp 234, 254, (1966):

4 *"Since, in general, only those who wish to vote pay the poll tax, the tax as administered by the State, is equivalent*  
5 *to a charge or a penalty imposed on the exercise of a fundamental right. If the tax were increased to a high degree,*  
6 *as it could be if valid, it would result in the destruction of the right to vote. See *Grosjean v. American Press Co.*,*  
7 *297 U.S. 233, 244, 54 S.Ct. 444 (1936)."*  
8 [U.S. v. Texas, 252 F.Supp 234, 254, (1966)]

9 [Note that the court reiterated the fundamental premise of law expressed by Chief Justice John Marshall in the landmark  
10 decision of *McCulloch v. Maryland*, 4 Wheat 418 at.431 (1819), that "the power to tax is the power to destroy."]

11 The Texas district court went on to quote from the Supreme Court case of *Harman v. Forssenius*, 380 U.S. 528 at 540, 85  
12 S.Ct. 1177, 1185 (1965):

13 *"It has long been established that a State may not impose a penalty upon those who exercise a right guaranteed*  
14 *by the Constitution." *Frost & Frost Trucking Co. v. Railroad Comm'n of California*, 271 U.S. 583. "Constitutional*  
15 *rights would be of little value if they could be indirectly denied," *Smith v. Allwright*, 321 US. 649, 644, or*  
16 *manipulated out of existence,' *Gomillion v. Lightfoot*, 364 U.S. 339, 345."*  
17 [*Harman v. Forssenius*, 380 U.S. 528 at 540, 85 S.Ct. 1177, 1185 (1965)]

18 That Texas federal district court held the poll tax unconstitutional and invalid and enjoined the state of Texas from requiring  
19 the payment of a poll tax as a prerequisite to voting.

20 Now a rare legal procedure followed that ruling. The state of Texas appealed. Not to the court of appeals, but directly to the  
21 Supreme Court. And in an equally rare circumstance, the Supreme Court took the district court's opinion as its own and  
22 affirmed the Judgment based on the facts and opinion stated by the district court. See *Texas v. U.S.*, 384 U.S. 155 (1966).

23 When the Amendments to the Constitution for the United States were ratified, they were considered a bill of restrictions on  
24 the government, not a legislative grant of privileges that could be taken from "we the people." The courts have upheld this  
25 premise many times, so if you're going to take a stand, it would be wise to base that stand on a position that has, at the  
26 minimum, the track record established for the guarantee of fundamental rights. There is none better!!

27 The conclusion of this exercise then, is that the government cannot tax or penalize the exercise of a right. You might then  
28 ask yourself:

- 29 1. How can the IRS impose a \$5000 fine for filing a so-called "frivolous" tax return that exercises our Fifth Amendment  
30 right not to incriminate ourselves and doesn't have our signature? (this is called a Jurat violation)
- 31 2. Why does the IRS impose a \$50 fine upon employers or individual who file a 1099 form that does not have a social  
32 security number if the party we employed wants his or her 5<sup>th</sup> Amendment right not to incriminate him/herself respected?
- 33 3. Why can the state require individuals to provide their social security number in order to get a driver's license that allows  
34 them to exercise their RIGHT to travel?
- 35 4. Why can the government impose penalties on individuals for the exercise of rights when the Constitution in Article 1,  
36 Section 9, Clause 3 specifically forbids the federal government to impose Bills of Attainder, which are penalties not  
37 imposed by a jury trial? Likewise, Article 1, Section 10 also forbids states to impose penalties without a judicial trial?

38 The answer is that neither the state nor federal governments are legally allowed to do any of the above in a state of the union  
39 where the Bill of Rights apply, because they amount to a tax or a penalty on the exercise of a God-given right! On the other  
40 hand, they are perfectly entitled to do all of the above as long as they are doing so within the federal zone, where the Bill of  
41 Rights do not apply, which is why we say throughout this book that the Internal Revenue Code and most state income tax  
42 laws can only apply within the federal zone. The source of authority to do the above is a legislative grant of PUBLIC  
43 privileges, not PRIVATE rights. If you look for the implementing regulations that authorize any of the above actions, they  
44 don't exist. Because implementing regulations are not required for laws that only apply to government employees, then this  
45 is a strong clue that Subtitle A of the Internal Revenue Code can ONLY apply to federal employees who are elected or  
46 appointed officers of the United States government in receipt of taxable privileges of public office. Applying any of the  
47 penalties mentioned above to anyone but appointed or elected officers of the United States government and who reside in  
48 states of the Union are ILLEGAL and constitute a tort that you can sue for in court. These are the very illegal actions that  
49 convert our glorious republic into a relativistic, totalitarian socialistic democracy where the collective as a whole is the

1 sovereign and no individuals have rights. They continue to be perpetrated because of fundamental ignorance about the  
2 separation of powers and sovereignty between the state and federal governments.

3 For further details on the subject of what the U.S. Supreme Court calls “The Unconstitutional Conditions Doctrine” in  
4 manipulating rights out of existence and substituting penalties in their place, see:

*Government Instituted Slavery Using Privileges*, Form #05.030, Section 28.2: Unconstitutional Conditions Doctrine  
<https://sedm.org/Forms/FormIndex.htm>

5 **4.3.5 PUBLIC privileges and PRIVATE rights compared**

6 We have prepared the following table to compare rights with privileges to make this section crystal clear and to help you  
7 discern the two:  
8

1 **Table 4-7: PRIVATE Rights and PUBLIC privileges compared**

#	Characteristic	PRIVATE Right	PUBLIC Privilege
1	Name	Right	Privilege
2	How created	By God through His law	Legislatively granted by government (“publici juris”)
3	Attach to	IRREVOCABLY to land protected by the Constitution	Statutory “statuses” such as “taxpayer”, “citizen”, “resident”, “spouse”, “driver”, “benefit recipient”, “employee”
4	Exercised ONLY by	Human beings	Public offices and officers of the state and federal government
5	Described in	Bill of Rights God’s Laws Natural law	Statutes Codes Administrative regulations
6	Can be legislatively revoked?	No	Yes
7	Protected by	Police powers of the state Article III constitutional and NOT franchise courts	Administrative codes, regulations, and Article IV legislative franchise courts

2 Lastly, it is VERY important to realize that the very words we use to describe ourselves establish whether we are engaged in  
3 a privileged activity or a right. We must be VERY careful to recognize key “words or art” that create a false legal presumption  
4 of “privilege” and remove or replace them from our written and spoken vocabulary and all the government forms and  
5 correspondence. This subject is covered more thoroughly in section 4.5.2.6 of the *Sovereignty Forms and Instructions*  
6 *Manual*, Form #10.005, if you would like to know more. Below is a table showing you how to describe yourself so as to  
7 avoid any association with “privileged” and thus “taxable” activities or status:  
8

Table 4-8: Privileged v. Nonprivileged words

#	Condition	Privileged PUBLIC Status	Unprivileged PRIVATE status	Reason
1	Place where you live	Residence	Dwelling	The only people who have a “residence” are aliens. See 26 C.F.R. §1.872-1
2	Residency	Resident Citizen	Inhabitant Free inhabitant	The only “residents” are aliens with a domicile in the District of Columbia under the I.R.C. See section 4.9 later.
3	Citizenship status	Citizen	National	A subject “citizen” is subject to the legislative jurisdiction of the government. A “national” is not, unless of course he injures the equal rights of others. See section 4.9 and following later.
4	“Taxpayer” status	Taxpayer	Nontaxpayer	A “taxpayer” is subject to the I.R.C. A “nontaxpayer” is not. He is “foreign” with respect to it, as defined in 26 U.S.C. §7701(a)(31)
5	Marriage status	Married	Betrothed	Those who are “married” have a license. The only “marriages” recognized in most states is a licensed marriage. All persons with licensed marriages are polygamists. They marry BOTH the state AND their spouse and consent to be subject to the family code in their state.
6	Country to which you owe allegiance	“United States”	“United States of America”	The “United States” is the government of the District of Columbia and the territories and possessions of the federal government and excludes states of the Union, which are “foreign” with respect to the legislative jurisdiction of states of the Union.
7	What you earn by working	“wages” “income”	Earnings	“wages”, which are defined under 26 C.F.R. §31.3401(a)-3, can only be earned by federal statutory “employees”, which are elected or appointed officers of the United States government under 26 C.F.R. §31.3401(c)-1. “income” can only be earned by federally chartered corporations under the indirect excise tax upon “trade or business” activity described in Subtitle A of the Internal Revenue Code. Since you don’t hold a “public office” and are not engaged in a “trade or business”, then you are incapable of earning either “wages” or “income”. See section 5.6.7 later for details.
8	Employment status	Self-employed Employee	Self-supporting Worker	The only “employees” under the Internal Revenue Code are those connected with a “trade or business”, as defined in 26 U.S.C. §7701(a)(26) and 26 C.F.R. §31.3401(c)-1. The only people who are “self employed” are those federal “employees” who have income connected with a “trade or business”, which is a “public office” as shown in 26 U.S.C. §1402.
9	Method of defining words	“includes”	“means”	See sections 5.12 through 5.12.3 later.
10	Place to send mail	Address	Dwelling	You can’t “have” or “possess” an address. An “address” is information, not a location. A dwelling is a physical location.

1 Do you see how tricky this game with words is? We covered this earlier in section 3.9.1 as well. The trickiness is deliberate,  
2 so that you can be deceived by a covetous government into becoming a “subject” of their corrupt laws and a feudal serf  
3 residing on the federal plantation:

4 *“For where [government] envy and self-seeking [of money they are not entitled to] exist, confusion [and  
5 deception] and every evil thing will be there.”  
6 [James 3:16, Bible, NKJV]*

### 7 **4.3.6 PRIVATE Civil Liberties v. PUBLIC Civil Rights v. PUBLIC Political Rights**

8 There is a great deal of confusion over the distinctions between “civil rights”, “civil liberties”, “constitutional rights”, and  
9 “political rights” and the nature of each as either PUBLIC or PRIVATE. We believe this confusion is deliberately crafted to  
10 confuse PUBLIC and PRIVATE so that PRIVATE is easier to STEAL for covetous politicians.

11 Most legal publications are not very useful in helping distinguish each right as PUBLIC or PRIVATE and the definitions  
12 have historically changed drastically over the years, which makes the task even more difficult. The distinctions we make in  
13 this section are therefore somewhat arbitrary but intended to prevent the confusion of PUBLIC and PRIVATE rights so that  
14 PRIVATE rights are not lost or indiscriminately converted to PUBLIC rights without the consent of the owner.

15 It is very important to understand that there are three classes of rights within our system of jurisprudence. All other “rights”  
16 are simply subsets of these three classes of rights:

- 17 1. **PRIVATE Civil Liberties.** Also called PRIVATE rights. Relate to the Bill of Rights and natural rights and have no  
18 relation to the establishment, support or management of the government. Attach to the land you stand on and not your  
19 citizenship status. Everyone, whether alien or citizen, has this kind of right and the protection afforded by government  
20 is equal to all for this type of right. On this subject,, the U.S. Supreme Court said:

21 *“The Fourteenth Amendment of the Constitution is not confined to the protection of citizens. It says:*

22 *Nor shall any State deprive any person of life, liberty, or property without due process of law, nor*  
23 *deny to any person within its jurisdiction the equal protection of the laws.*

24 *These provisions are universal in their application to all persons within the territorial jurisdiction, without regard*  
25 *to any differences of race, of color, or of nationality; and the equal protection of the laws is a pledge of the*  
26 *protection of equal laws.”*

27 *[Yick Wo v. Hopkins, 118 U.S. 356 (1886)]*

- 28 2. **PUBLIC Civil Rights.** Also called PUBLIC rights. Privileges granted to STATUTORY “citizens” and “residents” and  
29 created by Congress. Available mainly to those physically present on and domiciled on federal territory. You lose these  
30 rights if you change your domicile to be outside of federal territory.
- 31 3. **PUBLIC Political rights.** Also called PUBLIC rights. Are a privilege incident to citizenship. Involve participation,  
32 directly or indirectly, in the establishment or management of the government. They include voting, the right to serve as  
33 a jurist, and the right to occupy public office. In most jurisdictions, political rights usually have the prerequisite of  
34 “allegiance”, in order to ensure that those who manage or administer the government as voters and jurists have the best  
35 interests of the society in mind.

36 “Civil rights” and “Political rights” as used above were first defined and clarified in the case of *Fletcher v. Tuttle*, 151 Ill. 41,  
37 37 N.E. 683 (1894). Note that BOTH of these types of rights refer to “members of a district community or nation”:

38 *“As defined by Anderson, a civil right is ‘a right accorded to every member of a district community or nation,’*  
39 *while a political right is a ‘right exercisable in the administration of government.’ And, Law Dict. 905. Says*  
40 *Bouvier: ‘Political rights consist in the power to participate, directly or indirectly, in the establishment or*  
41 *management of the government. These political rights are fixed by the constitution. Every citizen has the right*  
42 *of voting for public officers, and of being elected. These are the political rights which the humblest citizen*  
43 *possesses. Civil rights are those which have no relation to the establishment, support, or management of the*  
44 *government. They consist in the power of acquiring and enjoying property, or exercising the paternal and*  
45 *marital powers, and the like. It will be observed that every one, unless deprived of them by sentence of civil*  
46 *death, is in the enjoyment of the civil rights, which is not the case with political rights; for an alien, for example,*  
47 *has no political, although in full enjoyment of the civil, rights.’ 2 Bouv. Law Dict. 597.*



1 The question, then, is whether the assertion and protection of political rights, as judicial power is apportioned in  
 2 this state between courts of law and courts of chancery, are a proper matter of chancery jurisdiction. We would  
 3 not be understood as holding that political rights are not a matter of judicial solicitude and protection, and that  
 4 the appropriate judicial tribunal will not, in proper cases, give them prompt and efficient protection, but we think  
 5 they do not come within the proper cognizance of courts of equity. In *Sheridan v. Colvin*, 78 Ill. 237, this court,  
 6 adopting, in substance, the language of *Kerr on Injunctions*, said: 'It is elementary law that the subject of the  
 7 jurisdiction of the court of chancery is civil property. The court is conversant only with the questions of property  
 8 and the maintenance of civil rights. Injury to property, whether actual or prospective, is the foundation on which  
 9 the jurisdiction rests. The court has no jurisdiction in matters merely criminal or [151 Ill. 54]merely immoral,  
 10 which do not affect any right of property. Nor do matters of a political character come within the jurisdiction of  
 11 the court of chancery. Nor has the court of chancery jurisdiction to interfere with the public duties of any  
 12 department of the government, except under special circumstances, and where necessary for the protection of  
 13 rights or property.' In that case the police commissioners of the city of Chicago filed their bill in chancery against  
 14 the mayor, the members of the common council, and certain officers of the city to restrain the enforcement of the  
 15 city ordinance reorganizing the police force of the city, and depriving the complainants of their functions as  
 16 police commissioners, it being claimed that the common council had no power to pass the ordinance, and that it  
 17 was consequently void. It was held that the rights which were thus sought to be protected and enforced were  
 18 purely political, and that a court of chancery, therefore, had no jurisdiction to interfere with the passage or  
 19 enforcement of the ordinance. In *Dickey v. Reed*, 78 Ill. 261, a bill in chancery was filed by the state's attorney of  
 20 Cook county, and by taxpayers of the city of Chicago, to restrain the members of the common council of the city  
 21 and the city clerk from canvassing the returns of the election held in the city April 23, 1875, upon the question  
 22 whether the city would become incorporated under the general incorporation act. It was claimed that the election,  
 23 for certain reasons, was void, and also that gross frauds had been perpetrated at the election, by depositing a  
 24 large number of ballots in the ballot boxes which had not been cast by the voters, and that a large number of the  
 25 illegal and fraudulent votes in favor of organization had been cast, and that various other irregularities, having  
 26 the effect of invalidating the election, had intervened. A preliminary injunction having been awarded, it was  
 27 disregarded by the city officers, who proceeded, notwithstanding, to canvass the vote and declare [151 Ill. 55]the  
 28 result. Various of the city officers and their advisers were attached and fined for contempt, and, on appeal to this  
 29 court from the judgment for contempt, it was held that the matter presented by the bill was a matter over which a  
 30 court of chancery had no jurisdiction, and that the injunction was void, so that its violation was not an act which  
 31 subjected the violators to proceedings for contempt. In *Harris v. Schrvock*, 82 Ill. 119, it was held that the power  
 32 to hold an election is political, and not judicial, and that a court of equity has no jurisdiction to restrain officers  
 33 from the exercise of such powers; and it was said that this was in accordance with repeated decisions of this  
 34 court, and in support of that statement. *People v. City of Galesburg*, 48 Ill. 485; *Walton v. Develing*, 61 Ill.  
 35 201; *Darst v. People*, 62 Ill. 306; and *Dickey v. Reed*, supra, are cited. *So, in Delahanty v. Warner*, 75 Ill. 185, it  
 36 was held that a court of equity has no jurisdiction to entertain a bill to enjoin the mayor and aldermen of a city  
 37 from removing a party from office, and appointing a successor, and from preventing the party from discharging  
 38 his duties after removal by them, as the party's remedy as law is complete by quo warranto against the successor,  
 39 or by mandamus against the mayor and councilmen. In *State v. Stanton*, 6 Wall. 50, a bill was filed by the state  
 40 of Georgia against the secretary of war and other officers representing the executive authority of the United  
 41 States, to restrain them in the execution of the acts of congress known as the 'Reconstruction Acts,' on the ground  
 42 that the enforcement of those acts would annul and totally abolish the existing state government of the state, and  
 43 establish another and different one in its place, and would, in effect, overthrow and destroy the corporate  
 44 existence of the state, by depriving it of all means and instrumentalities whereby its existence might and otherwise  
 45 would be maintained; and it was held that the bill [151 Ill. 56]called for a judgment upon a political question,  
 46 and that it would not therefore be entertained by a court of chancery; and it was further held that the character  
 47 of the bill was not changed by the fact that, in setting forth the political rights sought to be protected, it averred  
 48 that the state had real and personal property, such, for example, as public buildings, etc., of the enjoyment of  
 49 which, by the destruction of its corporate existence, the state would be deprived, such averment not being the  
 50 substantial ground of the relief sought. In *Re Sawyer*, 124 U. S. 200, 8 Sup. Ct. 482, it was held that the circuit  
 51 court of the United States had no jurisdiction to entertain a bill in equity to restrain the mayor and committee of  
 52 a city in Nebraska from removing a city officer upon charges filed against him for misfeasance in office, and that  
 53 an injunction issued on such bill, as well as an order committing certain persons for contempt in disregarding  
 54 the injunction, was absolutely void. In that case the court say. 'The office and jurisdiction of a court of equity,  
 55 unless enlarged by express statute, are limited to the protection of rights of property. It has no jurisdiction over  
 56 the prosecution, the punishment, or the pardon of crimes or misdemeanors, or over the appointment and removal  
 57 of public officers. To assume such jurisdiction, or to sustain a bill in equity to restrain or relieve against  
 58 proceedings for the punishment of offenses, or for the removal of public officers, is to invade the domain of the  
 59 courts of common law, or of the executive and administrative department of the government.' In support of its  
 60 decision, the court cites, among various other cases, the decisions of this court in *Delahanty v. Warner*, *Sheridan*  
 61 *v. Colvin*, and *Dickey v. Reed*, above referred to, and quotes with approval the passage in the opinion in *Sheridan*  
 62 *v. Colvin* above set forth, taken, in substance, from *Kerr on Injunctions*. [151 Ill. 57]Other authorities of similar  
 63 import might be referred to, but the foregoing are amply sufficient to show that wherever the established  
 64 distinctions between equitable and common-law jurisdiction are observed, as they are in this state, courts of  
 65 equity have no authority or jurisdiction to interpose for the protection of rights which are merely political, and  
 66 where no civil or property right is involved. In all such cases, the remedy, if there is one, may be sought in a court  
 67 of law. The extraordinary jurisdiction of courts of chancery cannot therefore be invoked to protect the right of a  
 68 citizen to vote or to be voted for at an election, or his right to be a candidate for or to be elected to any office;  
 69 nor can it be invoked for the purpose of restraining the holding of an election, or of directing or controlling the  
 70 mode in which, or of determining the rules of law in pursuance of which, an election shall be held. These matters  
 71 involve in themselves no property rights, but pertain solely to the political administration of government. If a  
 72 public officer, charged with political administration, has disobeyed or threatens to disobey the mandate of the

1 law, whether in respect to calling or conducting an election or otherwise, the party injured or threatened with  
 2 injury in his political rights is not without remedy; but his remedy must be sought in a court of law, and not in a  
 3 court of chancery.

4 The only decision to which we are referred in which relief of the character of that sought in this case was given  
 5 in what was in substance an equitable proceeding is *State v. Cunningham*, 83 Wis. 90, 53 N. W. 35. That was an  
 6 original proceeding brought in the supreme court of Wisconsin, to test the validity of the apportionment law,  
 7 passed by the legislature of that state, dividing the state into legislative districts. An injunction was prayed to  
 8 restrain the secretary of state from publishing notices of an election of members of the senate and assembly in  
 9 the legislative districts attempted to be created by that act, and from filing [151 Ill. 58]and preserving in his office  
 10 certificates of nomination and nomination papers, and from certifying the same to the several county clerks. The  
 11 court entertained jurisdiction of the proceeding, and, on final hearing, awarded a perpetual injunction as prayed  
 12 for. We have carefully considered the case as reported, and, if we understand it correctly, it cannot, in our opinion,  
 13 be regarded as an authority in favor of equity jurisdiction in the case before us. In this connection it may be borne  
 14 in mind, as a matter of some importance, that the Wisconsin Code of Procedure attempts to abolish the distinction  
 15 between actions at law and in equity; but as to precisely how far that statutory provision has been held to have  
 16 broken down the distinctions between common-law and equitable remedies we do not pretend to be accurately  
 17 advised. But, whether that distinction is held to remain practically unaffected by the statute or not, it appears  
 18 from the opinion of the court that its jurisdiction to grant a remedy by injunction in that case was based solely  
 19 upon that provision of the constitution of Wisconsin which gives to the supreme court jurisdiction 'to issue writs  
 20 of habeas corpus, mandamus, injunction, quo warranto, certiorari, and other original and remedial rights, and  
 21 to hear and determine the same. Const. art. 7, § 3. In construing this provision of the constitution, the court holds  
 22 that these various writs, and injunction among them, are prerogative writs; and that the supreme court is thereby  
 23 given original jurisdiction in all judicial questions affecting the sovereignty of the state, its franchises and  
 24 prerogatives, or the liberty of the people; and that injunction and mandamus are thereby made correlative  
 25 remedies, so as to authorize resort to injunction to restrain excess of action in the same class of cases where  
 26 mandamus may be resorted to for the purpose of supplying defects. Thus, the court, in the opinion, quoting the  
 27 language of a former decision in which this constitutional provision is construed, say: 'And it is very safe to  
 28 assume that the [151 Ill. 59]constitution gives injunction to restrain excess in the same class of cases as it gives  
 29 mandamus to supply defect; the use of the one writ or the other in each case turning solely on the accident of  
 30 overaction or shortcoming of the defendant; and it may be that, where defect and excess meet in a single case,  
 31 the court might meet both, in its discretion, by one of the writs, without being driven to send out both, tied together  
 32 with red tape, for a single purpose.' And again: 'Inasmuch as the use of the writ of injunction, in the exercise of  
 33 the original jurisdiction of this court, is correlative with the writ of mandamus, the former issuing to restrain  
 34 where the latter compels action, it is plain that this case, as against the respondent, is a proper one for an  
 35 injunction to restrain unauthorized action by him in a matter where his duties are clearly ministerial, and affect  
 36 the sovereignty rights and franchises of the state, and the liberties of the people.' It thus seems plain that, in view  
 37 of the construction of the constitution of Wisconsin adopted by the supreme court of that state, the prerogative  
 38 writ of injunction of which that court is given original jurisdiction is a writ of a different nature, and having a  
 39 different scope and purpose, from an ordinary injunction in equity. Where the established distinctions between  
 40 equity and common-law jurisdiction are observed, injunction and mandamus are not correlative remedies, in the  
 41 sense of being applicable to the same subject-matter, the choice of a writ to be resorted to in a particular case to  
 42 depend upon whether there is an excess of action to be restrained or a defect to be supplied. The two writs properly  
 43 pertain to entirely different jurisdictions, and to different classes of proceedings, injunction being the proper writ  
 44 only in cases of equitable cognizance, and mandamus being a common-law writ, and applicable only in cases  
 45 coming within the appropriate jurisdiction of courts of common law. Besides, it would seem that, in Wisconsin,  
 46 the writ of injunction of which the supreme [151 Ill. 60]court is given original jurisdiction is not limited, as is the  
 47 jurisdiction of courts of equity, to cases involving civil or property rights, but may be resorted to in all cases  
 48 'affecting the sovereignty of the state, its franchises or prerogatives, or the liberties of the people,' thus including  
 49 within its scope the protection of political as well as civil or property rights. It thus seems plain that *State v.*  
 50 *Cunningham* was decided under a judicial system differing essentially from ours, and that it cannot be resorted  
 51 to as an authority upon the question of the jurisdiction of courts of equity in this state in cases of this character.

52 [Fletcher v. Tuttle, 151 Ill. 41, 37 N.E. 683 (Ill., 1894)]

53 Black's Law Dictionary, Sixth Edition, refers to "civil rights" as "civil liberties", and defines them as follows:

54 "**Civil liberties.** Personal, natural rights guaranteed and protected by the Constitution; e.g. freedom of speech,  
 55 press, freedom from discrimination, etc. Body of law dealing with natural liberties, shorn of excesses which  
 56 invade equal rights of others. Constitutionally, they are restraints on government. *Sowers v. Ohio Civil Rights*  
 57 *Commission*, 20 Ohio Misc. 115, 252 N.E.2d. 463, 476. State law may recognize liberty interests more extensive  
 58 than those independently protected by the Federal Constitution. *Mills v. Rogers*, 457 U.S. 291, 300, 102 S.Ct.  
 59 2442, 2449, 73 L.Ed.2d. 16 (1982). See also *Bill of Rights, Civil Rights Acts; Fundamental rights.*"  
 60 [Black's Law Dictionary, Sixth Edition, p. 246]

61 As we said previously, the rights indicated in the Bill of Rights are PRIVATE, so the above refers to PRIVATE rights. If  
 62 they are referring to civil statutes as the origin of the right, then it is a PUBLIC right and PUBLIC privilege.

63 Black's Law Dictionary, Sixth Edition, defines "political rights" as follows:

1                                    “**Political rights.** Those which may be exercised in the formation or administration of the government. Rights of  
2 citizens established or recognized by constitutions which give them the power to participate directly or indirectly  
3 in the establishment or administration of the government.”  
4 [Black’s Law Dictionary, Sixth Edition, p. 1159]

5 Below is a tabular summary that compares these two fundamental types of rights and the place from which they derive in the  
6 case of states of the Union:  
7

Table 4-9: Two types of rights within states of the Union: PRIVATE Civil Liberties v. Political PUBLIC Rights:

#	Right	Origin	Classification	
			Civil PRIVATE Liberty	Political PUBLIC Right
1	Freedom of speech and assembly	First Amendment	•	
1.1	Right to assemble and associate free of government interference.	First Amendment	•	
1.2	Right to speak freely without punishment	First Amendment	•	
1.3	Right to not be compelled to associate with any political or economic activity or group	First Amendment	•	
2	Right to bear arms and own a gun	Second Amendment	•	
3	Right to not be required to accommodate soldiers in your house	Third Amendment	•	
4	Right of privacy and security of personal papers and effects from search and seizure	Fourth Amendment	•	
5	Right to due process	Fifth Amendment	•	
5.1	Cannot be required to incriminate oneself	Fifth Amendment	•	
5.2	Property cannot be taken without just compensation or a court hearing	Fifth Amendment	•	
6	Rights of accused	Sixth Amendment	•	
6.1	Right to be informed of charges	Sixth Amendment	•	
6.2	Right of speedy trial	Sixth Amendment	•	
6.3	Right to counsel	Sixth Amendment	•	
6.4	Right to obtain witnesses in one's favor	Sixth Amendment	•	
6.5	Right to be confronted by witness against us	Sixth Amendment	•	
7	Right to jury in civil trials.	Seventh Amendment	•	
8	Right to not have excessive bails, punishments or fines imposed	Eighth Amendment	•	
9	Rights of persons reserved where not delegated to federal government	Ninth Amendment	•	
10	Rights of states reserved where not delegated to federal government	Tenth Amendment	•	
11	Right to vote	Fifteenth Amendment; State Constitution		•
12	Right to serve on jury duty	State Constitution		•

On federal land or property where exclusive federal jurisdiction applies, as described in Article 1, Section 8, Clause 17 of the Federal Constitution, the above table looks *very* different. Remember that the Bill of Rights does *not* apply within federal property. Therefore, all rights are PUBLIC rights that derive from federal legislation and “acts of congress” published in the Statutes at Large and codified in Title 48 of the U.S. Code. Since Congress can rewrite its own laws any time it wants, then it can take away rights by simple legislation. Therefore, on federal property, what are mistakenly called “rights” are really just “privileges”. Anything that can be taken away on a whim or through a legislative enactment simply cannot be described as a “PRIVATE right”.

Below is the revised version of the above table that reflects these realities. The term “Civil PUBLIC Privilege” as used in the following table is the equivalent to “Civil Right”. The term “Civil Right” is NOT equivalent to “Civil Liberty” as defined earlier. Civil Rights are PUBLIC, Civil Liberties are always PRIVATE.

Table 4-10: Two types of PUBLIC rights within the Federal Zone

#	Right	Origin	Classification	
			Civil PUBLIC Privilege	Political PUBLIC Privilege
1	Freedom of speech and assembly	Acts of Congress	●	
1.1	Right to assemble and associate free of government interference.	Acts of Congress	●	
1.2	Right to speak freely without punishment	Acts of Congress	●	
1.3	Right to not be compelled to associate with any political or economic activity or group	Acts of Congress	●	
2	Right to bear arms and own a gun	Acts of Congress	●	
3	Right to not be required to accommodate soldiers in your house	Acts of Congress	●	
4	Right of privacy and security of personal papers and effects from search and seizure	Acts of Congress	●	
5	Right to due process	Acts of Congress	●	
5.1	Cannot be required to incriminate oneself	Acts of Congress	●	
5.2	Property cannot be taken without just compensation or a court hearing	Acts of Congress	●	
6	Rights of accused	Acts of Congress	●	
6.1	Right to be informed of charges	Acts of Congress	●	
6.2	Right of speedy trial	Acts of Congress	●	
6.3	Right to counsel	Acts of Congress	●	
6.4	Right to obtain witnesses in one's favor	Acts of Congress	●	
6.5	Right to be confronted by witness against us	Acts of Congress	●	
7	Right to jury in civil trials.	Acts of Congress	●	
8	Right to not have excessive bails, punishments or fines imposed	Acts of Congress	●	
9	Rights of persons reserved where not delegated to federal government	Acts of Congress	●	
10	Rights of states reserved where not delegated to federal government	Acts of Congress	●	
11	Right to vote	Acts of Congress		●
12	Right to serve on jury duty	Acts of Congress		●

Within federal territories, possessions, and Indian reservations, “PRIVATE rights” don’t exist and the “PUBLIC privileges” that replace them are legislatively granted and often, there isn’t even a Constitution to protect people from government usurpation. The only “laws” within federal territories and possessions are those that are enacted by Congress, in most cases. Below is a listing of the legislative “Bill of Rights” for each of the territories and possessions of the United States that are under the stewardship of the U.S. Congress. “Bill of Rights” is a misnomer, and they should be called “Bill of Privileges” rather than “Bill of Rights” because the rights conveyed are PUBLIC and can be revoked. When a territory is emancipated as the Philippines was, all of these so-called rights can be revoked by Congress through a mere act of legislation. The list below is not all-inclusive but shows you only the most important territories and possessions:

Table 4-11: “Bill of PUBLIC Rights” for U.S. territories, possessions, and Indian reservations

#	Territory/Possession	Legislative “Bill of Rights” Found At
1	Guam	48 U.S.C. §1421b
2	Puerto Rico	48 U.S.C. §737
3	Virgin Islands	48 U.S.C. §1561
4	Indian Reservations	48 U.S.C. §1302 48 U.S.C. §1451

Your public servants don’t want you to know or be able to distinguish between PRIVATE and PUBLIC rights and the circumstances when you exercise each. They want you to believe that all rights attach to your citizenship status or your

domicile so that you falsely believe that they are “PUBLIC privileges” incident to citizenship rather than PRIVATE rights granted by God and which can’t be taken away. They also want to do this in order to bring you within their legislative jurisdiction and tax and pillage your labor and property, because being a “citizen” under federal law implies a domicile within federal jurisdiction and outside of the state you live in. Below is a deceptive definition of “citizen” from Black’s Law Dictionary to prove our point:

*“**citizen.** One who, under the [Constitution](#) and laws of the [United States](#), or of a particular state, is a member of the political community, **owing allegiance and being entitled to the enjoyment of full civil rights.** All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. [U.S. Const., 14th Amend.](#) See [Citizenship](#).*

*“Citizens” are members of a political community who, in their associated capacity, have established or submitted themselves to the dominion of a government for the promotion of their general welfare and the protection of their individual as well as collective rights. [Herriott v. City of Seattle](#), 81 Wash.2d. 48, 500 P.2d. 101, 109.*

[. . .]

*Under diversity statute [[28 U.S.C. §1332](#)], which mirrors [U.S. Const. Article III](#)’s diversity clause, a person is a “citizen of a state” if he or she is a citizen of the United States and a domiciliary of a state of the United States. [Gibbons v. Udaras na Gaeltachta](#), D.C.N.Y., 549 F.Supp. 1094, 1116. [[Black’s Law Dictionary](#), Sixth Edition, p. 244]*

Notice in the above:

1. The phrase “..and laws of the United States”. This means the thing described is a STATUTORY citizen. A Constitutional citizen would not be subject to the “laws of the United States” but would be subject to the common law and protected by the Constitution.
2. The phrase “are members of a political community who, in their associated capacity, have established or submitted themselves to the dominion of a government”. The only way you can do that is to choose a domicile in that place because domicile is a prerequisite to either voting or serving as a jurist. Nonresidents aren’t allowed to do either.

The term “civil rights” as used above is therefore NOT equivalent to “civil liberties” as used earlier, even though Black’s Law Dictionary tries to confuse the two. Civil rights are PUBLIC PRIVILEGES granted by statute. Civil liberties are NOT and are PRIVATE. Notice that they didn’t mention who *else*, other than “citizens”, enjoys “full civil rights”, because they want to create a false presumption that all rights derive from citizenship as “entitlements” or “privileges”. We show above, however, that civil liberties originate exclusively from the Bill of Rights in the Federal Constitution.

Notice that none of the Amendments that form the Bill of Rights mention anything about a requirement for “citizenship”. The cites below help drive home our point to show that EVERYONE, whether “citizen” or “alien” (called “resident” in law) is entitled to “civil liberties” under the law”.

*“The very essence of civil liberty certainly consists in the right of every individual [not **citizen**, but individual] to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection.”*  
[[Marbury v. Madison](#), 5 U.S. 137, 1 Cranch 137, 2 L.Ed. 60 (1803)]

*“Is any one of the rights secured to the individual by the Fifth or by the Sixth Amendment any more a privilege or immunity of a citizen of the United States than are those secured by the Seventh? **In none are they privileges or immunities granted and belonging to the individual as a citizen of the United States, but they are secured to all persons as against the Federal government, entirely irrespective of such citizenship.** As the individual does not enjoy them as a privilege of citizenship of the United States, therefore, when the Fourteenth Amendment prohibits the abridgment by the states of those privileges or immunities which he enjoys as such citizen, it is not correct or reasonable to say that it covers and extends to [176 U.S. 581, 596] certain rights which he does not enjoy by reason of his citizenship, but simply because those rights exist in favor of all individuals as against Federal governmental powers.”*  
[[Maxwell v. Dow](#), 176 U.S. 581 (1900)]

*“In [Truax v. Raich](#), *supra*, the people of the state of Arizona adopted an act, entitled ‘An act to protect the [271 U.S. 500, 528] citizens of the United States in their employment against noncitizens of the United States,’ and*

provided that an employer of more than five workers at any one time in that state should not employ less than 80 per cent. qualified electors or native-born citizens, and that any employer who did so should be subject upon conviction to the payment of a fine and imprisonment. **It was held that such a law denied aliens an opportunity of earning a livelihood and deprived them of their liberty without due process of law, and denied them the equal protection of the laws. As against the Chinese merchants of the Philippines, we think the present law which deprives them of something indispensable to the carrying on of their business, and is obviously intended chiefly to affect them as distinguished from the rest of the community, is a denial to them of the equal protection of the laws.**"

[Yu Cong Eng v. Trinidad, 271 U.S. 500 (1926)]

The alien retains immunities from burdens which the citizen must shoulder. By withholding his allegiance from the United States, he leaves outstanding a foreign [342 U.S. 586] call on his loyalties which international law not only permits our Government to recognize, but commands it to respect. In deference to it, certain dispensations from conscription for any military service have been granted foreign nationals. **They cannot, consistently with our international commitments, be compelled "to take part in the operations of war directed against their own country." In addition to such general immunities they may enjoy particular treaty privileges.**

**Under our law, the alien in several respects stands on an equal footing with citizens, but, in others, has never been conceded legal parity with the citizen. Most importantly, to protract this ambiguous status within the country is not his right, but is a matter of permission and [342 U.S. 587] tolerance. The Government's power to terminate its hospitality has been asserted and sustained by this Court since the question first arose.**  
[Harisiades v. Shaughnessy, 342 U.S. 580 (1952)]

"Civil rights", on the other hand, are only available to domiciled statutory citizens and residents. The term "inhabitant" is a person domiciled in a particular place. This is confirmed by the content of Federal Rule of Civil Procedure 17, which says that the capacity to sue or be sued is determined by the law of the domicile of the party.

**"RIGHT: ...Civil rights are such as belong to every citizen of the state or country, or, in a wider sense, to all its inhabitants, and are not connected with the organization or administration of the government."**  
[Black's Law Dictionary, Fourth Edition, 1968, pp. 1486-1488]

**IV. PARTIES > Rule 17.**  
**Rule 17. Parties Plaintiff and Defendant; Capacity**

(b) Capacity to Sue or be Sued.

**Capacity to sue or be sued is determined as follows:**

**(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;**  
**(2) for a corporation[the "United States", in this case, or its officers on official duty representing the corporation], by the law under which it was organized [laws of the District of Columbia]; and**  
**(3) for all other parties, by the law of the state where the court is located, except that:**

(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and

(B) **28 U.S.C. §§754 and 959(a)** govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.

[SOURCE: <http://www.law.cornell.edu/rules/frcp/Rule17.htm>]

The reason that EVERYONE is entitled to civil rights, including "aliens", is because our Constitution is based on the concept of "equal protection of the laws". Equal protection is mandated in states of the Union by Section 1 of the Fourteenth Amendment. Here is what the Supreme Court says on the requirement for "equal protection":

*"The equal protection demanded by the fourteenth amendment forbids this. No language is more worthy of frequent and thoughtful consideration than these words of Mr. Justice Matthews, speaking for this court, in Yick Wo v. Hopkins, 118 U.S. 356, 369, 6 S.Sup.Ct. 1064, 1071: 'When we consider the nature and the theory of our institutions of government, the principles upon which they are supposed to rest, and review the history of their development, we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power.' The first official action of this nation declared the foundation of government in these words: 'We hold these truths to be self-evident, [165 U.S. 150, 160] that all men 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.' While such declaration of principles may not have the force of organic law, or be made the basis of judicial decision as to the limits of right and duty, and while in all cases reference must be had to the organic law of the nation for such limits, yet the latter is but the body and the letter of which the former is the thought and the spirit, and it is always safe to read the letter of the constitution in the spirit of the Declaration of*

1 Independence. No duty rests more imperatively upon the courts than the enforcement of those constitutional  
 2 provisions intended to secure that equality of rights which is the foundation of free government."  
 3 [*Gulf, C. & S.F.R. Co. v. Ellis, 165 U.S. 150 (1897) ]*

4 Equal protection means that EVERYONE, whether they are a "citizen" or an "alien" (which is called a "resident" in the tax  
 5 code) or "non-resident non-person", is entitled to the SAME civil liberties but NOT necessarily the same "civil PUBLIC  
 6 rights".

7 On the other hand, not all People have the same "political rights". Only "citizens" can vote and serve on jury duty while  
 8 aliens are excluded from these functions in most states. The reason is that only citizens claim "allegiance" to the political  
 9 body and therefore only they are likely to exercise their political rights in such a way that will preserve, defend, and protect  
 10 the existing governmental system and the rights of their fellow men. Chaos would result if aliens could come into a country  
 11 who are intent on destroying the country and then exercise sovereign powers of voting and jury service in such a way as to  
 12 disrespect the law and destroy the existing civil order.

#### 13 **4.3.7 Why we MUST know and assert our rights and can't depend on anyone to help us**

14 All rights come not from the government, from a judge, or any law, but from God, our Creator alone, just as the Declaration  
 15 of Independence says. Since rights don't come from any man, but from God, then it's vain and foolish to ask any earthly  
 16 man what your rights are. To remain free, we must know what rights are instinctively and be willing to literally fight for  
 17 them at all times. It's not only impossible, but illegal for an attorney who practices law to fight for your rights within the  
 18 context of a court proceeding. Your attorney cannot claim or exercise any of the rights God gave you while he is representing  
 19 you in any court proceeding. For further details on this, read our article below:

20 <http://famguardian.org/Subjects/LawAndGovt/Articles/WhyYouDontWantAnAtty/WhyYouDon'tWantAnAttorney.htm>

21 An attorney cannot assert any of your rights on your behalf. Only YOU, the sovereign, can. Below is a very good explanation  
 22 of why we can't be free and at the same time allow an attorney to represent us in court. The quote below is extracted from a  
 23 federal court decision:

24 *"The privilege against self-incrimination [Fifth Amendment] is neither accorded to the passive resistant, nor the*  
 25 *person who is ignorant of their rights, nor to one who is indifferent thereto. It is a fighting clause. Its benefits*  
 26 *can be retained only by sustained combat. It cannot be claimed by an attorney or solicitor. It is only valid*  
 27 *when insisted upon by a belligerent claimant in person."*  
 28 [*U.S. v. Johnson, 76 F.Supp. 538 (1947), Emphasis added*]

29 Please notice the boldfaced and underlined words the court used in the above quote! What human endeavor are these words  
 30 normally used in connection with? WAR! Freedom is not for the timid, but for the brave. That is why they call America  
 31 "Land of the Free and Home of the Brave!". If you want to stay free, then you must be willing to fight with anyone and  
 32 everyone who tries to take away that freedom, and especially with tyrannical public servants.

33 *Rights [read Liberties] are always demanded!*

34 Also note in the quote above that what the court above called a "privilege" is really structured in the Bill of Rights as a  
 35 "Liberty" or restraint on government! Who is afforded "civil rights"? One who knows them and demands them! Our pledge  
 36 of allegiance says "with liberty and justice for ALL". If you are going to stay free, then you must help everyone to stay free.  
 37 A chain is only as strong as its weakest link. The weakest link is the most helpless, ignorant, and defenseless members of  
 38 society. We can only remain free so long as we are willing to donate our effort and money to defending the weakest members  
 39 of society from government abuse. If we only protect our rights and don't help our neighbor defend his, then the tyrants in  
 40 government will isolate, divide, and eventually conquer and enslave everyone.

#### 41 **4.3.8 Why you shouldn't cite federal statutes (PUBLIC RIGHTS) as authority for protecting your PRIVATE rights**

42 Nearly all federal civil law is a civil franchise that you must volunteer for. This is covered in:

[Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037  
 http://sedm.org/Litigation/LitIndex.htm](http://sedm.org/Litigation/LitIndex.htm)



As such:

1. One must be domiciled or resident on federal territory to invoke federal civil statutory law. State citizens domiciled in constitutional states of the Union do NOT satisfy this criteria.
2. One must consent to the statutory “citizen” or “resident” franchise by describing themselves as such on government forms.
3. If you are a state citizen domiciled in a constitutional state of the Union and you cite federal statutory law as authority for an injury, then indirectly you are:
  - 3.1. Misrepresenting your status as a statutory “citizen of the United States” under federal law.
  - 3.2. Conferring civil jurisdiction to a federal court that they would not otherwise lawfully have.
  - 3.3. Waiving sovereign immunity under 28 U.S.C. Chapter 97, section 28 U.S.C. §1603(b)(3).

There are exceptions to the above, but they are rare. Any enactment of Congress that implements a constitutional provision, for instance, would be an exception. For instance, the civil rights found mainly in Title 42, Chapter 21 entitled “Civil Rights” implement the Fourteenth Amendment. They do not CREATE “privileges” or “rights”, but rather enforce them as authorized by the Fourteenth Amendment, Section 5. This is revealed in the following document:

Section 1983 Litigation, Litigation Tool #08.008  
<http://sedm.org/Litigation/LitIndex.htm>

The most often cited statute within Chapter 21 is 42 U.S.C. §1983. To wit:

[TITLE 42](#) > [CHAPTER 21](#) > [SUBCHAPTER I](#) > *Sec. 1983.*  
*Sec. 1983. - Civil action for deprivation of rights*

***Every person*** [not “man” or “woman”, but “person”] who, under color of any statute, ordinance, regulation, custom, or usage, ***of any State or Territory or the District of Columbia***, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia

The first thing to notice about the above, is that they use the word “person” instead of “man or woman”. This “person” is a CONSTITUTIONAL person described in the Fourteenth Amendment, not a STATUTORY “person” domiciled or resident on federal territory and subject to the GENERAL jurisdiction of the national government. The phrase “within the jurisdiction” above means the SUBJECT MATTER jurisdiction and not the GENERAL jurisdiction. How do we know this? Because:

1. They mention the laws of a State or territory or the District of Columbia RATHER than those of the national government.
2. The statute may ONLY be enforced against officers of constitutional states depriving those under their protection of their constitutionally guaranteed rights. It may NOT be enforced against ANY private person.

*“Title 42, § 1983 of the U.S. Code provides a mechanism for seeking redress for an alleged deprivation of a litigant's federal constitutional and federal statutory rights by persons acting under color of state law.”*  
 [Section 1983 Litigation, Litigation Tool #08.008, p. 1;  
 FORMS PAGE: <http://sedm.org/Litigation/LitIndex.htm>]

On the opposite end of the spectrum, we have civil franchises such as Social Security, Medicare, marriage licenses, driver licenses, all of which require you to volunteer by filling out an application and using government property before you are treated as a statutory “person”, “taxpayer”, “spouse”, “citizen”, or “resident”. This is covered in:

Government Instituted Slavery Using Franchises, Form #05.030  
<http://sedm.org/Litigation/LitIndex.htm>

You will find out later that the status of being either a STATUTORY “citizen” or STATUTORY “resident” within a franchise is not a status you want to have under federal law, because that is how you become a “taxpayer”! They also use the word

1 “State”, which we know from 4 U.S.C. § 110(d) means a federal State, which is a territory or possession of the United States.  
2 States of the Union do NOT fit this category, folks!

3 A very important aspect of natural rights is the following fact:

4 “You don’t need stinking federal statutes to protect them!” [Family Guardian Fellowship]

5 Below is an example of a sovereign Indian tribe that sued a state official under the provisions of 42 U.S.C. § 1983 and yet  
6 tried to assert that it was “sovereign”. The U.S. Supreme Court admitted that it could NOT cite this statute as authority:

7 “The issue pivotal here is whether a tribe [which enjoys “sovereign immunity” from suit] qualifies as a  
8 claimant -- a “person within the jurisdiction” of the United States -- under § 1983.[5] The United States  
9 maintains it does not, invoking the Court’s “longstanding interpretive presumption that “person” does not include  
10 the sovereign,” a presumption that “may be disregarded only upon some affirmative showing of statutory intent  
11 to the contrary.” Brief for United States as Amicus Curiae 7-8 (quoting Vermont Agency of Natural Resources v.  
12 United States ex rel. Stevens, 529 U.S. 765, 780-781 (2000)); see Will, 491 U.S. at 64. Nothing in the text,  
13 purpose, or history of § 1983, the Government contends, overcomes the interpretive presumption [538 U.S. 710]  
14 that “person” does not include the sovereign.” Brief for United States as Amicus Curiae 7-8 (some internal  
15 quotation marks omitted). Furthermore, the Government urges, given the Court’s decision that “person” excludes  
16 sovereigns as defendants under § 1983, it would be anomalous for the Court to give the same word a different  
17 meaning when it appears later in the same sentence. *Id.* at 8; see *Brown v. Gardner, 513 U.S. 115, 118 (1994)*  
18 (the “presumption that a given term is used to mean the same thing throughout a statute” is “surely at its most  
19 vigorous when a term is repeated within a given sentence”); cf. *Lafayette v. Louisiana Power & Light Co., 435*  
20 *U.S. 389, 397 (1978)* (because municipalities are “persons” entitled to sue under the antitrust laws, they are also,  
21 in principle, “persons” capable of being sued under those laws).

22 *The Tribe responds that Congress intended § 1983 “to provide a powerful civil remedy against all forms of*  
23 *official violation of federally protected rights.”* Brief for Respondents 45 (quoting *Monell v. New York City Dept.*  
24 *of Social Servs., 436 U.S. 658, 700-701 (1978)*). To achieve that remedial purpose, the Tribe maintains, § 1983  
25 should be “broadly construed.” Brief for Respondents 45 (citing *Monell, 436 U.S. at 684-685*) (internal quotation  
26 marks omitted). Indian tribes, the Tribe here asserts, “have been especially vulnerable to infringement of their  
27 federally protected rights by states.” Brief for Respondents 42 (citing, *inter alia, The Kansas Indians, 5 Wall.*  
28 *737 (1867)* (state taxation of tribal lands); *Minnesota v. Mille Lacs Band of Chippewa Indians, 526 U.S. 172*  
29 *(1999)* (state infringement on tribal rights to hunt, fish, and gather on ceded lands); *Mississippi Band of Choctaw*  
30 *Indians v. Holyfield, 490 U.S. 30 (1989)* (tribal jurisdiction over Indian child custody proceedings); *California v.*  
31 *Cabazon Band of Mission Indians, 480 U.S. 202 (1987)* (state attempt to regulate gambling on tribal land)). To  
32 guard against such infringements, the Tribe contends, the [538 U.S. 711] Court should read § 1983 to encompass  
33 suits brought by Indian tribes.

34 As we have recognized in other contexts, qualification of a sovereign as a “person” who may maintain a particular  
35 claim for relief depends not “upon a bare analysis of the word “person,” *Pfizer Inc. v. Government of India, 434*  
36 *U.S. 308, 317 (1978)*, but on the “legislative environment” in which the word appears, *Georgia v. Evans, 316*  
37 *U.S. 159, 161 (1942)*. Thus, in *Georgia*, the Court held that a State, as purchaser of asphalt shipped in interstate  
38 commerce, qualified as a “person” entitled to seek redress under the Sherman Act for restraint of trade. *Id.* at  
39 160-163. Similarly, in *Pfizer*, the Court held that a foreign nation, as purchaser of antibiotics, ranked as a  
40 “person” qualified to sue pharmaceutical manufacturers under our antitrust laws. *Pfizer, 434 U.S. at 309-320;*  
41 *cf. Stevens, 529 U.S. at 787, and n. 18* (deciding States are not “person[s]” subject to *qui tam* liability under the  
42 False Claims Act, but leaving open the question whether they “can be ‘persons’ for purposes of commencing an  
43 FCA *qui tam* action” (emphasis deleted)); *United States v. Cleveland Indians Baseball Co., 532 U.S. 200, 213*  
44 *(2001)* (“Although we generally presume that identical words used in different parts of the same act are intended  
45 to have the same meaning, the presumption is not rigid, and the meaning of the same words well may vary to meet  
46 the purposes of the law.” (internal quotation marks, brackets, and citations omitted)).

47 *There is in this case no allegation that the County lacked probable cause or that the warrant was otherwise*  
48 *defective. It is only by virtue of the Tribe’s asserted “sovereign” status that it claims immunity from the County’s*  
49 *processes. See App. 97-105, ¶¶1-25, 108-110, ¶¶33-39; 291 F.3d. at 554 (Court of Appeals “find[s] that the*  
50 *County and its agents violated the Tribe’s sovereign immunity when they obtained and executed a search warrant*  
51 *against the Tribe and tribal [538 U.S. 712] property.” (emphasis added)).* Section 1983 was designed to secure  
52 private rights against government encroachment, see *Will, 491 U.S. at 66*, not to advance a sovereign’s  
53 prerogative to withhold evidence relevant to a criminal investigation. For example, as the County acknowledges,  
54 a tribal member complaining of a Fourth Amendment violation would be a “person” qualified to sue under §  
55 1983. See Brief for Petitioners 20, n. 7. But like other private persons, that member would have no right to  
56 immunity from an appropriately executed search warrant based on probable cause. Accordingly, we hold that  
57 the [sovereign] Tribe may not sue under § 1983 to vindicate the sovereign right it here claims.{6}  
58 [*Inyo County, California v. Paiute Shoshone Indians, 538 U.S. 701 (2003)*]

59 State courts are the only appropriate forum in which to litigate to protect your rights if you live in a state of the Union and  
60 not on federal property. The Supreme Court confirmed this when it said:

**The Great  IRS Hoax: Why We Don't Owe Income Tax, version 4.54**

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1 “It would be the vainest show of learning to attempt to prove by citations of authority, that up to the adoption of  
2 the recent Amendments [the Thirteenth and Fourteenth Amendment], no claim or pretense was set up that those  
3 rights depended on the Federal government for their existence or protection, beyond the very few express  
4 limitations which the Federal Constitution imposed upon the states—such as the prohibition against *ex post facto*  
5 laws, bill of attainder, and laws impairing the obligation of contracts. **But with the exception of these and a few  
6 other restrictions, the entire domain of the privileges and immunities of citizens of the states, as above defined,  
7 lay within the constitutional and legislative power of the states, and without that of the Federal government.  
8 Was it the purpose of the 14<sup>th</sup> Amendment, by the simple declaration that no state should make or enforce any  
9 law which shall abridge the privileges and immunities of citizens of the United States, to transfer the security  
10 and protection of all the civil rights which we have mentioned, from the states to the Federal government? And  
11 where it is declared that Congress shall have the power to enforce that article, was it intended to bring within the  
12 power of Congress the entire domain of civil rights heretofore belonging exclusively to the states?**

13 **We are convinced that no such result was intended by the Congress which proposed these amendments, nor by  
14 the legislatures of the states, which ratified them.**

15 **Having shown that the privileges and immunities relied on in the argument are those which belong to citizens  
16 of the states as such, and that they are left to the state governments for security and protection, and not by this  
17 article placed under the special care of the Federal government, we may hold ourselves excused from defining  
18 the privileges and immunities of citizens of the United States which no state can abridge, until some case  
19 involving those privileges may make it necessary to do so.”**

20 [Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873) , emphasis added]

21 When properly litigated in a *state* court, the only authority necessary for the defense of rights is the Constitution itself and  
22 proof of your domicile in a state of the Union and not on federal property. The Supreme Court alluded to this fact when it  
23 stated:

24 “The government of the United States has been emphatically termed a government of laws, and not of men. **It  
25 will certainly cease to deserve that high appellation, if the laws furnish no remedy for the violation of a vested  
26 legal right.**”

27 [Marbury v. Madison, 5 U.S. 137, 1 Cranch 137, 2 L.Ed. 60 (1803)]

28 Those citing EXCLUSIVELY the constitution do not NEED federal statutes, as held by the U.S. Supreme Court:

29 *The design of the Fourteenth Amendment has proved significant also in maintaining the traditional separation of*  
30 *powers 524\*524 between Congress and the Judiciary. **The first eight Amendments to the Constitution set forth***  
31 **self-executing prohibitions on governmental action, and this Court has had primary authority to interpret those**  
32 **prohibitions.** *The Bingham draft, some thought, departed from that tradition by vesting in Congress primary*  
33 *power to interpret and elaborate on the meaning of the new Amendment through legislation. Under it, “Congress,*  
34 *and not the courts, was to judge whether or not any of the privileges or immunities were not secured to citizens*  
35 *in the several States.”* *Flack, supra, at 64. While this separation-of-powers aspect did not occasion the widespread*  
36 *resistance which was caused by the proposal’s threat to the federal balance, it nonetheless attracted the attention*  
37 *of various Members. See Cong. Globe, 39th Cong., 1st Sess., at 1064 (statement of Rep. Hale) (noting that Bill of*  
38 *Rights, unlike the Bingham proposal, “provide[s] safeguards to be enforced by the courts, and not to be*  
39 **exercised by the Legislature”); id., at App. 133 (statement of Rep. Rogers) (prior to Bingham proposal it “was**  
40 *left entirely for the courts . . . to enforce the privileges and immunities of the citizens”). As enacted, the Fourteenth*  
41 *Amendment confers substantive rights against the States which, like the provisions of the Bill of Rights, are self-*  
42 *executing. Cf. South Carolina v. Katzenbach, 383 U. S., at 325 (discussing Fifteenth Amendment). The power to*  
43 *interpret the Constitution in a case or controversy remains in the Judiciary.*  
44 [City of Boerne v. Flores, 521 U.S. 507 (1997)]

45 Nearly all federal statutes dealing with the protection of so-called “rights” exist for the following reasons. And by “rights”  
46 we really mean franchise privileges:

- 47 1. They *only* apply within federal jurisdiction and on federal land, where the Bill of Rights *do not* apply and where federal  
48 jurisdiction is exclusive and plenary. See *Downes v. Bidwell*, 182 U.S. 244 (1901). These statutes are therefore meant  
49 as a *substitute* for the Bill of Rights that only applies in federal areas.
- 50 2. They are intended to be used by “persons” domiciled on federal territory wherever situated and may only be invoked by  
51 nonresident parties where a specific extraterritorial subject matter issue enumerated in the Constitution is involved, such  
52 as interstate commerce.
- 53 3. The result of persons citing federal statutes who are domiciled in Constitutional states of the Union is that these people  
54 basically are volunteering or “electing” to become “resident” parties and/or “taxpayers” for the purposes of the  
55 dispute. Keep in mind that if you are a Constitutional and not statutory “citizen”, then making such an election is a  
56 CRIME pursuant to [18 U.S.C. §911!](#)

1 Per Fourteenth Amendment, Section 5, [42 U.S.C. §1981](#), implements the equal protection provisions of said amendment as  
2 follows:

3 [TITLE 42 > CHAPTER 21 > SUBCHAPTER I > Sec. 1981.](#)  
4 [Sec. 1981. - Equal rights under the law](#)

5 (a) *Statement of equal rights*

6 *All persons within the jurisdiction of the United States shall have the same right in every State and Territory to*  
7 *make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and*  
8 *proceedings for the security of persons and property as is enjoyed by white citizens, shall be subject to like*  
9 *punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.*

10 The whole chapter 21 only applies to people “within the jurisdiction of the United States”, which we already said are  
11 CONSTITUTIONAL and NOT federal STATUTORY “persons”. If you are domiciled within a state of the Union and don’t  
12 maintain a domicile on federal territory, then that doesn’t include you, amigo! By “like”, they mean the same “taxes” as  
13 “U.S. citizens” pay who were born in federal territories or possessions or the District of Columbia. Notice they put  
14 “punishment, pains, penalties, and taxes” in the same sentence because they are all equivalent!

15 *"A fine is a tax for doing something wrong. A tax is a fine for doing something right."*

16 Here is some more evidence:

17 [TITLE 42 > CHAPTER 21 > SUBCHAPTER IX > §2000h-4](#)  
18 [§2000h-4. Construction of provisions not to exclude operation of State laws and not to invalidate consistent State](#)  
19 [laws](#)

20 *Nothing contained in any title of this Act shall be construed as indicating an intent on the part of Congress to*  
21 *occupy the field in which any such title operates to the exclusion of State laws on the same subject matter, nor*  
22 *shall any provision of this Act be construed as invalidating any provision of State law unless such provision is*  
23 *inconsistent with any of the purposes of this Act, or any provision thereof.*

24 It’s silly to go to such great lengths to free yourself of federal taxes by spending countless hours reading and studying and  
25 applying this book if you are going to turn right around and call on Uncle [Big Brother] to protect you from people in your  
26 own state! If you want to be sovereign, you can’t depend on Big Brother for anything, because the minute you start doing  
27 so, they [the IRS goons in this case] are going to come knocking on your door and ask you to “pay up”! People who are  
28 sovereign look out for themselves and don’t take handouts or help from anyone, folks!

### 29 **4.3.9 Enumeration of inalienable PRIVATE rights**

30 As we said in the previous sections, you must know your rights before you have any! A sovereign who is not subject to  
31 federal statutory law cannot cite that law in his defense, and can only defend himself by litigating in defense of his  
32 Constitutional and natural rights. He must do so in equity and not law, and proceed against the perpetrator as a private  
33 individual.

34 There is no single place we have found which even attempts to enumerate all of these rights or “protected liberty interests”.  
35 You won’t find them listed in any statute or legislative act or legal reference book. The only source we have found which  
36 identifies them is mainly rulings of the U.S. Supreme Court and state Supreme Courts. The following subsections constitute  
37 a summary of these rights, provided for ready reference in order to save you the MUCHO research time we had to devote in  
38 producing it:

Table 4-12: Enumeration of PRIVATE Rights

#	Description	Law(s)	Case or other authorities
<b>1</b>	<b>ASSOCIATION AND RELIGION</b>		
1.1	Right to associate	<a href="#">First Amendment</a>	
1.2	Right to be left alone		Olmstead v. United States, <a href="#">277 U.S. 438, 478</a> (1928) (Brandeis, J., dissenting) Washington v. Harper, <a href="#">494 U.S. 210</a> (1990)
1.3	Freedom from compelled association	<a href="#">First Amendment</a>	American Jurisprudence 2d., Constitutional law, §546: Forced and Prohibited Associations (1999) Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S.Ct. 2729, 111 L.Ed.2d. 52, 5 I.E.R. Cas. (BNA) 673 (1990)
1.4	Right to practice religion	<a href="#">First Amendment</a>	O'Lone v. Estate of Shabazz, <a href="#">482 U.S. 342</a> (1987) (for prisoners)
1.5	Collective activity to obtain meaningful access to the courts is a fundamental right within the protections of the First Amendment	<a href="#">First Amendment</a>	Roberts v. United States Jaycees, <a href="#">468 U.S. 609</a> (1984) In re Primus, <a href="#">436 U.S. 412</a> , 426 (1978) NAACP v. Button, <a href="#">371 U.S. 415</a> , at 429-430 (1963)
1.6	Right to be free from compulsion by state to join a labor union involved in ideological activities		Aboud v. Detroit Board of Education, <a href="#">431 U.S. 209</a> , 236 (1977) Roberts v. United States Jaycees, <a href="#">468 U.S. 609</a> (1984)
<b>2</b>	<b>SPEECH</b>		
2.1	Right to speak	<a href="#">First Amendment</a>	Thornburgh v. Abbott, <a href="#">490 U.S. 401</a> , 407 (1989) (for prisoners)
2.2	Right to not speak or remain silent	<a href="#">First Amendment</a>	Wooley v. Maynard, <a href="#">430 U.S. 705</a> , 97 S.Ct. 1428, 51 L.Ed.2d. 752 (1977) Miranda v. Arizona, <a href="#">384 U.S. 436</a> (1966) Aboud v. Detroit Bd. of Ed., <a href="#">431 U.S. 209</a> , 97 S.Ct. 1782, 52 L.Ed.2d. 261 (1977) Malloy v. Hogan, <a href="#">378 U.S. 1</a> (1964) (direct compulsion to testify) Griffin v. California, <a href="#">380 U.S. 609</a> , 613-614 (1965) (indirect compulsion to testify prohibited) McCune v. Lile, <a href="#">536 U.S. 24</a> (2002) ("we have construed the text to prohibit not only direct orders to testify, but also indirect compulsion effected by comments on a defendant's refusal to take the stand")
2.3	Right of freedom from prior restraints on speech		Southeastern Promotions, Ltd. V. Conrad, <a href="#">420 U.S. 546</a> , 558-559 (1975)
2.4	Right to remain anonymous when speaking		Macintyre v. Ohio Elections Commission, <a href="#">514 U.S. 334</a> (1995) Talley v. California, <a href="#">362 U.S. 60</a> (1960)
2.5	Right to not be penalized based on failure to testify		Uniformed Sanitation Men Assn., Inc. v. Commissioner of Sanitation of City of New York, <a href="#">392 U.S. 280</a> , 284-285 (1968) Lefkowitz v. Turley, <a href="#">414 U.S. 70</a> , 77-79 (1973) Lefkowitz v. Cunningham, <a href="#">431 U.S. 801</a> , 804-806 (1977) McCune v. Lile, <a href="#">536 U.S. 24</a> , 35 (2002)
2.6	Right to not be compelled to give testimony in a civil proceeding		McCarthy v. Amdstein, 266 U.S. 34, 40 (1924)
2.7	Right to demand grant of witness immunity prior to any testimony		Kastigar v. United States, <a href="#">406 U.S. 441</a> , 446-447 (1972)
<b>3</b>	<b>DEFENSE AND SELF-DEFENSE</b>		
3.1	Right to bear arms	<a href="#">Second Amendment</a>	See also: <a href="http://famguardian.org/Subjects/GunControl/Research/CourtDecisions/court.htm">http://famguardian.org/Subjects/GunControl/Research/CourtDecisions/court.htm</a>
3.2	Right to not quarter soldiers in your house	<a href="#">Third Amendment</a>	
3.3	Right to self-defense (when life threatened)		Beard v. U.S., <a href="#">158 U.S. 550</a> (1895)
<b>4</b>	<b>FAMILY, SELF, AND HOME</b>		
4.1	Right to marry and divorce		Loving v. Virginia, <a href="#">388 U.S. 1</a> (1967) (for everyone) Turner v. Safley, <a href="#">482 U.S. 78</a> (1987) (for prisoners)
4.2	Right to procreate		Skinner v. Oklahoma ex rel. Williamson, <a href="#">316 U.S. 535</a> (1942)
4.3	Right to establish a home and bring up children		Troxel v. Granville, <a href="#">530 U.S. 57</a> (2000) ("we held that the "liberty" protected by the Due Process Clause includes the right of parents to "establish a home and bring up children" and "to control the education of their own.") Meyer v. Nebraska, <a href="#">262 U.S. 390</a> , 399, 401 (1923) (establish a home and bring up children)

			Pierce v. Society of Sisters, <a href="#">268 U.S. 510</a> , 534-535 (1925) (held that the "liberty of parents and guardians" includes the right "to direct the upbringing and education of children under their control.")
4.4	Right to make decisions about the care, custody, and upbringing of one's children		Stanley v. Illinois, <a href="#">405 U.S. 645</a> , 651 (1972) ("It is plain that the interest of a parent in the companionship, care, custody, and management of his or her children `come[s] to this Court with a momentum for respect lacking when appeal is made to liberties which derive merely from shifting economic arrangements'" (citation omitted)); Wisconsin v. Yoder, <a href="#">406 U.S. 205</a> , 232 (1972) ("The history and culture of Western civilization reflect a strong tradition of parental concern for the nurture and upbringing of their children. This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition"); Quilloin v. Walcott, <a href="#">434 U.S. 246</a> , 255 (1978) ("We have recognized on numerous occasions that the relationship between parent and child is constitutionally protected"); Parham v. J. R., <a href="#">442 U.S. 584</a> , 602 (1979) ("Our jurisprudence historically has reflected Western civilization concepts of the family as a unit with broad parental authority over minor children. Our cases have consistently followed that course"); Santosky v. Kramer, <a href="#">455 U.S. 745</a> , 753 (1982) (discussing "[t]he fundamental liberty interest of natural parents in the care, custody, and management of their child"); Washington v. Glucksberg, <a href="#">521 U.S. 702</a> , at 720 (1997) ("In a long line of cases, we have held that, in addition to the specific freedoms protected by the Bill of Rights, the `liberty' specially protected by the Due Process Clause includes the righ[t] . . . to direct the education and upbringing of one's children" (citing Meyer and Pierce)) Troxel v. Granville, <a href="#">530 U.S. 57</a> (2000)
4.5	Right to use contraceptives		Griswold v. Connecticut, <a href="#">381 U.S. 479</a> (1965) Eisenstadt v. Baird, <a href="#">405 U.S. 438</a> (1972)
4.6	Right to contract	<a href="#">Constitution, Art. 1, Section 10</a> (in relation to states) <a href="#">42 U.S.C. §1981(b)</a>	Sinking Fund Cases, <a href="#">99 U.S. 700</a> (1878) (in relation to federal government) Standard Oil v. U.S., <a href="#">221 U.S. 1</a> (1910). (noting "the freedom of the individual right to contract when not unduly or improperly exercised [is] the most efficient means for the prevention of monopoly")
4.7	Right to send children to private school		Pierce v. Society of Sisters, <a href="#">268 U.S. 510</a> (1925)
4.8	Right to privacy	<a href="#">Fourth Amendment</a>	
4.9	Freedom from unreasonable searches and seizures	<a href="#">Fourth Amendment</a>	
4.10	Spousal privilege against incrimination of spouse		What to Do When the IRS Comes Knocking, Section 5; <a href="http://famguardian.org/TaxFreedom/Forms/Discovery/WhatToDoWhenTheIRSComesKnocking.pdf">http://famguardian.org/TaxFreedom/Forms/Discovery/WhatToDoWhenTheIRSComesKnocking.pdf</a> Trammel v. United States, <a href="#">445 U.S. 40</a> at 51, 100 S.Ct. at 913 (1980)
4.11	Right to enjoy property		Lynch v. Household Finance Corp., <a href="#">405 U.S. 538</a> (1972)
4.12	Right of equal protection	<a href="#">42 U.S.C. §1981(a)</a> <a href="#">Fourteenth Amendment</a> <a href="#">U.S. Constitution, Article IV, Section 2</a>	Gulf, C. & S.F.R. Co. v. Ellis, <a href="#">165 U.S. 150</a> (1897)
4.13	Right to not be subjected to involuntary servitude or slavery	<a href="#">Thirteenth Amendment</a> <a href="#">42 U.S.C. §1994</a> <a href="#">18 U.S.C. §1589</a> (abuse of legal process)	Plessy v. Ferguson, <a href="#">163 U.S. 537</a> (1896) Clyatt v. United States, <a href="#">197 U.S. 207</a> ; 25 S.Ct. 429; 49 L.Ed. 726 (1905)
4.14	Right to not take anti-psychotic drugs except in presence of compelling state interest		Washington v. Harper, <a href="#">494 U.S. 210</a> (1990) Riggins v. Nevada, <a href="#">504 U.S. 127</a> (1992) Sell v. United States, <a href="#">539 U.S. 166</a> (2003)
4.15	Right to refusal of artificial provision of life-sustaining food and water to hastening one's own death.		Cruzan v. Director, MDH, <a href="#">497 U.S. 261</a> (1990)
4.16	Right to make decisions that will affect one's own or one's family's destiny		Fitzgerald v. Porter Memorial Hospital, 523 F.2d. 716, 719-720 (CA7 1975) (footnotes omitted), cert. denied, <a href="#">425 U.S. 916</a> (1976)

4.17	Right to not be sterilized as a felon		Skinner v. Oklahoma ex rel. Williamson, <a href="#">316 U.S. 535</a> , 541 (1942) (invalidating a statute authorizing sterilization of certain felons).
4.18	Right of inviolability of the person		Union Pacific R. Co. v. Botsford, <a href="#">141 U.S. 250</a> , 251-252 (1891) ("The inviolability of the person" has been held as "sacred" and "carefully guarded" as any common law right.) Downer v. Veilleux, 322 A.2d. 82, 91 (Me.1974) ("The rationale of this rule lies in the fact that every competent adult has the right to forego treatment, or even cure, if it entails what for him are intolerable consequences or risks, however unwise his sense of values may be to others") Cruzan v. Director, MDH, <a href="#">497 U.S. 261</a> (1990)
<b>5</b>	<b>TRAVEL</b>		
5.1	Right to travel		Saenz v. Roe, <a href="#">526 U.S. 489</a> (1999) (thoroughly explains the right) United States v. Guest, <a href="#">383 U.S. 745</a> , 757 (1966) Shapiro v. Thompson, <a href="#">394 U.S. 618</a> (1969)
5.2	Right of freedom from physical restraint		Kansas v. Hendricks, <a href="#">521 U.S. 346</a> (1997) Foucha v. Louisiana, <a href="#">504 U.S. 71</a> , 80 (1992) Ingraham v. Wright, <a href="#">430 U.S. 651</a> , 673-674 (1977) Board of Regents v. Roth, <a href="#">408 U.S. 564</a> , 572 (1972) Jacobson v. Massachusetts, <a href="#">197 U.S. 11</a> , 26 (1905) ("[T]he liberty secured by the Constitution of the United States to every person within its jurisdiction does not [521 U.S. 357] import an absolute right in each person to be at all times and in all circumstances, wholly free from restraint. There are manifold restraints to which every person is necessarily subject for the common good. On any other basis, organized society could not exist with safety to its members.")
5.3	Right to travel to another state to get an abortion		Doe v. Bolton, <a href="#">410 U.S. 179</a> , 200 (1973)
5.4	Right of nonresidents to enter or leave a state		Shapiro v. Thompson, <a href="#">394 U.S. 618</a> , 631 (1969)
5.5	There is <i>no fundamental right</i> to have or to register a car		Williams v. Vermont, <a href="#">472 U.S. 14</a> (1985)
<b>6</b>	<b>DUE PROCESS</b>		
6.1	Right to indictment by Grand Jury, not government	<a href="#">Fifth Amendment</a>	
6.2	Right of freedom from double-jeopardy	<a href="#">Fifth Amendment</a>	
6.3	Right to no incriminate self	<a href="#">Fifth Amendment</a>	
6.4	Right to life, liberty, and property. Cannot be deprived of without due process of law	<a href="#">Fifth Amendment</a>	
6.5	Property may not be taken by state without just compensation	<a href="#">Fifth Amendment</a>	
6.6	Right to not be victimized by warrantless seizures	<a href="#">Fourth Amendment</a>	
6.7	Right to speedy trial in criminal case	<a href="#">Sixth Amendment</a>	
6.8	Right to impartial jury in the district where crime committed	<a href="#">Sixth Amendment</a>	
6.9	Right to be informed of the nature and cause of accusations	<a href="#">Sixth Amendment</a>	
6.10	Right to confront witnesses	<a href="#">Sixth Amendment</a>	
6.11	Right to compel witnesses to testify in your defense	<a href="#">Sixth Amendment</a>	Washington v. Texas, <a href="#">388 U.S. 14</a> (1967)
6.12	Right to assistance of Counsel in Criminal prosecutions	<a href="#">Sixth Amendment</a>	Grosjean v. American Press Co., <a href="#">297 U.S. 233</a> , 243-244 (1936) ("the fundamental right of the accused to the aid of counsel in a criminal prosecution" is "safeguarded against state action by the due process of law clause of the Fourteenth Amendment"). United States v. Cronin, <a href="#">466 U.S. 648</a> , 653 (1984) ("Without counsel, the right to a trial itself would be of little avail") McMann v. Richardson, <a href="#">397 U.S. 759</a> , 771, n. 14 (1970) ("the right to counsel is the right to the effective assistance of counsel.")
6.13	Right of trial by jury	<a href="#">Sixth Amendment</a>	
6.14	Right to be free of cruel or unusual punishment	<a href="#">Eighth Amendment</a>	

6.15	Rights not enumerated in the Constitution are retained by the people	<a href="#">Ninth Amendment</a>	
6.16	Rights not enumerated in the Constitution are retained by the States or the People	<a href="#">Tenth Amendment</a>	
6.17	Right of prisoners of access to court		Lassiter v. Department of Social Servs. Of Durham City, <a href="#">452 U.S. 18</a> (1981) (parental rights) Boddie v. Connecticut, <a href="#">401 U.S. 371</a> (1971) (divorce) Wong Yang Sung v. McGrath, <a href="#">339 U.S. 33</a> , 49-50 (1950) (deportation)
6.18	Right to “reasonable notice” or “due notice” of the laws which one is bound to obey	26 C.F.R. §601.702(a)(2)(ii) (publication in federal register before enforceable) <a href="#">5 U.S.C. §553(b)</a> <a href="#">44 U.S.C. §1505(a), (c) (2)</a>	Holden v. Hardy, <a href="#">169 U.S. 366</a> (1898) (“It is sufficient to say that there are certain immutable principles of justice which inhere in the very idea of free government which no member of the Union may disregard, as that no man shall be condemned in his person or property without due notice and an opportunity of being heard in his own defense.”) Powell v. Alabama, <a href="#">287 U.S. 45</a> (1932) (“It never has been doubted by this court, or any other, so far as we know, that notice and hearing are preliminary steps essential to the passing of an enforceable judgment, and that they, together with a legally competent tribunal having jurisdiction of the case, constitute basic elements of the constitutional requirement of due process of law.”)
6.19	Right of an indigent defendant to a free transcript in aid of appealing his conviction for violating city ordinances		Griffin v. Illinois, <a href="#">351 U.S. 12</a> (1956)
6.20	Right of freedom from institutional confinement		Schall v. Martin, <a href="#">467 U.S. 253</a> (1984) (children have a protected liberty interest in “freedom from institutional restraints”) Reno v. Flores, <a href="#">507 U.S. 292</a> (1993)
6.21	Right to meaningful opportunity to present a defense		Crane v. Kentucky, 476 U.S. 683, 690 (1986) (quoting California v. Trombletta, 467 U.S. 479, 485 (1984)) (“the Constitution guarantees criminal defendants a meaningful opportunity to present a complete defense.”)
6.22	Right to a fair trial of impartial jurors		Sheppard v. Maxwell, <a href="#">384 U.S. 333</a> at 350-351 (1966) Gentile v. State Bar of Nevada, <a href="#">501 U.S. 1030</a> (1991) Turner v. Louisiana, <a href="#">379 U.S. 466</a> , 73 (1965) (evidence in criminal trial must come solely from witness stand in public courtroom with full evidentiary protections).
6.23	Lawyers enjoy a “broad monopoly” or right to do things that other citizens may not lawfully do		Supreme Court of NH v. Piper, <a href="#">470 U.S. 274</a> (1985) (“ Lawyers do enjoy a “broad monopoly . . . to do things other citizens may not lawfully do.” In re Griffiths, 413 U.S. 717, GO>731 (1973))
<b>7</b>	<b>POLITICAL RIGHTS</b>		
7.1	Right to vote, regardless of gender	<a href="#">Nineteenth Amendment</a>	
7.2	Right to vote without paying a poll tax	<a href="#">24<sup>th</sup> Amendment</a>	
7.3	Right to vote if 18 or older	<a href="#">26<sup>th</sup> Amendment</a>	
<b>8</b>	<b>EDUCATION</b>		
8.1	Right to teach foreign language in a parochial school		Meyer v. Nebraska, <a href="#">262 U.S. 390</a> (1923)
8.2	Right of free speech in educational settings		Board of education of Westside Community Schools v. Mergens by and Through Mergens, <a href="#">496 U.S. 226</a> (1990) Shelton v. Tucker, <a href="#">364 U.S. 479</a> (1960)
<b>9</b>	<b>STATES RIGHTS</b>		
9.1	Right to NOT spend money on “nontherapeutic abortions for minor adults”		Maher v. Roe, <a href="#">432 U.S. 464</a> (1977) Webster v. Reproductive Health Services, <a href="#">492 U.S. 490</a> , 508-511 (1989)
9.2	Right to <i>not</i> be civilly sued in a federal court by a resident of the state		Alden v. Maine, <a href="#">527 U.S. 706</a> (1999)
9.3	Right of sovereignty in courts of a foreign sovereign when not conducting “commerce” within the legislative jurisdiction of a foreign sovereign	<a href="#">Foreign Sovereign Immunities Act (F.S.I.A.)</a> , 28 U.S.C. §§1602-1611	World-Wide Volkswagen v. Woodson, <a href="#">444 U.S. 286</a> (1980)
9.4	Governments or states may violate the Constitutional rights of persons in the context of their employment role as “public officers” (Patronage exception)		Rutan v. Republican Party of Illinois, <a href="#">497 U.S. 62</a> (1990)



9.5	Right to not subsidize the exercise of a fundamental right		<p>Regan v. Taxation with Representation of Wash, <a href="#">461 U.S. 540</a>, at 549 (1983) ("[A] legislature's decision not to subsidize the exercise of a fundamental right does not infringe the right.")</p> <p>Buckley v. Valeo, <a href="#">424 U.S. 1</a> (1976)</p> <p>Cammarano v. United States, <a href="#">358 U.S. 498</a> (1959)</p> <p>Harris v. McRae, <a href="#">448 U.S. 297</a> at 317 (1980), n.19. ("A refusal to fund protected activity, without more, cannot be equated with the imposition of a 'penalty' on that activity.")</p>
9.6	Right to search an automobile without a search warrant		<p>California v. Carney, <a href="#">471 U.S. 386</a> (1985)</p> <p>Carroll v. United States, <a href="#">267 U.S. 132</a> (1925)</p>

1

### 4.3.10 Two of You

I suspect that on the day of your birth your parents gave you a name, and whatever that name is (we'll use a generic name to illustrate), was spelled something like this: "John Henry Doe". Notice how it is spelled in both upper and lower case.

This is my given name, and it is the one to which I respond to, in all matters concerning me, as a Creature of God with Rights from God and as a Sovereign American of the Republic of Illinois, one of the several States of the Union of States (The united States of America).

I realize that seems like a mouth full. However, it is no less important than the Declaration of Independence, the U.S. Constitution, or the Bill of Rights. Since this country was founded on the premise of individual freedom as espoused by these very documents, it is up to us individually to continually remind ourselves of just who we are, and what are our responsibilities to ourselves. Should we forget who we are (and most of us have), then we fall prey to those who would misuse their power to rule over us. These documents guarantee our Rights. Only you can use them.

The other thing that happened when you were born is that the state and federal government also made an artificial or corporate you in their databases under the Uniform Commercial Code.

While this may not seem obvious to you at the moment it is nonetheless significant, and has been used to trick, mislead, and confuse us all into doing things as Sovereign Americans we surely would not have done had we only known these differences. This has been going on now for about 65 years, since Roosevelt and his "New Deals".

What the government did was to create what is called a fictitious corporate "person". Remember the interpretation of the Fourteenth Amendment and how the word "person" was placed in quotation marks? Well here it is.

The Secretary of State in each state maintains a listing of business and individual names upon which commercial liens can be registered under the Uniform Commercial Code. If your name is found in the state's UCC database as a person who is either owed money or owes money, then the state is referring to the fictitious you rather than the natural you. This is the corporate you under commercial law. There are rules of precedence under the UCC whereby the first person to register a claim under your name in the UCC database will be reimbursed first. Some people will register a lien on their own name, claiming full rights to all their own property and assets, in order that if a third party tries to use the State's UCC system and the courts to put a lien on them, then they can't collect in the courts because the person already has a superseding lien under his own name on his own property. This is called "UCC redemption".

Take a look at any paper money you might have, notice at the very top it reads, "Federal Reserve Note". So, what is a NOTE? It is a promise to pay. It is not currency with intrinsic value that can be traded for gold or silver, which is the only currency the government was authorized. It is a debit and the ultimate owner of the note is the holder of the debt. In this case, the holder of the debt is those who own the Federal Reserve, not even the Federal Government, much less you and me.

It might help to think of this artificial or corporate "person" as your shadow. It follows you wherever you go, but sometimes, the things you do are actually meant for your shadow, not you. Yet, you answer to these things as though it were you, and in doing so, you have neglected to protect and reserve your Rights as a sovereign "Citizen". There is a simple way to reverse this process and to avoid any further misunderstandings in the future as you shall soon discover.

## 4.4 Government

### 4.4.1 What is government?

We'll start off this section with a definition of government from Black's Law Dictionary. Note especially the definition of "Republican government", which is the kind government we have here in America:

***Government.** From the Latin gubernaculum. Signifies the instrument, the helm, whereby the ship to which the state was compared, was guided on its course by the "gubernator" or helmsman, and in that view, the government is but an agency of the state, distinguished as it must be in accurate thought from its scheme and machinery of government.*

1 In the United States, government consists of the executive, legislative, and judicial branches in addition to  
 2 administrative agencies. In a broader sense, includes the federal government and all its agencies and bureaus,  
 3 state and county governments, and city and township governments.

4 The system of polity in a state; that form of fundamental rules and principles which a national or state is governed,  
 5 or by which individual members of a body politic are to regulate their social actions. A constitution, either written  
 6 or unwritten, by which the rights and duties of citizens and public officers are prescribed and defined, as a  
 7 monarchical government, a republican government, etc. The machinery by which the sovereign power in a state  
 8 expresses its will and exercises its functions; or the framework of political institutions, departments, and offices,  
 9 by means of which the executive, judicial, legislative, and administrative business of the state is carried on.

10 The whole class or body of officeholders or functionaries considered in the aggregate, upon whom devolves the  
 11 executive, judicial, legislative, and administrative business of the state.

12 In a colloquial sense, the United States or its representatives, considered as the prosecutor in a criminal action;  
 13 as in the phrase, "the government objects to the witness."

14 The regulation, restrain, supervision, or control which is exercised upon the individual members of an organized  
 15 jural society by those invested with authority; or the act of exercising supreme political power or control.

16 See also *De facto* government; Federal government; Judiciary; Legislature; Seat of government.

17 Federal government. The government of the United States of America, as distinguished from the governments of  
 18 the several states.

19 Local government. The government or administration of a particular locality, especially, the governmental  
 20 authority of a municipal corporation, as a city or county, over its local and individual affairs, exercised in virtue  
 21 of power delegated to it for that purpose by the general government of the state or nation.

22 Mixed government. A form of government combining some of the features of two or all of the three primary forms,  
 23 viz., monarchy, aristocracy, and democracy.

24 Republican government. **One in which the powers of sovereignty are vested in the people and are exercised by**  
 25 **the people, either directly, or through representatives chosen by the people, to whom those powers are specially**  
 26 **delegated.** *In re Duncan*, 139 U.S. 449, 11 S.Ct. 573, 36 L.Ed. 219; *Minor v. Happersett*, 88 U.S. (21 Wall.) 162,  
 27 22 L.Ed. 627.

28 [Black's Law Dictionary Sixth Edition, p. 695]

29 The important term in the above definition is the term "state", which is then precisely defined as follows in that same legal  
 30 dictionary:

31 **"State. A people permanently occupying a fixed territory bound together by common-law habits and custom**  
 32 **into one body politic** exercising, through the medium of an organized government, independent sovereignty and  
 33 control over all persons and things within its boundaries, capable of making war and peace and of entering into  
 34 international relations with other communities of the globe. *United States v. Kusche*, D.C.Cal., 56 F.Supp. 201  
 35 207, 208. The organization of social life which exercises sovereign power in behalf of the people. *Delany v.*  
 36 *Moralitis*, C.C.A.Md., 136 F.2d. 129, 130. **In its largest sense, a "state" is a body politic or a society of men.**  
 37 *Beagle v. Motor Vehicle Acc. Indemnification Corp.*, 44 Misc.2d. 636, 254 N.Y.S.2d. 763, 765. **A body of people**  
 38 **occupying a definite territory and politically organized under one government.** *State ex re. Maisano v. Mitchell*,  
 39 155 Conn. 256, 231 A.2d. 539, 542. A territorial unit with a distinct general body of law. *Restatement, Second,*  
 40 *Conflicts*, §3. Term may refer either to body politic of a nation (e.g. United States) or to an individual government  
 41 unit of such nation (e.g. California).

42 [...]

43 **The people of a state, in their collective capacity, considered as the party wronged by a criminal deed; the public;**  
 44 **as in the title of a cause, "The State vs. A.B."**

45 [Black's Law Dictionary, Sixth Edition, p. 1407]

46 In a Republican Form of Government, the "state" then, is the People both individually and collectively, who are the  
 47 Sovereigns, and *they*, not their public servants, govern themselves using laws that they mutually and individually consent to  
 48 through their elected representatives. A consenting party is one who chooses a civil domicile in a specific region and thereby  
 49 becomes a statutory "citizen". Being a constitutional citizen does NOT make one a "consenting party" because the act of  
 50 birth is NOT an act of discretion or implied consent.

When one becomes a member of society, he necessarily parts with some rights or privileges which, as an individual not affected by his relations to others, he might retain. "A body politic," as aptly defined in the preamble of the Constitution of Massachusetts, "is a social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good." This does not confer power upon the whole people to control rights which are purely and exclusively private, Thorpe v. R. & B. Railroad Co., 27 Vt. 143; but it does authorize the establishment of laws requiring each citizen to so conduct himself, and so use his own property, as not unnecessarily to injure another. This is the very essence of government, and 125\*125 has found expression in the maxim sic utere tuo ut alienum non laedas. From this source come the police powers, which, as was said by Mr. Chief Justice Taney in the License Cases, 5 How. 583, "are nothing more or less than the powers of government inherent in every sovereignty, . . . that is to say, . . . the power to govern men and things." Under these powers the government regulates the conduct of its citizens one towards another, and the manner in which each shall use his own property, when such regulation becomes necessary for the public good. In their exercise it has been customary in England from time immemorial, and in this country from its first colonization, to regulate ferries, common carriers, hackmen, bakers, millers, wharfingers, innkeepers, &c., and in so doing to fix a maximum of charge to be made for services rendered, accommodations furnished, and articles sold. To this day, statutes are to be found in many of the States upon some or all these subjects; and we think it has never yet been successfully contended that such legislation came within any of the constitutional prohibitions against interference with private property. With the Fifth Amendment in force, Congress, in 1820, conferred power upon the city of Washington "to regulate . . . the rates of wharfage at private wharves, . . . the sweeping of chimneys, and to fix the rates of fees therefor, . . . and the weight and quality of bread," 3 Stat. 587, sect. 7; and, in 1848, "to make all necessary regulations respecting hackney carriages and the rates of fare of the same, and the rates of hauling by cartmen, wagoners, carmen, and draymen, and the rates of commission of auctioneers," 9 id. 224, sect. 2. [Munn v. Illinois, 94 U.S. 113 (1876), SOURCE: [http://scholar.google.com/scholar\\_case?case=6419197193322400931](http://scholar.google.com/scholar_case?case=6419197193322400931)]

The Declaration of Independence says "that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed". That consent (individual consent, as opposed to collective consent) expresses itself in several ways:

1. Choosing a domicile within a specific geographic place and thereby consenting to the civil statutory laws of that specific place. See:
 

*Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002  
<http://sedm.org/Forms/FormIndex.htm>
2. Pledging allegiance to the flag of our nation or state.
3. Swearing an oath. Jesus commanded us NOT to swear oaths in [Matt. 5:33-37](#).
4. Signing a government form containing a perjury statement that subjects us to the jurisdiction of that government.
5. Signing a government form obligating us to do something.
6. Voting for our elected representatives and then having them enact our laws (agreements) into positive law.
7. Submitting ourselves to the jurisdiction of the court when there is litigation. This includes entering a plea in a court of justice when accused of a crime. Pleas must be consensual.

**appearance.** A coming into court as a party to a suit, either in person or by attorney, whether as plaintiff or defendant. The formal proceeding by which a defendant submits himself to the jurisdiction of the court. The **voluntary submission** to a court's jurisdiction.

In civil actions the parties do not normally actually appear in person, but rather through their attorneys (who enter their appearance by filing written pleadings, or a formal written entry of appearance). Also, at many stages of criminal proceedings, particularly involving minor offenses, the defendant's attorney appears on his behalf. See e.g., Fed.R.Crim.P. 43.

An appearance may be either **general** or **special**; the former is a simple and unqualified or unrestricted submission to the jurisdiction of the court, the latter is a submission to the jurisdiction for some specific purpose only, not for all the purposes of the suit. A special appearance is for the purpose of testing or objecting to the sufficiency of service or the jurisdiction of the court over defendant without submitting to such jurisdiction; a general appearance is made where the defendant waives defects of service and submits to the jurisdiction of court. *Insurance Co. of North America v. Kunin*, 175 Neb. 260, 121 N.W.2d. 372, 375, 376.

8. Sending our money to a public servant when they ask for it.
9. Volunteering to serve in the military BEFORE we are drafted.
10. Obeying the request of a public servant to do something.

Anything not consensual is therefore unjust and the Supreme Court describes it as a "despotism".

"It must be conceded that there are rights in every free government beyond the control of the State [or a covetous jury or majority of electors]. A government which recognized no such rights, which held the lives, liberty and property of its citizens, subject at all times to the disposition and unlimited control of even the most democratic depository of power, is after all a despotism. It is true that it is a despotism of the many--of the majority, if you choose to call it so--but it is not the less a despotism."

[*Loan Ass'n v. Topeka*, 87 U.S. (20 Wall.) 655, 665 (1874)]

The purpose of our system of justice is exclusively to ensure that everything that happens in society is done *only* by consent, and to punish those:

1. Who deprive others of life, liberty, or property without their consent. Involuntary deprivation of any one of these three is an injury, whether or not there is a law that criminalizes the behavior. The sole purpose law protects us by preventing such injury.
2. Who compel people to do anything either through force, or fraud, or both. That is why kidnapping, fraud, extortion, rape, and racketeering are all crimes.

Any good Republican government must ask for your individual consent preferably in writing in order to take your money or property through taxation or judicial process. This is the requirement of the Fifth Amendment. The U.S. Supreme Court explains it this way:

"That property which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation."

[*Budd v. People of State of New York*, 143 U.S. 517 (1892)]

There are only three types of governments in the context of "consent":

1. When the government is honest, it will ask for consent directly and thereby inform you that you and not them are in charge. This was the de jure government our founders gave us.
2. When the government is dishonest and deceptive and greedy and covetous of power and money but still at least a little democratic in form, it will do it so indirectly that you never even knew you gave consent. In such a corrupted government those who expose the deception and tyranny of the process by which consent was fraudulently procured are then punished and persecuted. This is the de facto government we have today: one that punishes those who expose the fraud and extortion that is the income tax and who also oppose any other type of government tyranny.
3. If the government is completely tyrannical, such as a monarchy or dictatorship, it will completely disregard the will of the people and never ask them for permission or consent to do anything. Sovereignty resides in the king or dictator and not the people under such a government. This is the type of government we have within the federal zone or federal "United States"<sup>[1]</sup>, where the people within it are ruled by people who do not live there, but instead by a Congress full of people who are alien to it and who came from states of the Union.

The surest evidence that we have good government is that it is continually asking for our consent in a very explicit way and always reminding us that we, and not them, are in charge!

"Remember the word that I said to you, "A servant is not greater than his master." If they persecuted Me, they will also persecute you. If they kept My word, they will keep yours also."

[*Jesus in John 15:20*, Bible, NKJV]

When people get together and decide to give consent as a collective, they do so only through a written Constitution (which is a contract) or through enacted positive law. The Supreme Court calls this approach "government by compact":

"In Europe, the executive is synonymous with the sovereign power of a state...where it is too commonly acquired by force or fraud, or both...In America, however the case is widely different. Our government is founded upon compact [consent expressed in a written contract called a Constitution or in positive law]. Sovereignty was, and is, in the people."

[*Glass v. The Sloop Betsey*, 3 (U.S.) Dall 6]

Note the above profound statement of the U.S. Supreme Court: "In Europe, the executive is synonymous with the sovereign power of a state...where it is too commonly acquired by force or fraud, or both." This is what happens when governments are created or choose to operate without the consent of the people they exist to serve: force or fraud. This is also exactly what happens, for instance, in a pure democracy where the majority rules unconstrained by a bill of rights, but it can't happen in a

1 Republic. The existence of force or fraud within any government, in fact, is the essence of tyranny. The unlawful application  
 2 of force or fraud is also precisely the same disease that now afflicts and corrupts our allegedly republican form of government,  
 3 and which has thereby transformed it into a de facto socialist democracy which disrespects the Constitutional rights of  
 4 individuals and abuses and enslaves its citizens in violation of the Thirteenth Amendment. This force or fraud is implemented  
 5 mainly by:

- 6 1. Using deceptive definitions, vaguely written laws that are subject to misinterpretation, and collusion between the Judicial  
 7 and the Executive Branches to in effect undermine the Constitution and consolidate all power into the hands of the  
 8 Executive Branch of the government. The tools that our treasonous politicians have used to effect this will be thoroughly  
 9 documented and explained later in the book in section 6.1.
- 10 2. Creating conflicts of interest in the judicial system on the part of judges, attorneys, and jurors. For instance, making  
 11 judges and jurors decide tax matters that will affect their tax bill. The corruption of the judicial system started in 1938  
 12 with the ruling in *O'Malley v. Woodrough*, 307 U.S. 277, 59 S.Ct. 838 (1939).
- 13 3. Compelling participation in government franchises and/or refusing to protect your right to NOT participate. This:  
 14 3.1. Turns all those so compelled into public officers within the government.  
 15 3.2. Causes the crime of impersonating a public officer.  
 16 3.3. Turns a de jure government into a de facto government.

17 See:

*Government Instituted Slavery Using Franchises*, Form #05.030

<http://sedm.org/Forms/FormIndex.htm>

- 18 4. Turning a statutory "citizen" into a franchise and a public officer in the government and interfering with common law  
 19 remedies in court. This effectively outlaws private rights and private property and makes a de jure government into a de  
 20 facto government. See:

21 4.1. *Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037

<http://sedm.org/Forms/FormIndex.htm>

22 4.2. *De Facto Government Scam*, Form #05.043

<http://sedm.org/Forms/FormIndex.htm>

25 The tools that our treasonous politicians have used to effect this will be thoroughly documented and explained later in the  
 26 book in section 6.1

27 Here is the legal definition of "compact" to prove our point that the Constitution and all federal civil law written in furtherance  
 28 of it are indeed a "compact" and consensual contract:

29 *"Compact, n. An agreement or contract between persons, nations, or states. Commonly applied to working*  
 30 *agreements between and among states concerning matters of mutual concern. A contract between parties, which*  
 31 *creates obligations and rights capable of being enforced and contemplated as such between the parties, in their*  
 32 *distinct and independent characters. A mutual consent of parties concerned respecting some property or right*  
 33 *that is the object of the stipulation, or something that is to be done or forborne. See also Compact clause;*  
 34 *Confederacy; Interstate compact; Treaty."*  
 35 *[Black's Law Dictionary, Sixth Edition, p. 281]*

36 Enacting a mutual agreement into positive law then, becomes the vehicle for expressing the fact that the People collectively  
 37 agreed and consented to the law and to accept any adverse impact that law might have on their liberty. Public servants then,  
 38 are just the apparatus that the sovereign People use for governing themselves. As the definition above shows, the apparatus  
 39 and machinery of government is simply the "rudder" that steers the ship, but the Captain of the ship is the People individually  
 40 and collectively. In a true Republican Form of Government, the REAL government is the people individually and  
 41 collectively, and not their public servants.

42 An excellent free video animation is provided on our website to help illustrate in very simple terms that all just government  
 43 is based on consent, and that liberty can only exist where the actions of all parties are free of force, fraud, and duress. It is  
 44 called "The Philosophy of Liberty" and we highly encourage you to view it:

45 <https://famguardian.org/Subjects/Freedom/Articles/PhilosophyOfLiberty.mp4>

46 We will now summarize the above analysis succinctly into a single terse definition of "government", in the case of our  
 47 Republican Form of Government mandated by Article 4, Section 4 of the U.S. Constitution:

1 “Government. The means by which the sovereigns, who are the People individually and collectively and who  
2 are called the “state”, exercise their divine and natural right directly from God to regulate and control and  
3 govern their own affairs so as to:

- 4 1. Prevent conflicts of interest among those in the judicial system who enforce the social contract, so  
5 that those who don't want to participate in the civil aspects of the contract are not coerced to do so.
- 6 2. Protect your right to NOT be compelled to participate in any government franchise, including the  
7 statutory “citizen” or “resident” franchise. Otherwise, it is FRAUD to claim the franchise is  
8 “voluntary”.
- 9 3. Protect each other from harm to their life, liberty, and property. See the last six commandments of the  
10 ten commandments found in Exodus 20:12-17. The greatest protection of our liberties comes from a  
11 separation of powers within government, so that power cannot concentrate and produce tyranny. This  
12 is the basis of having a Republican Form of Government and it is called the “Separation of Powers  
13 Doctrine” in the legal field.
- 14 4. Provide the maximum liberty to **every** member of society. In the legal realm, this is called “equal  
15 protection of the laws” and its purpose is to eliminate partiality in judgment. The following scriptures  
16 from God's Laws prohibit partiality in judgment: Exodus 23:3, Leviticus 19:15, Deut. 1:17, Deut.  
17 10:17, Deut. 16:19, Job 13:10, Prov. 18:5, Prov. 24:23, Prov. 28:21. Romans 2:11, James 2:9, James  
18 3:17. The declaration of independence also says that all men are created equal and those who are  
19 equal cannot be discriminated against or have their liberty taken away because they are black, poor,  
20 disadvantaged, or a “nontaxpayer”.
- 21 5. Honor their God and perfect their faith and salvation by obeying His sacred laws, and NO OTHER  
22 LAW. See Ecclesiastes 12:13, which says that man's sole purpose on earth is to fear God and keep  
23 His holy commandments. James 2:14-26 also says that our faith is perfected by our works of  
24 obedience to a sovereign God and His laws, and that faith without works is dead faith. Genesis 1:28  
25 also identifies the source of ALL of our delegated authority to govern ourselves, which is God Himself.  
26 Here, in fact, is what God says on this very subject of writing laws that conflict with God's laws:

27 But to the wicked, God says:

28 **“What right have you to declare My statutes [write man's vain law], or take**  
29 **My covenant [the Bible] in your mouth, seeing you hate instruction and**  
30 **cast My words behind you?** When you saw a thief, you consented with him,  
31 and have been a partaker with adulterers. You give your mouth to evil, and  
32 your tongue frames deceit. You sit and speak against your brother; you  
33 slander your own mother's son. These things you have done, and I kept  
34 silent; you thought that I was altogether like you; but I will reprove you, and  
35 set them in order before your eyes. **Now consider this, you who forget God,**  
36 **lest I tear you in pieces, and there be none to deliver: Whoever offers praise**  
37 **glorifies Me; and to him who orders his conduct aright [and bases it on**  
38 **God's laws] I will show the salvation of God.”**  
39 [Psalm 50:16-23, Bible, NKJV]

40 In satisfying the above requirements, the people satisfy the first of the two great commandments to love our God  
41 with all our heart, mind, and soul, found in Exodus 20:2-11. The above requirements also fulfill the second of  
42 the two great commandments to love our neighbor as ourself, which is found in Leviticus 19:18, Gal. 5:14, Mark  
43 12:28-33; Romans 13:9, Matt. 22:39; Luke 10:27; James 2:8 within the Bible.

44 The collective result of the sovereign people governing themselves under God's laws found in the Bible is  
45 protection, both while they are on this earth and after they die. Man's laws only protect us while we are here in  
46 body, but God's laws also protect us after we die and become spirit. Therefore, a just society will base its laws  
47 entirely and exclusively upon God's laws so as to maximize protection for all people both here and in the afterlife.  
48 Anything less will produce evil in the sight of the Lord, perversion of the purposes of government, tyranny, and  
49 abuse of the legal and governmental apparatus for personal profit.

50 To answer the main question of this section on what exactly is government in the simplest possible way:

51 **“IN AMERICA, GOVERNMENT IS US! WE ARE THE GOVERNMENT! EVERY ONE**  
52 **OF US! Why? Because in America under a Republican Form of Government, the People**  
53 **are the sovereigns, and **not** their public servants.”**

54 Note that by saying the government is US, we do NOT mean to say that we are all public officers in the government! Rather,  
55 while we serve as jurists, voters, and statutory “Taxpayers” we must REMAIN EXCLUSIVELY PRIVATE and beyond the  
56 civil control of the government. Otherwise, the government transforms from de jure to de facto. This is covered in:

[De Facto Government Scam, Form #05.043](http://sedm.org/Forms/FormIndex.htm)  
<http://sedm.org/Forms/FormIndex.htm>

1 The above conclusions are consistent with the Supreme Court, which said on this very subject:

2 *"From the differences existing between feudal sovereignties and Government founded on compacts, it necessarily*  
 3 *follows that their respective prerogatives must differ. Sovereignty is the right to govern; a nation or State-*  
 4 *sovereign is the person or persons in whom that resides. In Europe the sovereignty is generally ascribed to the*  
 5 *Prince; here it rests with the people; there, the sovereign actually administers the Government; here, never in*  
 6 *a single instance; our Governors are the agents of the people, and at most stand in the same relation to their*  
 7 *sovereign, in which regents in Europe stand to their sovereigns. Their Princes have personal powers, dignities,*  
 8 *and pre-eminences, our rulers have none but official; nor do they partake in the sovereignty otherwise, or in*  
 9 *any other capacity, than as private citizens."*

10 [Chisholm, Ex'r. v. Georgia, 2 Dall. (U.S.) 419, 1 L.ed. 454, 457, 471, 472 (1794)]

11 The above conclusions are also completely consistent with the words of President Abraham Lincoln, who said in his famous  
 12 Gettysburg Address during the Civil War in 1863:

13 *"It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we*  
 14 *take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly*  
 15 *resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of*  
 16 *freedom—and that government of the people, by the people, and for the people, shall not perish from the earth."*  
 17 [Abraham Lincoln, Gettysburg Address, November 19, 1863]

18 ". . .government of the people, by the people, and for the people" makes the People their own governors and government. We  
 19 simply can't have any rulers above us if our Constitution (Article 4, Section 2 and Fourteenth Amendment, Section 1) makes  
 20 everyone equal under the law and our Declaration of Independence says "All men are created equal". If the Judge and the  
 21 President and the Congressmen have the same rights as us, they can't be our rulers, and can only be our servants. Even the  
 22 Supreme Court agrees with the conclusion that the People are the sovereigns, which makes them their OWN governors and  
 23 rulers:

- 24 • [Boyd v. State of Nebraska, 143 U.S. 135 \(1892\)](#): "The words 'people of the United States' and 'citizens,' are  
 25 synonymous terms, and mean the same thing. They both describe the political body who, according to our  
 26 republican institutions, form the sovereignty, and who hold the power and conduct the government through their  
 27 representatives. They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and  
 28 a constituent member of this sovereignty. ..."
- 29 • [Juilliard v. Greenman, 110 U.S. 421 \(1884\)](#) "There is no such thing as a power of inherent sovereignty in the  
 30 government of the United States...In this country sovereignty resides in the people, and Congress can exercise no  
 31 power which they have not, by their Constitution entrusted to it. All else is withheld."
- 32 • [Hale v. Henkel, 201 U.S. 43 \(1906\)](#) "His [the individual's] rights are such as existed by the law of the land long  
 33 antecedent to the organization of the State, and can only be taken from him by due process of law, and in accordance  
 34 with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his  
 35 property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does  
 36 not trespass upon their rights."
- 37 • [Perry v. U.S., 294 U.S. 330 \(1935\)](#) "In the United States, sovereignty resides in the people...the Congress cannot  
 38 invoke sovereign power of the People to override their will as thus declared."
- 39 • [Yick Wo v. Hopkins, 118 U.S. 356 \(1886\)](#) "Sovereignty itself is, of course, not subject to law, for it is the author and  
 40 source of law...While sovereign powers are delegated to...the government, sovereignty itself remains with the  
 41 people."

42 Another very important inference about the meaning of government is in order at this point. If WE are the government here  
 43 in America, and if WE accept any money from a public servant, then WE also become statutory "employees" of the  
 44 government within a legal context. The tax code is written to apply entirely and exclusively to instrumentalities, "public  
 45 officers", and statutory "employees" of the federal government, which is exactly what we become if we accept any amount  
 46 of money from our public servants that we did not in fact earn with our own personal sweat and labor. When public servants  
 47 try to bribe you with your own stolen "tax" money using a socialist handout program, they in effect are attempting to bring  
 48 you under the control of their laws as statutory "employees" of the government! The only thing the government can lawfully  
 49 spend money on is a "public purpose", which means you must be a federal public officer, agent, statutory "employee", or



1 instrumentality on official business executing a constitutionally authorized government function in order to lawfully receive  
 2 public funds. Otherwise, you are committing theft and embezzlement by converting public funds to a private use. Remember  
 3 that the primary purpose of law is to control and limit what government can do so that the true sovereigns, the people, will  
 4 be LEFT ALONE by the government.

5 *"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They  
 6 recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a  
 7 part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect  
 8 Americans in their beliefs, their thoughts, their emotions and their sensations. **They conferred, as against the  
 9 Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized  
 10 men.**"*

11 *[Olmstead v. United States, 277 U.S. 438, 478 (1928) (Brandeis, J., dissenting); see also Washington v. Harper,  
 12 494 U.S. 210 (1990)]*

13 This status of having accepted their stolen loot and thereby becoming connected to them as a statutory "employee" is the  
 14 status described in the Internal Revenue Code as being "**effectively connected** with a [trade or business](#) in the United States".  
 15 Those who are "effectively connected" are plugged into the government matrix. This point will become very important later  
 16 on in Chapter 5, where we talk about who the proper subjects of the Internal Revenue Code truly are. This status of being  
 17 "effectively connected" really means that we have become a government whore and adulterer. The legal dictionary defines  
 18 "commerce" as intercourse:

19 *"**Commerce**. ...**Intercourse** by way of trade and traffic between different peoples or states and the citizens  
 20 or inhabitants thereof, including not only the purchase, sale, and exchange of commodities, but also the  
 21 instrumentalities [governments] and agencies by which it is promoted and the means and appliances by which it  
 22 is carried on..."*

23 *[Black's Law Dictionary, Sixth Edition, p. 269]*

24 The Bible describes believers (us) as God's bride.

25 ***"For your Maker is your husband, the Lord of hosts is His name; and your Redeemer is the Holy One of  
 26 Israel; he is called the God of the whole earth, for the Lord has called you like a woman forsaken and grieved  
 27 in spirit, like a youthful wife when you were refused," says your God.**"*

28 *[Isaiah 54:5-6, Bible, NKJV]*

29 When we as God's bride accept stolen loot, and involve ourselves in commerce with the government, we become adulterers  
 30 and friends of the world:

31 *"Where do wars and fights come from among you? **Do they not come from your desires for pleasure [unearned  
 32 money] that war in your members [and your democratic governments]? You lust [after other people's money]  
 33 and do not have.** You murder [the unborn to increase your standard of living] and covet [the unearned] and  
 34 cannot obtain [except by empowering your government to STEAL for you!]. You fight and war [against the rich  
 35 and the nontaxpayers to subsidize your idleness]. Yet you do not have because you do not ask [the Lord, but  
 36 instead ask the deceitful government]. You ask and do not receive, because you ask amiss, that you may spend it  
 37 on your pleasures. **Adulterers and adulteresses! Do you not know that friendship with the world [for the  
 38 governments of the world] is enmity with God?** Whoever therefore wants to be a friend of the world [or the  
 39 governments of the world] makes himself an enemy of God."*

40 *[James 4:4, Bible, NKJV]*

41 Our disclaimer defines "government" as follows:

42 **DISCLAIMER**

43 **4. MEANING OF WORDS**

44 *The term "government" is defined to include that group of people dedicated to the protection of purely and exclusively  
 45 PRIVATE RIGHTS and PRIVATE PROPERTY that are absolutely and exclusively owned by a truly free and sovereign human  
 46 being who is EQUAL to the government in the eyes of the law per the Declaration of Independence. It excludes the protection  
 47 of PUBLIC rights or PUBLIC privileges (franchises, Form #05.030) and collective rights (Form #12.024) because of the  
 48 tendency to subordinate PRIVATE rights to PUBLIC rights due to the CRIMINAL conflict of financial interest on the part of  
 49 those in the alleged "government" (18 U.S.C. §208, 28 U.S.C. §§144, and 455). See Separation Between Public and Private  
 50 Course, Form #12.025 for the distinctions between PUBLIC and PRIVATE.*

51 *"As expressed otherwise, the powers delegated to a public officer are held in trust for the people and  
 52 are to be exercised in behalf of the government or of all citizens who may need the intervention of the*

officer. [1] Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts. [2] That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves. [3] and owes a fiduciary duty to the public. [4] It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual. Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual [PRIVATE] rights is against public policy. [5]"

[63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)]

[1] *State ex rel. Nagle v. Sullivan*, 98 Mont. 425, 40 P.2d. 995, 99 A.L.R. 321; *Jersey City v. Hague*, 18 N.J. 584, 115 A.2d. 8.

[2] *Georgia Dep't of Human Resources v. Sistrunk*, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. *Madlener v. Finley (1st Dist)*, 161 Ill.App.3d. 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and *revid on other grounds* 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

[3] *Chicago Park Dist. v. Kenroy, Inc.*, 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, *appeal after remand (1st Dist)* 107 Ill.App.3d. 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

[4] *United States v. Holzer (CA7 Ill)*, 816 F.2d. 304 and *vacated, remanded on other grounds* 484 U.S. 807, 98 L.Ed. 2d 18, 108 S.Ct. 53, *on remand (CA7 Ill)* 840 F.2d. 1343, *cert den* 486 U.S. 1035, 100 L.Ed. 2d 608, 108 S.Ct. 2022 and (*criticized on other grounds by United States v. Osser (CA3 Pa)* 864 F.2d. 1056) and (*superseded by statute on other grounds as stated in United States v. Little (CA5 Miss)* 889 F.2d. 1367) and (*among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass)*, 898 F.2d. 230, 29 Fed.Rules.Evid.Serv. 1223).

[5] *Chicago ex rel. Cohen v. Keane*, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, *later proceeding (1st Dist)* 105 Ill.App.3d. 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

[6] *Indiana State Ethics Comm'n v. Nelson (Ind App)*, 656 N.E.2d. 1172, *reh gr (Ind App)* 659 N.E.2d. 260, *reh den (Jan 24, 1996) and transfer den (May 28, 1996)*.

Anything done CIVILLY for the benefit of those working IN the government at the involuntary, enforced, coerced, or compelled (Form #05.003) expense of PRIVATE free humans is classified as DE FACTO (Form #05.043), non-governmental, PRIVATE business activity beyond the core purpose of government that cannot and should not be protected by official, judicial, or sovereign immunity. Click here (Form #11.401) for a detailed exposition of ALL of the illegal methods of enforcement (Form #05.032) and duress (Form #02.005). "Duress" as used here INCLUDES:

1. Any type of LEGAL DECEPTION, Form #05.014.
2. Every attempt to insulate government workers from responsibility or accountability for their false or misleading statements (Form #05.014 and Form 12.021 Video 4), forms, or publications (Form #05.007 and Form #12.023).
3. Every attempt to offer or enforce civil franchise statutes against anyone OTHER than public officers ALREADY in the government. Civil franchises cannot and should not be used to CREATE new public offices, but to add duties to EXISTING public officers who are ALREADY lawfully elected or appointed. See Form #05.030.
4. Every attempt to commit identity theft by legally kidnapping CONSTITUTIONAL state domiciled parties onto federal territory or into the "United States" federal corporation as public officers. Form #05.046.
5. Every attempt to offer or enforce any kind of franchise within a CONSTITUTIONAL state. See Form #05.030.
6. Every attempt to entice people to give up an inalienable CONSTITUTIONAL right in exchange for a franchise privilege. See Form #05.030.
7. Every attempt to use the police to enforce civil franchises or civil penalties. Police power can be lawfully used ONLY to enforce the criminal law. Any other use, and especially for revenue collection, is akin to sticking people up at gunpoint. See Form #12.022.
8. Every attempt at CIVIL asset forfeiture to police in the conduct of CRIMINAL enforcement. This merely creates a criminal conflict of interest in police and makes them into CIVIL revenue collectors who seek primarily their own enrichment. See Form #12.022.
9. Every attempt to compel or penalize anyone to declare a specific civil status on a government form that is signed under penalty of perjury. That is criminal witness tampering and the IRS does it all the time.
10. Every attempt to call something voluntary and yet to refuse to offer forms and procedures to unvolunteer. This is criminal FRAUD. Congressmen call income taxes voluntary all the time but the IRS refuses to even recognize or help anyone who is a "nontaxpayer". See Exhibit #05.041.

All of the above instances of duress place personal interest in direct conflict with obedience to REAL law, Form #05.048. They are the main source of government corruption (Form #11.401) in the present de facto system (Form #05.043). The only

1 type of enforcement by a DE JURE government that can or should be compelled and lawful is CRIMINAL or COMMON  
 2 LAW enforcement where a SPECIFIC private human has been injured, not [CIVIL statutory enforcement \(a franchise, Form](#)  
 3 [#05.030\)](#). Under the State Action Doctrine of the U.S. Supreme Court, everyone who is the target of CIVIL enforcement is,  
 4 by definition a public officer or agent in the government and Christians are forbidden by the Bible from becoming such  
 5 public officers. [Form #13.007](#).

6 Every type of DE JURE CIVIL governmental service or regulation MUST be voluntary and ALL must be offered the right to  
 7 NOT participate on every governmental form that administers such a CIVIL program. It shall mandatorily, publicly, and  
 8 NOTORIOUSLY be enforced and prosecuted as a crime NOT to offer the right to NOT PARTICIPATE in any CIVIL  
 9 STATUTORY activity of government or to call a service "VOLUNTARY" but actively interfere with and/or persecute those  
 10 who REFUSE to volunteer or INSIST on unvolunteering. All statements by any government actor or government form or  
 11 publication relating to the right to volunteer shall be treated as statements under penalty of perjury for which the head of  
 12 the governmental department shall be help PERSONALLY liable if false. EVERY CIVIL "benefit" or activity offered by any  
 13 government MUST identify at the beginning of ever law creating the program that the program is VOLUNTARY and HOW  
 14 specifically to UNVOLUNTEER or quit the program. Any violation of these rules makes the activity NON-GOVERNMENTAL  
 15 in nature AND makes those offering the program into a [DE FACTO government \(Form #05.043\)](#). The Declaration of  
 16 Independence says that all "just powers" of government derive from the CONSENT of those governed. Any attempt to  
 17 [CIVILLY enforce](#) MUST be preceded by an explicit written attempt to procure consent, to not punish those who DO NOT  
 18 consent, and to not PRESUME consent by virtue of even submitting a government form that does not IDENTIFY that  
 19 submission of the form is an IMPLIED [act of consent \(Form #05.003\)](#). This ensures "justice" in a constitutional sense, which  
 20 is [legally defined as "the right to be left alone"](#). For the purposes of this website, those who do not consent to ANYTHING  
 21 civil are referred to ["non-resident non-persons" \(Form #05.020\)](#). An example of such a human would be a devout Christian  
 22 who is acting in complete obedience to the word of God in all their interactions with anyone and everyone in government.  
 23 Any attempt by a PRIVATE human to consent to any [CIVIL STATUTORY offering by any government \(a franchise, Form](#)  
 24 [#05.030\)](#) is a violation of their [delegation of authority order from God \(Form #13.007\)](#) that places them OUTSIDE the  
 25 protection of God under the Bible.

26 Under this legal definition of "government" the IDEAL and DE JURE government is one that:

- 27 1. The States cannot offer THEIR taxable franchises within federal territory and the FEDERAL government may not  
 28 establish taxable franchises within the territorial borders of the states. This limitation was acknowledged by the U.S.  
 29 Supreme Court in the [License Tax Cases, 72 U.S. 462 \(1866\)](#) and continues to this day but is  
 30 UNCONSTITUTIONALLY ignored more by fiat and practice than by law.
- 31 2. Has the administrative burden of proof IN WRITING to prove to a common law jury of your peers that you  
 32 CONSENTED in writing to the CIVIL service or offering before they may COMMENCE administrative enforcement of  
 33 any kind against you. Such administrative enforcement includes, but is not limited to administrative liens,  
 34 administrative levies, administrative summons, or contacting third parties about you. This ensures that you CANNOT  
 35 become the unlawful victim of a [USUALLY FALSE PRESUMPTION \(Form #05.017\)](#) about your [CIVIL STATUS](#)  
 36 [\(Form #13.008\)](#) that ultimately leads to [CRIMINAL IDENTITY THEFT \(Form #05.046\)](#). The decision maker on  
 37 whether you have CONSENTED should NOT be anyone in the AGENCY that administers the service or benefit and  
 38 should NEVER be ADMINISTRATIVE. It should be JUDICIAL.
- 39 3. Judges making decisions about the payment of any CIVIL SERVICE fee may NOT participate in ANY of the programs  
 40 they are deciding on and may NOT be "taxpayers" under the I.R.C. Subtitle A Income tax. This creates a criminal  
 41 financial conflict of interest that denies due process to all those who are targeted for enforcement. This sort of  
 42 corruption was abused to unlawfully expand the income tax and the Social Security program OUTSIDE of their  
 43 [lawful territorial extent \(Form #05.018\)](#). See [Lucas v. Earl, 281 U.S. 111 \(1930\)](#), [O'Malley v. Woodrough, 307 U.S.](#)  
 44 [277 \(1939\)](#) and later in [Hatter v. U.S. 532 U.S. 557 \(2001\)](#).
- 45 4. EVERY CIVIL service offered by any government MUST be subject to choice and competition, in order to ensure  
 46 accountability and efficiency in delivering the service. This INCLUDES the minting of substance based currency. The  
 47 government should NOT have a monopoly on ANY service, including money or even the postal service. All such  
 48 monopolies are inevitably abused to institute duress and destroy the autonomy and sovereignty and EQUALTY of  
 49 everyone else.
- 50 5. CANNOT "bundle" any service with any other in order to FORCE you to buy MORE services than you want.  
 51 Bundling removes choice and autonomy and constitutes biblical "usury". For instance, it CANNOT:  
 52 5.1. Use "driver licensing" to FORCE people to sign up for Social Security by forcing them to provide a "franchise  
 53 license number" called an SSN or TIN in order to procure the PRIVILEGE of "driving", meaning using the  
 54 commercial roadways FOR HIRE and at a profit.  
 55 5.2. Revoke driver licenses as a method of enforcing ANY OTHER franchise or commercial obligation, including  
 56 but not limited to child support, taxes, etc.  
 57 5.3. Use funds from ONE program to "prop up" or support another. For instance, they cannot use Social Security  
 58 as a way to recruit "taxpayers" of other services or the income tax. This ensures that EVERY PROGRAM  
 59 stands on its own two feet and ensures that those paying for one program do not have to subsidize failing  
 60 OTHER programs that are not self-supporting. It also ensures that the government MUST follow the SAME  
 61 free market rules that every other business must follow for any of the CIVIL services it competes with other  
 62 businesses to deliver.  
 63 5.4. Piggyback STATE income taxes onto FEDERAL income taxes, make the FEDERAL government the tax  
 64 collector for STATE TAXES, or the STATES into tax collectors for the FEDERAL government.
- 65 6. Can lawfully enforce the CRIMINAL laws without your express consent.
- 66 7. Can lawfully COMPEL you to pay for BASIC SERVICES of the courts, jails, military, and ROADS and NO OTHERS.  
 67 EVERYONE pays the same EQUAL amount for these services.

- 1 8. Sends you an ITEMIZED annual bill for CIVIL services that you have contracted in writing to procure. That bill  
 2 should include a signed copy of your consent for EACH individual CIVIL service or "social insurance". Such "social  
 3 services" include anything that costs the government money to provide BEYOND the BASIC SERVICES, such as  
 4 health insurance, health care, Social Security, Medicare, etc.
- 5 9. If you do not pay the ITEMIZED annual bill for the services you EXPRESSLY consented to, the government should  
 6 have the right to collect ITS obligations the SAME way as any OTHER PRIVATE human. That means they can  
 7 administratively lien your real or personal property, but ONLY if YOU can do the same thing to THEM for services  
 8 or property THEY have procured from you either voluntarily or involuntarily. Otherwise, they must go to court IN  
 9 EQUITY to collect, and MUST produce evidence of consent to EACH service they seek payment or collection for. In  
 10 other words, they have to follow the SAME rules as every private human for the collection of CIVIL obligations that  
 11 are in default. Otherwise, they have superior or supernatural powers and become a pagan deity and you become the  
 12 compelled WORSHIPPER of that pagan deity. See [Socialism: The New American Civil Religion, Form #05.016](#) for  
 13 details on all the BAD things that happen by turning government into such a CIVIL RELIGION.

14 For documentation on HOW to implement the above IDEAL or DE JURE government by making MINOR changes to existing  
 15 foundational documents of the present government such as the Constitution, see:

Self Government Federation: Articles of Confederation, Form #13.002  
<http://sedm.org/Forms/FormIndex.htm>

16 [Family Guardian Disclaimer, Section 4: Meaning of Words; SOURCE: <http://famguardian.org/disclaimer.htm>]

#### 17 4.4.2 Biblical view of taxation and government

18 "The reward of energy, enterprise and thrift is taxes." -- William Feather

19 "I beseech you therefore, brethren, by the mercies of God, that you present your bodies a living sacrifice, holy,  
 20 acceptable to God, which is your reasonable service. **And do not be conformed to this world, but be transformed**  
 21 **by the renewing of your mind, that you may prove what is the good and acceptable and perfect will of God."**  
 22 [Romans 12:1-2, Bible, NKJV]

23 There are several new testament verses that are quoted out of context by alleged government authorities and false churches  
 24 in order to deceive people into believing that they should support their man-made governments and obey their man-made  
 25 law. This, however, is not the case, as God has never given His people authority to make their own law or to walk in the  
 26 statutes of men. Therefore, a more detailed look is necessary regarding these scriptures so that the deception can clearly be  
 27 seen.

28 One verse that is relentlessly misquoted is "...render unto Caesar!" found in Mark 12:14-17, where Jesus said:

29 "Render unto Caesar the things that are Caesar's and unto God the things that are God's."  
 30 [Mark 12:14-17, Bible, NKJV].

31 When Jesus said this, He was totally aware of God's Law, and we can be sure that He was not telling the teachers of the law  
 32 to do contrary to God's Law. Let's see just exactly what Jesus meant by "the things which are Caesar's" when he said this.

33 First of all, who was this "Caesar" that Jesus was referring to, but the equivalent of a king? Let's see who the king is in our  
 34 society according to the supreme Court:

35 "Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but **in our system, while**  
 36 **sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by**  
 37 **whom and for whom all government exists and acts."**  
 38 [Yick Wo v. Hopkins, [118 U.S. 356](#); 6 S.Ct. 1064 (1886)]

39 "The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly  
 40 belonged to the King by his prerogative. **Through the medium of their Legislature they may exercise all the**  
 41 **powers which previous to the Revolution could have been exercised either by the King alone, or by him in**  
 42 **conjunction with his Parliament; subject only to those restrictions which have been imposed by the Constitution**  
 43 **of this State or of the U.S."**  
 44 [Lansing v. Smith, 21 D. 89, 4 Wendel 9 (1829) (New York)]

45 The real "king" in our society is not the government or anyone serving the sovereign people in the government, but the  
 46 PEOPLE! That's you! So even if you misinterpret Jesus' words to mean that we should render to corrupt government  
 47 "servants" that which they illegally ask for and demand, since your own government (judiciary in this case) calls you the

king, then your public servants are the ones who should be “rendering”! Render to the sovereign king (Caesar, that’s you) his due, which is everything that is his property and his right, including 100% of his earned wage.

“Remember the word that I said to you, ‘A servant is not greater than his master.’”  
[Jesus in the Bible, John 15:20]

Why does the IRS insist on arguing with their “King” (which is you) and violating this scripture? Therefore, covetous public servants in the government, from a Biblical perspective, simply can’t be greater than the sovereigns they serve in the public at large or they are violating God’s law, denying equal protection of the law to all, and become hypocrites and tyrants. Plain and simple, isn’t it?

The other thing that people often overlook in interpreting Jesus passage above regarding taxes is the following question:

“What exactly does belong to Caesar?”

As we pointed out earlier in section 4.1 and as we will point out again later in section 5.1.1, the only thing that a sovereign (such as a government or a biological person) can “own” and control is that which he creates. Below is a list of the many things that God created, direct from the Bible. He “owns” all these things by implication, which means everything else belongs to “Caesar”:

“In the beginning God created the heavens and the earth.”  
[Gen. 1:1, Bible, NKJV]

<sup>11</sup>The heavens are Yours [God’s], the earth also is Yours;  
The world and all its fullness, You have founded them.  
The north and the south, You have created them;  
Tabor and Hermon rejoice in Your name.  
You have a mighty arm;  
Strong is Your hand, and high is Your right hand.”  
[Psalm 89:11-13, Bible, NKJV]

“I have made the earth,  
And created man on it.  
I—My hands—stretched out the heavens,  
And all their host I have commanded.”  
[Isaiah 45:12, Bible, NKJV]

“Indeed heaven and the highest heavens belong to the Lord your God, also the earth with all that is in it.”  
[Deuteronomy 10:14, Bible, NKJV]

Well, if God created the heavens and the earth, then *what else is there?* What is it that Caesar can “own” if he can’t own these and didn’t create these? ***Even the U.S. Supreme Court confirms that a sovereign cannot destroy that which it did not create, and that the power to tax is the power to destroy. Another way of saying this is that the creation cannot be greater than its Creator.***

“***Woe to him who strives with his Maker!*** Let the potsherd strive with the potsherd of the earth! Shall the clay say to him who forms it, ‘What are you making?’ Or shall your handiwork say, ‘He has no hands?’ Woe to him who says to his father, ‘What are you begetting?’ Or to the woman, ‘What have you brought forth?’”  
[Isaiah 45:9-10, Bible, NKJV]

“What is a Constitution? It is the form of government, delineated by the mighty hand of the people, in which certain first principles of fundamental laws are established. ***The Constitution*** is certain and fixed; it contains the permanent will of the people, and is the supreme law of the land; it is ***paramount to the power of the Legislature, and can be revoked or altered only by the authority that made it. The life-giving principle and the death-doing stroke must proceed from the same hand.***”  
[VanHorne’s Lessee v. Dorrance, 2 U.S. 304 (1795)]

The cite below from the U.S. Supreme Court proves the above conclusion. The court was ruling on whether the federal government, which was a creation of the sovereign states, can tax its creator: a state of the Union. The conclusion was absolutely NOT!

1           *"The taxing power of the federal government does not therefore extend to the means or agencies through or by*  
 2 *the employment of which the states perform their essential functions; since, if these were within its reach, they*  
 3 *might be embarrassed, and perhaps wholly paralyzed, by the burdens it should impose. **That the power to tax***  
 4 *involves the power to destroy; that the power to destroy may defeat and render useless the power to create; that*  
 5 *there is a plain repugnance in conferring on one government a power to control the constitutional measures*  
 6 *of another, which other, in respect to those very measures, is declared to be supreme over that which exerts the*  
 7 *control,-are propositions not to be denied."*

8           *[Pollock v. Farmers' Loan and Trust Co., 157 U.S. 429 (1895)]*

9       The government cannot tax the labor of a natural person because it didn't create people -God did! For government to  
 10 tax/destroy people who were made in the image of God and are therefore servants of God is an affront to the Creator. It also  
 11 amounts to adultery by those who allow themselves to be so enslaved, because they are fornicating outside of marriage with  
 12 a false idol or god called government:

13           *"For your Maker is your husband, the Lord of hosts is His name; and your Redeemer is the Holy One of*  
 14 *Israel; he is called the God of the whole earth, for the Lord has called you like a woman forsaken and grieved*  
 15 *in spirit, like a youthful wife when you were refused," says your God."*

16           *[Isaiah 54:5-6, Bible, NKJV]*

17       The definition of "commerce" in the legal dictionary confirms that serving the government or sending it our money is  
 18 "intercourse". Intercourse is illegal outside of marriage. When we commit "intercourse" with government by sending our  
 19 money to it or serving it, then we are committing adultery, because government is not our husband: only God is.

20           *"Commerce. ...Intercourse by way of trade and traffic between different peoples or states and the citizens*  
 21 *or inhabitants thereof, including not only the purchase, sale, and exchange of commodities, but also the*  
 22 *instrumentalities [governments] and agencies by which it is promoted and the means and appliances by which it*  
 23 *is carried on..."*

24           *[Black's Law Dictionary, Sixth Edition, p. 269]*

25       The concept of commerce with government being a form of adultery ties back to the theme we will mention later in section  
 26 4.4.12, where we say that the government wants you to believe that the status of being a "citizen" is just like marrying the  
 27 government, and God plainly doesn't allow that.

28       Extending these timeless principles to the matter above of "Rendering to Caesar": The only thing Caesar "created" was the  
 29 money with his image on it, so the only thing he has the moral authority to destroy or harm using the money is only  
 30 the creation itself, which is the money. For instance, we cannot allow the use of Caesar's money to destroy, harm, enslave, or  
 31 control the people who are compelled without recourse to use it or we will violate the rulings of the Supreme Court above.  
 32 The only way that result can be guaranteed is for us to give back to Caesar's all of his fake fiat paper money and to barter  
 33 with gold and silver instead. That, in fact, is exactly what the original founding fathers did! We started out with currency  
 34 based on gold that had value independent of the government. This is what Jesus was indirectly implying here: give back to  
 35 Caesar that which is Caesar's, which is his money. This also happens to be the only conclusion consistent with the rulings of  
 36 the U.S. Supreme Court above and with Natural Order described in section 4.1.

37       The context for the "Render to Caesar" quote above was that the Pharisees wanted to trap Jesus. They were the teachers of  
 38 the Law, and knew full well what God's word says about laws and governments other than God's. The Pharisees knew ALL  
 39 of the following:

40       They knew that even their own Israelite kings could not make any law, but could only administer God's law, not turning aside  
 41 from God's commandments, to the right hand, or to the left:

42           *When thou [Israel] art come unto the land which the LORD thy God gives thee, and shalt possess it, and shalt*  
 43 *dwell therein, and shalt say, I will set a king over me, like as all the nations that are about me;*  
 44           *[Deut 17:14] [The word of the Lord through his servant Moses]]*

45           *And it shall be, when he sitteth upon the throne of his kingdom, that he shall write him a copy of this law in a*  
 46 *book out of that which is before the priests the Levites: [17:19] and it shall be with him, and he shall read therein*  
 47 *all the days of his life: that he may learn to fear the LORD his God, to keep all the words of this law and these*  
 48 *statutes, to do them: [17:20] That his heart be not lifted up above his brethren, and that he turn not aside from*  
 49 *the commandment, to the right hand. Or to the left: to the end that he may prolong his days in his kingdom, he,*  
 50 *and his children, in the midst of Israel.*

51           *[Deut 17:18]*

1 Not adding to it, or diminishing from it:

2 *What thing soever I command you [all Israel], observe to do it: thou shalt not add thereto, nor diminish from it.*  
3 *[Deut 12:32]*

4 The Pharisees knew that it was a sin to walk in the statutes of the heathen, and that if their OWN ISRAELITE KINGS made  
5 any statutes, it was a SIN to walk in their statutes as well:

6 *In the ninth year of Hoshea the king of Assyria took Samaria, and carried Israel away into Assyria, and placed*  
7 *them in Halah and in Habor by the river of Gozan, and in the cities of the Medes. [17:7] for so it was, that the*  
8 *children of Israel had sinned against the LORD their God, which had brought them up out of the land of*  
9 *Egypt, from under the hand of Pharaoh king of Egypt, and had feared other gods, [17:8] And walked in the*  
10 *statutes of the heathen, whom the LORD cast out from before the children of Israel, and of the kings of Israel,*  
11 *which they had made. [ 2Ki 17:18] Therefore the LORD was very angry with Israel, and removed them out of*  
12 *his sight: there was none left but the tribe of Judah only. [17:19] Also Judah kept not the commandments of the*  
13 *LORD their God, but walked in the statutes of Israel which they made.*  
14 *[2 Ki 17:6]*

15 The Pharisees knew that God's people have laws that are different from all other people's [God's Laws] and that even in  
16 foreign lands they do not keep the king's [man's] laws:

17 *Then Haman [the highest prince in the kingdom of the Medes and the Persians] said to King Hauser's [the king*  
18 *of the Medes and the Persians who reigned from India to Ethiopia], "There is a certain people [The Jews; Judeans*  
19 *who were obedient to God's Law] scattered and dispersed among the people in all the provinces of your kingdom;*  
20 *their laws are different from all other people's, and they do not keep the king's laws. . ."*  
21 *[Est 3:8]*

22 The Pharisees knew the principle that consenting with a thief, be he a tyrant king or commoner, makes one a partaker with  
23 that thief—and an apostate:

24 *"When thou sawest a thief then thou consentedst with him, and hast been partaker with adulterers."*  
25 *[Ps 50:18]*

26 *Adulterers—Strong's reference number: 5003*

27 *Hebrew: na'aph*

28 *Definition: to commit adultery; fig. to apostatize*

29 The Pharisees knew that those who participate in evil through the use of an agent are guilty of the act themselves:

30 *[2 Sa 11:14] And it came to pass in the morning, that David wrote a letter to Joab [his agent], and sent it by the*  
31 *hand of Uriah. [11:15] And he wrote in the letter, saying, Set ye Uriah in the forefront of the hottest battle, and*  
32 *retire ye from him, that he may be smitten, and die. [11:16] And it came to pass, when Joab observed the city,*  
33 *that he assigned Uriah unto a place where he knew that valiant men were. [11:17] And the men of the city went*  
34 *out, and fought with Joab: and there fell some of the people of the servants of David; and Uriah the Hittite died*  
35 *also.*

36 *[2 Sa 11:26] And when the wife of Uriah heard that Uriah her husband was dead, she mourned for her husband.*  
37 *[11:27] And when the mourning was past, David sent and fetched her to his house, and she became his wife, and*  
38 *bare him a son. But the thing that David had done displeased the LORD.*

39 *[2 Sa 12:9] [Then Nathan said to David] Wherefore hast thou despised the commandment of the LORD, to do*  
40 *evil in his sight? thou hast killed Uriah the Hittite with the sword, [through the use of an agent] and hast taken*  
41 *his wife to be thy wife, and hast slain him with the sword of the children of Ammon.*

42 Therefore, by the same principle, the Pharisees knew that participating in a heathen government by financing a heathen agent  
43 of the government to enforce heathen laws makes the one who pays the tribute guilty of the acts of the heathen government.

44 The Pharisees knew that those who are obedient to God's laws only will **not** pay toll, tribute, and custom to a heathen king  
45 ["Caesar"]:

46 *[Ezr 4:6] Now in the reign of Ahasuerus [a heathen king ("Caesar")], in the beginning of his reign, they [the*  
47 *king's people through their agents, the counselors] wrote an accusation [to the king] against the inhabitants of*

Judah and Jerusalem. [saying the following:] [4:12] Let it be known to the king that the Jews [who obey God's law, not the king's law] who came up from you have come to us at Jerusalem, and are building the rebellious and evil city, [from the king's point of view only; righteous and obedient from God's point of view] and are finishing its walls and repairing the foundations. [4:13] Let it now be known to the king that, if this city is built and the walls completed, they will not pay tax, tribute, or custom, and the king's treasury will be diminished. [They will pay no tribute to "Caesar"]. [NKJ]

[4:16] We certify the king that, if this city be builded again, and the walls thereof set up, by this means thou shalt have no portion [no tribute to "Caesar"] on this side the river. [KJV]

The Pharisees knew that the throne of iniquity cannot have fellowship with God or his believing family:

[Ps 94:20] Shall the throne of iniquity [wicked rulers] have fellowship with thee, which frameth mischief by a law? [make enactments or decrees which condemn innocent blood by adding to or diminishing from God's Law]

The Pharisees knew that the people in whose heart is God's law are to obey His Law and are not to fear the reproach of men:

[Is 51:7] Hearken unto me [the Lord], ye that know righteousness, the people in whose heart is my law; fear ye not the reproach of men, neither be ye afraid of their revilings.

[Is 51:12] I, even I, am he that comforteth you: who art thou, that thou shouldest be afraid of a man that shall die, and of the son of man which shall be made as grass..."

The Pharisees knew God's admonition about not following after the manners of the heathen:

[Eze 11:10] Ye [Israel] shall fall by the sword; I [the Lord] will judge you in the border of Israel; and ye shall know that I am the LORD.

[Eze 11:12] And ye shall know that I am the LORD: for ye have not walked in my statutes, neither executed my judgments, but have done after the manners of the heathen that are round about you.

Note: The Hebrew word translated to "manners" speaks specifically of governmental and judicial activity. Here, Ezekiel is not speaking of "ways or customs" of the heathen, he is speaking about the "statutes, ordinances, judgments, laws and government" of the heathen.

Manners—Strong's reference number: 4941

Hebrew: mishpat

Derivation: Derived from 8199

Definition: prop. a verdict (favorable or unfavorable) pronounced judicially, espec. A sentence or formal decree (human or [partic.] divine law, individual or collect.) include. The act, the place, the suit, the crime, and the penalty; abstr. justice, include. right, or privilege (statutory or customary), or even a style

Manners—Strong's reference number: 8199

Hebrew: shaphat

Derivation: A primary word.

Definition: to judge, i.e., pronounce sentence (for or against); impl. vindicate or punish; by extens. To govern; pass. To litigate (lit. or fig.)

The Pharisees knew that God's people do not obey wicked governments that have other gods even if they are thrown into a fiery furnace:

[Dan 3:16] Shadrach, Meshach and Abednego replied to the king, "O Nebuchadnezzar, we do not need to defend ourselves before you in this matter. [3:17] If we are thrown into the blazing furnace, the God we serve is able to save us from it, and he will rescue us from your hand, O king.

[3:18] But even if he does not, we want you to know, O king, that we will not serve your gods or worship the image of gold you have set up." [NIV]



1 [3:19] Then Nebuchadnezzar was full of fury, and the expression on his face changed toward Shadrach, Meshach,  
2 and Abed-Nego. Therefore he spoke and commanded that they heat the furnace seven times more than it was  
3 usually heated. [3:20] And he commanded certain mighty men of valor who were in his army to bind Shadrach,  
4 Meshach, and Abed-Nego, and cast them into the burning fiery furnace. [NKJ]

5 The Pharisees knew that God's people do not obey wicked governments even if they are thrown into a lion's den:

6 [Dan 6:7] All the presidents of the kingdom, the governors, and the princes, the counselors, and the captains,  
7 have consulted together to establish a royal statute, and to make a firm decree, that whosoever shall ask a petition  
8 of any god or man for thirty days, save of thee, O king, he shall be cast into the den of lions. [Dan 6:10] Now  
9 when Daniel knew that the writing was signed, he went into his house; and his windows being open in his chamber  
10 toward Jerusalem, he kneeled upon his knees three times a day, and prayed, and gave thanks before his God, as  
11 he did aforetime.  
12 [Dan 6:16] Then the king commanded, and they brought Daniel, and cast him into the den of lions. . ."

13 The Pharisees knew that those who have set up kings and princes [governments] but not by God's hand, have trespassed  
14 against His law:

15 [Hos 4:1] [The word of the LORD through the prophet Hosea]: Hear the word of the LORD, ye children of  
16 Israel: for the LORD hath a controversy with the inhabitants of the land, because there is no truth, nor mercy,  
17 nor knowledge of God in the land.

18 [Hos 8:1] Set the trumpet to thy mouth. He [the enemy] shall come as an eagle against the house of the LORD,  
19 because they [Israel] have transgressed my covenant, and trespassed against my law.

20 [Hos 8:4] They have set up kings, but not by me: they have made princes, and I [the Lord] knew it not: of their  
21 silver and their gold have they made them idols, that they may be cut off.

22 The Pharisees knew that it is a sin to keep statutes made by Israelite kings, let alone a heathen "Caesar":

23 [Mic 6:13] [The warning of the Lord through his servant Micah]: Therefore also will I [the Lord] make thee  
24 [Israel] sick in smiting thee, in making thee desolate because of your sins.

25 [Mic 6:16] For the statutes of Omri are kept, and all the works of the house of Ahab [kings of Israel who made  
26 their own statutes], and ye walk in their counsels; that I should make thee a desolation, and the inhabitants thereof  
27 an hissing: therefore ye shall bear the reproach of my people.

28 The Pharisees were fully aware that God only allowed "Caesar" to be in power to prove Israel to see whether they would  
29 keep the way of the LORD to walk therein, as their fathers did keep it, or not:

30 [Jdg 2:21] I [the Lord] also will not henceforth drive out any from before them [Israel] of the nations [heathen  
31 Caesars, etc.] which Joshua left [unvanquished] when he died: [2:22] That through them [the heathen  
32 governments] I may prove Israel, whether they will keep the way of the LORD to walk therein, as their fathers  
33 did keep it, or not.

34 [Jdg 3:4] and they [the nations which the LORD left] were to prove Israel by them, to know whether they [Israel]  
35 would hearken unto the commandments of the LORD, which he commanded their fathers by the hand of Moses.

36 And the Pharisees were aware of the conclusion of the whole matter:

37 [Ecc 12:13] Let us hear the conclusion of the whole matter: **Fear God, and keep his commandments: for this is**  
38 **the whole duty of man.**

39 And finally, the Pharisees knew that when a people, and especially believers, refuse to correct or rebuke sin in their society,  
40 then the unrebuked sin of even one evil man could curse the whole society and separate that society from the blessings of the  
41 Lord. In the Pharisees time, the evil was that of the King named Caesar, which they could not and would not rebuke and thus  
42 became hypocrites, as Jesus called them.

43 [Matt. 23:23, Bible] "**Woe to you, scribes and Pharisees, hypocrites! For you pay tithes of mint and anise and**  
44 **cummin, and have neglected the weightier matters of the law: justice and mercy and faith. These you ought to**  
45 **have done, without leaving the others undone.**"

The Pharisees knew their hypocrisy in the matter of rebuking sin at the time they asked the question of Jesus about rendering taxes to Caesar because the Book of Joshua, Chapter 7, written 1400 years earlier, tells the story about Moses' successor Joshua, who lost a war with the Amorites and the blessings of God because one of his men illegally stole a treasure that was the spoils of war and hid it under his tent and would not confess or right his wrong before God and his people, and preferred to lie about it. The result was that the people felt guilty and cowardly in battle and ran away from the enemy to become the laughing stock of the land. They were cursed by God because they would not confront and correct this evil in their society, which consisted of theft and deceit:

[Joshua 7:11-13] **"Israel has sinned, and they have also transgressed My covenant which I commanded them. For they have even taken some of the accursed things, and have both stolen and deceived [the IRS]; and they have also put it among their own stuff.**

**"Therefore, the children of Israel could not stand before their enemies, but turned their backs before their enemies, because they have become doomed to destruction. Neither will I be with you anymore, unless you destroy the accursed [the IRS and the Federal Reserve in our day and age] from among you.**

Get up, sanctify the people [clean up this mess!], and say 'Sanctify yourselves for tomorrow, because thus says the Lord God of Israel; "There is an accursed thing in your midst, O Israel; you cannot stand before your enemies until you take away the accursed thing from among you."

Therefore, knowing all of the above scriptures, the Pharisees laid a trap for Jesus similar to the question: "Have you stopped beating your wife yet?" They were certain that they could trap Jesus into affirming that either: it was lawful to pay tribute to "Caesar", which they knew to be against God's Law, and thereby condemning him under God's Law to pay tribute to a heathen government [Caesar], thereby condemning him under "Caesar's" "law". Then the Pharisees could go tell "Caesar", and thereby get rid of Jesus with the sword of Caesar:

[Mat 22:17] [The Pharisees sent their disciples to Jesus, who said,] Tell us therefore, What thinkest thou? Is it lawful to give tribute unto Caesar, or not?

Jesus was also versed in the above scriptures. He was fully aware that it is against God's Law to give tribute to a heathen "Caesar". He also knew that it would enrage "Caesar" for him to say so. Jesus knew that giving the correct answer was a trap laid for him by the Pharisees, and he evaded their trap by the following: He didn't define what was or was not "Caesar's". He didn't even affirm that the penny with "Caesar's" image and superscription was to be rendered to "Caesar". Jesus' answer was that the Pharisees should render to "Caesar", a heathen who did not know or obey God's Law, exactly what was due to any heathen or Israelite who did not obey God's Law:

[Num 15:15] One ordinance shall be both for you of the congregation [of Israel], and also for the stranger [foreigner; non Israelite] that sojourneth with you, an ordinance for ever in your generations: as ye are, so shall the stranger be before the LORD. [15:16] One law and one manner shall be for you, and for the stranger that sojourneth with you. (i.e.: death for breaking God's Law:

[Deu 27:26] Cursed be he that confirmeth not all the words of this law [God's Law, not Caesar's law] to do them. And all the people shall say, Amen.)

Therefore, the Pharisees knew that what they had just been told was to render unto "Caesar" what God's Law required: death, and since they were declining to carry out the sentence of the law, they were hypocrites, since they were the enforcement officials of God's Law and knew what "Caesar" was due under God's Law. They had also been told that they were acting presumptuously by not hearkening to carry out the sentence of the law and they themselves should be put to death along with "Caesar" in order to put their own evil away from Israel:

[Deu 17:11] According to the sentence of the law which they shall teach thee, and according to the judgment which they shall tell thee, thou shalt do: **thou shalt not decline from the sentence which they shall shew thee, to the right hand, nor to the left.** [17:12] **And the man that will do presumptuously, and will not hearken unto the priest that standeth to minister there before the LORD thy God, or unto the judge, [and render unto Caesar what Caesar was due, death in this particular case] even that man shall die [the Pharisees, for not carrying out the sentence in this particular case]: and thou shalt put away the evil from Israel.**

This is obviously why the Pharisees marveled at Jesus. They were not about to tell "Caesar" that God's Law required him to be put to death, because "Caesar" would have then come after the Pharisees. In addition, Jesus had just rebuked both "Caesar" and the Pharisees by stating publicly that both "Caesar" and the Pharisees should be put to death, and the Pharisees who hated Jesus knew it but couldn't go tell "Caesar" in order to get Jesus in trouble. Also, "Caesar" and his agents didn't know enough

1 about God's Law to realize that Jesus said that "Caesar" should be put to death, and "Caesar" thinks to this very day that  
2 Jesus was saying to pay tribute. Checkmate. Jesus will, incidentally, render to "Caesar" what is "Caesar's" at His coming:

3 *[Luk 19:27] [Jesus, speaking of himself in a parable said,] but those mine enemies, which would not that I should*  
4 *reign over them [kings, "Caesars", judges of the earth and their followers at His coming], bring hither, and slay*  
5 *them before me.*

6 *[Psalm 2:7] [The psalmist foretelling that Jesus will "render unto Caesar what is Caesar's at his coming]: I will*  
7 *declare the decree: the LORD hath said unto me, Thou art my Son [Jesus]; this day have I begotten thee.*

8 *[2:9] Thou [Jesus] shalt break them [the heathen kings (Caesars) and judges] with a rod of iron; thou shalt*  
9 *dash them in pieces like a potter's vessel. [2:10] Be wise now therefore, O ye kings: ["Caesars"] be instructed,*  
10 *ye judges of the earth. [Note: These verses in Psalm 2 are confirmed to be about Jesus in Acts 13:33; Heb 1:1-*  
11 *5; Heb 5:5, and by Jesus Himself in Rev 2:26-27].*

12 *[Zec 14:9] [Zechariah prophesying that Jesus will "render unto Caesar what is Caesar's" at His coming]: And*  
13 *the LORD [Jesus] shall be king over all the earth: in that day shall there be one LORD, and his name one.*

14 *[14:12] And this shall be the plague wherewith the LORD [Jesus] will smite all the people [kings, "Caesars",*  
15 *judges of the earth and all who follow them] that have fought against Jerusalem [Jesus' capital city when He*  
16 *comes with his saints]; Their flesh shall consume away while they stand upon their feet, and their eyes shall*  
17 *consume away in their holes, and their tongue shall consume away in their mouth. [Note: These verses can be*  
18 *seen to be about Jesus in Mat 25:31-32; Mat 28:18; Joh 18:37; 1Ti 6:13-15; Rev 11:15; Rev 19:14; Rev 20:4-*  
19 *6].*

20 Continuing with Jesus' answer to the Pharisees:

21 *[Mat 22:18] But Jesus perceived their wickedness, and said, Why tempt ye me, ye hypocrites? [22:19] Shew me*  
22 *the tribute money. And they brought unto him a penny. [22:20] And he saith unto them, Whose is this image and*  
23 *superscription? [22:21] They say unto him, Caesar's. Then saith he unto them, Render therefore unto Caesar*  
24 *the things which are Caesar's, and unto God the things that are God's.*

25 *[Mar 12:14] And when they [certain of the Pharisees and of the Herodians] were come, they say unto him,*  
26 *Master, we know that thou art true, and carest for no man: for thou regardest not the person of men, but teachest*  
27 *the way of God in truth: Is it lawful to give tribute to Caesar, or not? [12:15] Shall we give, or shall we not*  
28 *give? But he, knowing their hypocrisy, said unto them, Why tempt ye me? Bring me a penny, that I may see it.*  
29 *[12:16] and they brought it. And he saith unto them, Whose is this image and superscription? And they said*  
30 *unto him, Caesar's [12:17] and Jesus answering said unto them, Render to Caesar the things that are Caesar's*  
31 *and to God the things that are God's. And they marveled at him.*

32 *[Luke 20:22] [The chief priests and scribes asked Jesus,] Is it lawful for us to give tribute unto Caesar, or no?*  
33 *[20:23] but he perceived their craftiness, and said unto them, Why tempt ye me? [20:24] shew me a penny.*  
34 *Whose image and superscription hath it? They answered and said, Caesar's. [20:25] and he said unto them,*  
35 *Render therefore unto Caesar the things which be Caesar's, and to God the things that are God's.*

36 From that day forward, the Pharisees and the Sadducees would not ask Jesus any further questions:

37 *[Mat 22:46] And no one was able to answer Him a word, nor from that day on did anyone dare question Him*  
38 *anymore. [NKJ]*

39 *[Luk 20:39] Then some of the scribes answered and said, "Teacher, You have spoken well." [20:40] but after*  
40 *that they dared not question Him anymore. [NKJ]*

41 The silence of the Pharisees from that point on spoke volumes about their sin. The Bible explains that those who are silent,  
42 such as the Pharisees and Saducees who tried to trap Jesus, **do NOT** praise Him, which by implication means that they  
43 dishonor God:

44 *"The dead do not praise the LORD, Nor any who go down into silence."*  
45 *[Psalm 115:17, Bible, NKJV]*

46 *"Out of the mouth of babes [Jesus never attended a man-made school] and nursing infants*  
47 *You have ordained strength,*  
48 *Because of Your enemies,*  
49 *That You may silence the enemy and the avenger."*  
50 *[Psalm 8:2, Bible, NKJV]*

1                   *"For this is the will of God, that by doing [or saying] good you may put to silence the ignorance of foolish*  
2                   *men"*

3                   *[1 Peter 2:15, Bible, NKJV]*

4                   *"For the LORD our God has put us to silence And given us water of gall to drink, Because we have sinned*  
5                   *against the LORD."*

6                   *[Jeremiah 8:14, Bible, NKVJ]*

7 Jesus was not calling for revolution against Rome, even though it was an oppressive conqueror of Israel. On the other hand,  
8 His apostles refused to obey a government order not to preach and teach in Jesus' name (Acts 5:27-29). On that occasion,  
9 one of Jesus' apostles said:

10                   *"We ought to obey God rather than men."*

11 The same admonition to obey God rather than man is found in Psalm 118:8-9

12                   *"It is better to trust the Lord*  
13                   *Than to put confidence in man.*  
14                   *It is better to trust in the Lord*  
15                   *Than to put confidence in princes."*  
16                   *[Psalm 118:8-9, Bible, NKJV]*

17 Finally, the Apostle Paul agreed with and reiterated these conclusions by saying that that it is scandalous for Christians to use  
18 civil rather than ecclesiastical courts in order to settle our disputes:

19                   [1Corinthians 6:1](#) *Dare any of you, having a matter against another, go to law before the unjust, and not before*  
20                   *the saints?*

21                   [1Corinthians 6:7](#) *Now therefore **there is utterly a fault among you, because ye go to law [in a civil rather than***  
22                   ***ecclesiastical court] one with another.** Why do ye not rather take wrong? why do ye not rather [suffer yourselves*  
23                   *to] be defrauded?*

## 24 The Roman Tribute Coin

25 5. Tiberius; 14 - 37 A.D.; AR denarius; the "Tribute Penny" of the Bible. In Mark 12:14-17 the Temple priests, testing  
26 Jesus, asked Him:

27                   *And when they were come, they say unto him, "Master, we know that thou art true, and carest for no man: for*  
28                   *thou regardest not the person of men, but teachest the way of God in truth: Is it lawful to give tribute to Caesar,*  
29                   *or not? Shall we give, or shall we not give?"*

30                   *But he, knowing their hypocrisy, said unto them, "Why tempt ye me? bring me a penny (denarius), that I may see*  
31                   *[it]."*

32                   *And they brought [it]. And he saith unto them, "Whose [is] this image and superscription?" And they said unto*  
33                   *him, "Caesar's."*

34                   *And Jesus answering said unto them, "Render to Caesar the things that are Caesar's, and to God the things that*  
35                   *are God's." And they marveled at him.*

36 Obv: Laureate head of Tiberius, r. Rev: Livia, as Pax, seated on the reverse.

## 37 **Figure 4-2: Roman tribute coin**



The account of the Tribute to Caesar is more extensively covered in Matthew, chapter 22. In this account, and others, the bible clearly shows that as soon as the Herodians understood the answer that they received, they marveled at the answer, and went on their way. After that time, they ceased to question Him anymore.

When you research out the origin and lineage of the term “Pontifus Maximus”, you find the Babylonian origin. Essentially, it is saying that “Caesar is God.” This title was later adopted by the Roman Popes.

### Conclusions

Aren't we supposed to obey the authority over us? Yes, as long as there is no conflict with God's law. Blind obedience to all civil authority dictates, wishes, whims etc. is not always necessary though. Furthermore, if blind obedience to civil authority is really the rule to live by, I have some thought provoking questions for those who preach that false doctrine to answer:

1. Was it right for Moses parents to disobey the civil authority over them and not kill their baby? The Hebrew midwives disobeyed the civil authority and God blessed them. See Ex. 1.
2. Was it right for Peter and the disciples to disobey civil authority and keep preaching Christ? See Acts 5.
3. Was it right for Samson to disobey the civil authority (the Philistines ruled the land)? See Judges 16.
4. Was it right for the prophets to disobey the civil authority and proclaim their message at the risk of life, limb and property? See Hebrews 11.
5. Was it right for Daniel to disobey the civil authority and pray to God in spite of the command by the absolute dictator not to do so? See Daniel 6.
6. Was it right for the founding fathers like Patrick Henry, George Washington, etc. to disobey King George, the civil authority over them, and begin this great land we now freely enjoy? I suggest you re-read the Declaration of independence and try to see the motive of those great and godly men.
7. If tyranny is not the government ordained by God, is it right to resist tyranny? See the entire history of the nation of Israel in their struggle against various tyrants.
8. Was it right for the Germans at the concentration camps to obey their elected or appointed civil authority and kill the Jews?
9. Have the IRS's chains of slavery become comfortable to you and you prefer them and the peace and safety of not standing for what is right over liberty? See Patrick Henry's famous speech. It applies very well here.
10. Was it right for the French underground to disobey the civil authority and blow up German tanks, bridges etc during WW II?
11. Was it right for the men in the book of Judges to disobey the civil authority over them and rebel against their rulers?
12. Was it right for the united States to oppose the aggression of Hitler? Sadam Hussein? Japan at Pearl Harbor? Etc.

- 1 13. If someone steals your car, kidnaps your kids or rapes your wife will you call the police (use the civil authorities and  
2 legal system) and/or defend your family physically and legally?  
3 14. If the pacifist position is what some are now preaching, should Bible colleges and churches expel students and church  
4 members who go into the military or refuse entrance or membership to those who are in or have been in the military in  
5 order to be consistent?  
6 15. Was it right for Shadrach, Meshach, and Abednego to disobey the civil authority by not bowing on command? See Daniel  
7 3.  
8 16. In Acts 5 and 12 Peter disobeyed the civil authorities over him. He walked past the sleeping guards, out of jail and fled  
9 the country. This was illegal for him to do. Is this the same Peter who wrote the I Peter passage we preach from about  
10 obeying authority?

11 When one understands that the answer Jesus gave to whether we should pay taxes was given under Hebrew law, then they  
12 understand that the same fate awaits all who pay the tribute to Caesar that God will mete out for Caesar, then we can see that  
13 Jesus was clearly saying, “Do not pay taxes unto Caesar”, as was alleged at His trial. See Luke 23:2, where the people  
14 accused Jesus of forbidding the payment of taxes to Caesar, which said:

15 *[Luke 23:2, KJV] And they began to accuse him, saying, We found this [fellow] perverting the nation, and*  
16 *forbidding to give tribute to Caesar, saying that he himself is Christ a King.*

17 See also: First Samuel 8:7-19 in which we learn God’s displeasure with those who refused to be governed by Him and instead  
18 decided to elect their own King [government], who God said would oppress them.

19 *And the Lord said to Samuel, “Heed the voice of the people in all that they say to you; for they have not rejected*  
20 *you, but they have rejected Me, that I should not reign over them.*

21 *“According to all the works which they have done since the day that I brought them up out of Egypt, even to this*  
22 *day—with which they have forsaken Me and served other gods—so they are doing to you also.*

23 *“Now therefore heed their voice, **However, you shall solemnly forewarn them, and show them the behavior of***  
24 ***the king who will reign over them.**”*

25 *So Samuel told all the words of the Lord to the people who asked him for a king. And he said, “This will be the*  
26 *behavior of the king who will reign over you: He will take your sons and appoint them for his own chariots and*  
27 *to be his horsemen, and some will run before his chariots.*

28 *“He will appoint captains over his thousands and captains over his fifties, will set some to plow his ground and*  
29 *reap his harvest, and some to make his weapons of war and equipment for his chariots.*

30 *“He will take your daughters to be perfumers, cooks, and bakers.*

31 *“And he will take the best of your fields, your vineyards, and your olive groves, and give them to his servants.*

32 *“He will take a tenth of your grain and your vintage, and give it to his officers and servants.*

33 *“And he will take your male servants, your female servants, your finest young men, and your donkeys, and put*  
34 *them to his work.*

35 *“He will take a tenth of your sheep. **And you will be his servants.***

36 *“And you will cry out in that day because your king whom you have chosen for yourselves, and the Lord will not*  
37 *hear you in that day.”*

38 *Nevertheless the people refused to obey the voice of Samuel; and they said, “No, but we will have a king over us,*  
39 *that we also may be like all the nations and that our king may judge us and go out before us and fight our battles.”*

40 What God was saying is that we should not appoint our government to rule over us, but to have them servicing us and for God  
41 to rule over us as the sovereigns in charge of the government.

42 *“Away with you, Satan! For it is written, ‘You shall worship the Lord your God, and Him **ONLY** [NOT the*  
43 *government!] you shall serve.’”*  
44 *[Matt. 4:10, Bible, NKJV]*

1 He was saying this because he knew that tyranny and a dictatorship would be the ultimate result, which would be oppressive  
2 and sinful.

3 *"You know that the rulers of the Gentiles lord it over them, and those who are great exercise authority over them.  
4 Yet it shall not be so among you; but whoever desires to become great among you, let him be your servant.  
5 And whoever desires to be first among you, let him be your slave--just as the Son of Man did not come to be  
6 served, but to serve, and to give His life a ransom for many."  
7 [Matthew 20:25-28, Bible, NKJV]*

8 Is our present government our servant? Does the Internal Revenue SERVICE serve you? Our founding fathers ensured that  
9 the U.S. government started out in 1776 as our servant by limiting its power with a masterful system of checks and balances.  
10 They did this because the abuses and tyranny of the British king were fresh in their minds. But since then, we have forgotten  
11 what God told us and looked the other way while our Congress [who has unlawfully made itself into the equivalent of the  
12 king in biblical times] and its henchmen in the IRS [the king's tax collectors] have transformed themselves from servants to  
13 tyrannical dictators by slowly but systematically rewriting the laws to deceive people into believing this have a tax liability  
14 because the apathetic populace they created using the public education system let them get away with it. Revelation 18:3-8  
15 describes what the reward is to be for those who seek to be part of such a corrupt government or those who trust in and do  
16 not rebel against such a government: God is talking below about Babylon, which is a metaphor for all the graft and corruption  
17 that results from human government unrestricted by the checks and balances that our founding fathers put into the U.S.  
18 Constitution and unaccountable to God. Earlier in Revelation 17, Babylon the Great is described as "The Great Harlot who  
19 sits on many waters with whom the kings of the earth committed fornication" (Rev. 17:1-2). We believe that this great Harlot  
20 is really the bride of Christ (his church/people) described by Paul in Eph. 5:22-24 which never married her husband, Christ,  
21 and therefore becomes a harlot and commits fornication with Satan. Here's Rev. 18:3-8:

22 *"For all the nations have drunk of the wine of the wrath of her fornication, the kings of the earth have committed  
23 fornication with her, and the merchants of the earth have become rich through the abundance of her luxury."*

24 *And I heard another voice from heaven saying, "Come out of her, my people, lest you share in her sins, and lest  
25 you receive of her plagues."*

26 *"For her sins have reached to heaven, and God has remembered her iniquities.*

27 *"Render to her just as she rendered to you, and repay her double according to her works; in the cup which she  
28 has mixed, mix double for her."*

29 *"In the measure that she glorified herself and lived luxuriously, in the same measure give her torment and  
30 sorrow; for she says in her heart, 'I sit as queen, and am no widow, and will not see sorrow.'"*

31 *"Therefore her plagues will come in one day—death and mourning and famine. And she will be utterly burned  
32 with fire, for strong is the Lord God who judges her."  
33 [Rev. 18:3-8, Bible, NKJV]*

34 Look above again at what is REALLY supposed to be "rendered to Caesar [Babylon]" in Revelation 18:6-8:

35 *"Render to her just as she rendered to you, and repay her double according to her works; in the cup which she  
36 has mixed, mix double for her."*

37 *"In the measure that she glorified herself and lived luxuriously, in the same measure give her torment and  
38 sorrow; for she says in her heart, 'I sit as queen, and am no widow, and will not see sorrow.'"*

39 *"Therefore her plagues will come in one day—death and mourning and famine. And she will be utterly burned  
40 with fire, for strong is the Lord God who judges her."*

41 Notice above the phrase: "in the cup which she has mixed, mix double for her." That phrase ought to look very familiar to  
42 those who have read the Bible. In particular, we believe it refers to the following Bible passage, which talks about how to  
43 discipline a THIEF. Babylon the Great Harlot is simply an ignorant people who consented with a thief called government.  
44 That thief was empowered to commit its deplorable acts of injustice by two things: 1. The vote of the democratic majority;  
45 2. The collective indifference of the people towards the criminal acts of their government.

46 *"If a man delivers to his neighbor money or articles to keep, and it is stolen out of the man's house, if the thief is  
47 found, he shall pay double. If the thief is not found, then the master of the house shall be brought to the judges  
48 to see whether he has put his hand into his neighbor's goods."*

1 [Exodus 22:7-8, Bible, NKJV]

2 The phrase “his neighbor’s goods” above, by the way, includes both the labor and the property of your neighbor. If the  
3 government as your agent pilfers or steals the labor of your neighbor to support you by misrepresenting what the tax code  
4 says, then it is a thief and you are consenting with a thief by receiving such stolen property. Consequently, you are part of  
5 Babylon the Great Harlot, and you will get a double dose of the abuse you heaped on others in the process according to the  
6 above!

7 Based on Rev. 18:6-8, the ultimate reward for trusting government to rule us or allowing a king to rule over us instead of God  
8 is death and famine.

9 “For the wages of sin is death, but the gift of God is eternal life in Christ Jesus our Lord.”  
10 [Romans 6:23, Bible, NKJV]

11 Why is this the reward to be rendered to Caesar? Because the idolatry represented by making Caesar into a false god violates  
12 the first and most important commandment!:

13 *You shall have no other gods [including Kings or government] before Me. You shall not make for yourself a  
14 carved image—any likeness of anything that is in heaven above, or that is in the earth beneath, or that is in the  
15 water under the earth; you shall not bow down or serve them. For I, the Lord your God, am a jealous God,  
16 visiting the iniquity of the fathers upon the children to the third and fourth generations of those who hate Me, but  
17 showing mercy to thousands, to those who love Me and keep My commandments.*  
18 [Exodus 20:3-6, NKJV]

19 The Bible is replete with examples of those who were killed at the command or with the blessing of God for the idolatry of  
20 worshipping other gods, including government. Below are just a few examples:

21 Ezekiel 9:5 "And I heard God say to the other men, 'Follow him through the city and kill. Spare no one.'"

22 Ezekiel 9:6 "Kill the old men, young men, young women, mothers and children."

23 Ezekiel 9:7 "God said to them, 'Defile the Temple. Fill its courtyards with corpses. Get to work!' So they began  
24 to kill the people in the city."

25 Ezekiel 9:11 "Then the man wearing linen clothes returned and reported to the Lord, 'I have carried out your  
26 orders.'"

#### CONTEXT FOR WHY GOD COMMANDED THE KILLING IN THE ABOVE FOUR VERSES:

Ezekiel 8:17: "Have you seen this, O son of man? Is it a trivial thing to the house of Judah to commit the abominations which they commit here? For they have filled the land with violence; then they have returned to provoke Me to anger. Indeed they put the branch to their nose. Therefore I also will act in fury. My eye will not spare nor will I have pity: and though they cry in My ears with a loud voice, I will not hear them."

The people were:

- Committing acts of violence (Ezekiel 8:17)
- Worshipping idols (Eze. 8:10-12)
- Women were weeping for an idol called Tammuz (Ezekiel 8:14)
- Priests were worshipping the sun God. (Ezekiel 8:16)

The killing was God’s judgment and wrath against His own people, not those of other races in a Zionist plot. God disciplined His own children in this case for violating the greatest and the first of the ten commandments found in Exodus 20:3-11.

God simply fulfilled justice by punishing His own people for violating the first commandment and committing idolatry. If He hadn’t done this, He would not have maintained the sanctity of His children at the time (His family now includes everyone, not just Israel) or allowed the truth of His word, recorded in their writings, to be passed down through the generations so we could enjoy it today. The greater good



was thereby accomplished, because God through the Israelites allowed His word and His truth to be revealed to us in what later became the Bible. No other culture or race has been able, through so many generations, to record the history and divine intervention of God in the lives of men better or in a more inspiring way than the writings of the Jews about God, and God apparently wanted to protect this, or His message of truth to us, and His love letter to the world, the Holy Bible, would be lost forever if He allowed His messenger, the Israelites, to be corrupted and to renounce their heritage and their history and the writings of the Bible they authored.

*"As many as I love, I rebuke and chasten. Therefore be zealous and repent."  
[Rev. 3:19]*

**The only thing the Bible says is to be rendered to Caesar is death and mourning and famine. Render to him his due! Now do you understand what Jesus was saying and why both the Government and the Pharisees wanted to crucify Him?** We aren't suggesting here that you should take the law into your own hands and subvert the sovereignty of God through vigilante justice in fulfilling Jesus' command above, but we are showing you what God says Caesar really deserves and what only God in His righteousness can give him. Note that Jesus also took the trouble here to hide or encrypt His subtle message, so that it would survive the ages and time and appear in the version of the Bible we have today. Otherwise, the government would have destroyed the Bible message long ago.

*Luke 10:21, "In that hour Jesus rejoiced in spirit, and said, **I thank thee, O Father, Lord of heaven and earth, that thou hast hid these things from the wise and prudent** [of the world], and hast revealed them unto babes: even so, Father; for so it seemed good in thy sight."*

The Bible is radical and revolutionary when the Holy Spirit illuminates for us what God is really saying. Is it any wonder our Christian founding fathers rebelled against the King of Britain so they could restore God to His rightful role over them, to put the king under them? Those who truly believe that we should "render unto Caesar that which is Caesar's" can't in good conscience support the notion of the American Revolution, which at the time accomplished the opposite goal and was an armed rebellion against "Caesar".

For more on the great sin of the Pharisees, and their modern day licensed attorney equivalents, see:

*Who Were the Pharisees and Saducees?*, Form #05.047  
<https://sedm.org/Forms/FormIndex.htm>

#### **4.4.3 The purpose of government: protection of the weak from harm and evil<sup>91</sup>**

The U.S. Supreme Court confirmed that the purpose of government was protection when it said:

*"In the formation of a government, the people may confer upon it such powers as they choose. **The government, when so formed, may, and when called upon should, exercise all the powers it has for the protection of the rights of its citizens and the people within its jurisdiction; but it can exercise no other.**"  
[United States v. Cruikshank, 92 U.S. 542 (1875)]*

The important aspect of the above is *consent*. The Declaration of Independence says that all just powers of government derive from the *consent* of the governed. In the legal field, "positive law" constitutes the only legitimate evidence that the people ever consented to surrender authority or any part of their rights to the government. Every power *not* originating from explicit consent is *unjust* by implication and amounts to tyranny. The people have to consent to delegate authority to protect them to the government that they collectively form. Those powers they do *not* explicitly consent to delegate to government and that protection which they do *not* want or do *not* consent to receive from government, they should *not* be forced to either cooperate with or to pay for. To do otherwise is the very definition of tyranny.

The next question is, *what* exactly is the government protecting us from? The Supreme Court explained that it's duty is to protect us from enemies of the Constitution, which is the solemn expression of the will of the sovereign People who ordained it:

<sup>91</sup> Adapted from *Constitutional Income: Do You Have Any?*, Phil Hart, ISBN 0-9711880-0-9, pp. 88-94.

1 *“The obligations of allegiance to the State, and of obedience to her laws, subject to the Constitution of the*  
 2 *United States, are binding upon all citizens, whether faithful or unfaithful to them, but the relations which*  
 3 *subsist while these obligations are performed are essentially different from those which arise when they are*  
 4 *disregarded and set at naught. And the same must necessarily be true of the obligations and relations of States*  
 5 *and citizens to the Union. No one has been bold enough to contend that, while Texas was controlled by a*  
 6 *government hostile to the United States, and in affiliation with a hostile confederation, waging war upon the*  
 7 *United States, senators chosen by her legislature, or representatives elected by her citizens, were entitled to seats*  
 8 *in Congress, or that any suit instituted in her name could be entertained in this court. **All admit that, during this***  
 9 *condition of civil war, the rights of the State as a member, and of her people as citizens of the Union, were*  
 10 *suspended. The government and the citizens of the State, refusing to recognize their constitutional obligations,*  
 11 *assumed the character of enemies, and incurred the consequences of rebellion.”*  
 12 *[Texas v. White, 74 U.S. 700 (1868)]*

13 Consequently, any citizen who doesn't honor their constitutional obligations, which means ensuring that the government  
 14 stays within the boundaries of the Constitution, is an ENEMY that the government and more importantly the courts, have a  
 15 sacred duty to protect us from.

16 There's no such thing as a free lunch. The protection afforded by the police powers of a government is, however, procured  
 17 at a high price. That price is our unflinching “allegiance” and “obedience” to our protector and whatever laws it passes that  
 18 apply within the jurisdiction where we are domiciled.

19 *“There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies*  
 20 *an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons*  
 21 *associated becomes a member of the nation formed by the association. He owes it allegiance and is entitled to its*  
 22 *protection. **Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation***  
 23 *for the other; allegiance for protection and protection for allegiance.”*  
 24 *[Minor v. Happersett, 88 U.S. (21 Wall.) 162, 166-168 (1874)]*

25 Another way of saying the above is that we can't earn or deserve the right to be protected unless and until we are willing to  
 26 reciprocate by protecting our protector. This is an extension of the Golden Rule described by Jesus in Matt. 7:12 and Luke  
 27 6:31, in which He told us to do unto others as we would have them do unto us.

28 *“Therefore, whatever you want men to do to you, do also to them, for this is the Law and the Prophets.”*  
 29 *[Matt. 7:12, Bible, NKJV]*

30 How then, does this “allegiance” or “mutual protection” manifest itself and who is it directed at? In our society, the People  
 31 as private citizens and individuals are the “sovereigns” and the government is their *servant*. The government is simply a  
 32 “contractor” or an agent with specific authority delegated through the contract called the Constitution, but it is not the  
 33 “sovereign”. The collection of all “sovereigns” within a political community, in fact, is called the “state” in Black's Law  
 34 Dictionary. We emphasize here that the definition of “state” does NOT include public servants or anyone working in the  
 35 government. In America, the “state” is the people, and not their public servants. Here is how the Supreme Court describes  
 36 it:

37 *“From the differences existing between feudal sovereignties and Government founded on compacts [contracts*  
 38 *called “Constitutions”], it necessarily follows that their respective prerogatives must differ. Sovereignty is the*  
 39 *right to govern; a nation or State-sovereign is the person or persons in whom that resides. In Europe the*  
 40 *sovereignty is generally ascribed to the Prince; here it rests with the people; there, the sovereign actually*  
 41 *administers the Government; here, never in a single instance; our Governors are the agents of the people, and*  
 42 *at most stand in the same relation to their sovereign, in which regents in Europe stand to their sovereigns.*  
 43 *Their Princes have personal powers, dignities, and pre-eminences, our rulers have none but official; nor do*  
 44 *they partake in the sovereignty otherwise, or in any other capacity, than as private citizens.”*  
 45 *[Chisholm, Ex'r. v. Georgia, 2 Dall. (U.S.) 419, 1 L.ed. 454, 457, 471, 472) (1794)]*

46 As you will learn later in this chapter, having “allegiance” to a “state” and the laws that it enacts for the equal protection of  
 47 all inhabitants, in fact, is the only qualification necessary to be a “citizen” within a political community. Those born within  
 48 a political community are “presumed” to have such allegiance because under the concept of “jus sanguinis”, children assume  
 49 the same citizenship status as their parents, and therefore are “presumed” to have the same “allegiance” and warrant the same  
 50 protection as their parents.

51 Another interesting result of this “allegiance” that we must have in order to procure the protection of our neighbor is that this  
 52 allegiance must be exclusive and undiluted by any other competing allegiances. Another way of saying this is that we cannot  
 53 have conflicting allegiances or we will have a conflict of interest. Conflict of interest is a federal crime under 18 U.S.C.

§208, for instance. Here is the way the introduction explains it in the Supreme Court case of Talbot v. Janson, 3 U.S. 133 (1795). This is not the opinion of the court, per se, but it is very enlightening nonetheless:

*“Yet, it is to be remembered, and that whether in its real origin, or in its artificial state, allegiance, as well as fealty, rests upon lands, and it is due to persons. Not so, with respect to Citizenship, which has arisen from the dissolution of the feudal system and is a substitute for allegiance, corresponding with the new order of things. Allegiance and citizenship, differ, indeed, in almost every characteristic. Citizenship is the effect of compact [contract]; allegiance is the offspring of power and necessity. Citizenship is a political tie; allegiance is a territorial tenure. [ . . . ] The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous, sovereign . . . .”*

[Talbot v. Janson, 3 U.S. 133 (1795); From the syllabus but not the opinion; SOURCE: [http://www.law.cornell.edu/supct/search/display.html?terms=choice%20or%20conflict%20and%20law&url=/supct/html/historics/USSC\\_CR\\_0003\\_0133\\_ZS.html](http://www.law.cornell.edu/supct/search/display.html?terms=choice%20or%20conflict%20and%20law&url=/supct/html/historics/USSC_CR_0003_0133_ZS.html)]

The implication of the above concept regarding conflicting allegiance is profound. Essentially, we must conclude from the above that we can’t take an oath to more than one sovereign at a time and that our primary allegiance and source of protection lies with the last sovereign we took an oath to. The Bible says not to take oaths to any earthly thing and that we can and should only take oaths toward God:

*“Again, you have heard that it was said to the people long ago, ‘Do not break your oath, but keep the oaths you have made to the Lord.’ But I tell you, Do not swear [toward men] at all: either by heaven, for it is God’s throne; or by the earth, for it is his footstool; or by Jerusalem, for it is the city of the Great King. And do not swear by your head, for you cannot make even one hair white or black. Simply let your ‘Yes’ be ‘Yes,’ and your ‘No,’ ‘No’; anything beyond this comes from the evil one.”*

[Matt. 5:33-37, Bible, NKJV]

*“You shall fear the LORD your God; you shall serve Him [ONLY], and to Him you shall hold fast, and take oaths in His name. He is your praise, and He is your God, who has done for you these great and awesome things which your eyes have seen. Your fathers went down to Egypt with seventy persons, and now the LORD your God has made you as the stars of heaven in multitude.”*

[Deut. 10:12-22, Bible, NKJV]

Based on the above analysis, the MAIN source of protection that believers can have is God and not any government or man-made thing. This is the only conclusion one can reach based on the above requirements of the Bible and the Supreme Court. We’ll cover this subject in much greater detail in the next section. It is also true, however, that the First Amendment was intended to ensure that our government cannot interfere with or punish us for having our primary allegiance to God:

#### First Amendment

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*

Below is how the Supreme Court described the competing allegiances of people toward both God and the “state”. As you will learn shortly, God and government are competitors for the affection and worship/obedience of the people:

*“Much has been said of the paramount duty to the state, a duty to be recognized, it is urged, even though it conflicts with convictions of duty to God. Undoubtedly that duty to the state exists within the domain of power, for government may enforce obedience to laws [whose ONLY purpose is to protect, but not to dictate any other matters] regardless of scruples. When one’s belief collides with the power of the state, the latter is supreme within its sphere and submission or punishment follows. But, in the forum of conscience, duty to a moral power higher than the state has always been maintained. The reservation of that supreme obligation, as a matter of principle, would unquestionably be made by many of our conscientious and law-abiding citizens. The essence of religion is belief in a relation to God involving duties superior to those [283 U.S. 605, 634] arising from any human relation. As was stated by Mr. Justice Field, in Davis v. Beason, 133 U.S. 333, 342, 10 S.Ct. 299, 300: ‘The term ‘religion’ has reference to one’s views of his relations to his Creator, and to the obligations they impose of reverence for his being and character, and of obedience to his will.’ One cannot speak of religious liberty, with proper appreciation of its essential and historic significance, without assuming the existence of a belief in supreme allegiance to the will of God. Professor Macintosh, when pressed by the inquiries put to him, stated what is axiomatic in religious doctrine. And, putting aside dogmas with their particular conceptions of deity, freedom of conscience itself implies respect for an innate conviction of paramount duty. The battle for religious liberty has been fought and won with respect to religious beliefs and practices, which are not in conflict with good order [because not harmful to anyone], upon the very ground of the supremacy of conscience within its proper*

field. What that field is, under our system of government, presents in part a question of constitutional law, and also, in part, one of legislative policy in avoiding unnecessary clashes with the dictates of conscience. **There is abundant room for enforcing the requisite authority of [positive] law [which the I.R.C. is NOT] as it is enacted and requires obedience, and for maintaining the conception of the supremacy of law as essential to orderly government, without demanding that either citizens or applicants for citizenship shall assume by oath an obligation to regard allegiance to God as subordinate to allegiance to civil power. The attempt to exact such a promise, and thus to bind one's conscience by the taking of oaths or the submission to tests, has been the cause of many deplorable conflicts. The Congress has sought to avoid such conflicts in this country by respecting our happy tradition.**

[[U.S. v. Macintosh, 283 U.S. 605 \(1931\)](#)]

The jurisdiction that government has to protect the people is completely devoid of any moral or lawful authority to dictate to a man how he must use his property so long as doing so does not injure his neighbor in its use. Here is how the Supreme Court describes it:

"Surely the matters in which the public has the most interest are the supplies of food and clothing; yet can it be that by reason of this interest the state may fix the price at which the butcher must sell his meat, or the vendor of boots and shoes his goods? Men are endowed by their Creator with certain unalienable rights, -life, liberty, and the pursuit of happiness; and to 'secure,' not grant or create, these rights, governments are instituted. **That property which a man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit; second, that if he devotes it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs require, the public may take it upon payment of due compensation.**"

[[Budd v. People of State of New York, 143 U.S. 517 \(1892\)](#)]

Based on the above, the government cannot, should not, and must not be allowed compel you to use your property for your neighbor's benefit. Consequently, the government cannot compel you to participate in any social program, including Unemployment Insurance, Social Security, Medicare, food stamps, or any other welfare-state program. In short, government cannot involve itself in any kind of charity, because the family and the church were given *exclusive* jurisdiction over this subject matter by God Himself in the Holy book. If the government gets into these areas, it is breaking down the separation of powers that is the foundation of our government and is abusing its taxing power to STEAL, as you will learn later. The only exception to this rule is that if the recipient is a federal statutory "employee", it is OK, because the money we are paying as a citizen is supporting the functions of the government, which is the only legitimate use of a "tax":

**"To lay, with one hand, the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.**

**Nor is it taxation. 'A tax,' says Webster's Dictionary, 'is a rate or sum of money assessed on the person or property of a citizen by government for the use of the nation or State.' 'Taxes are burdens or charges imposed by the Legislature upon persons or property to raise money for public purposes.' Cooley, Const. Lim., 479.**

[[Loan Association v. Topeka, 20 Wall. 655 \(1874\)](#)]

Another important concept surrounding the protection offered by government and its laws is that if we give them our allegiance and they abuse it by refusing to recognize and protect our sovereignty, which is their half of the bargain, then we cease to have any legal duty to obey them:

"the enemy acquired that firm possession which enabled him to exercise the fullest rights of sovereignty over that place. The sovereignty of the United States over the territory was, of course, suspended, and the laws of the United States could no longer be rightfully enforced there or be obligatory upon the inhabitants who remained and submitted to the conquerors. By the surrender, the inhabitants passed under a temporary allegiance to the British government and were bound by such laws and such only as it chose to recognize and impose. **From the nature of the case, no other laws could be obligatory upon them, for where there is no protection or allegiance or sovereignty, there can be no claim to obedience.**"

[[Hanauer v. Woodruff, 82 U.S. \(15 Wall.\) 439 \(1872\)](#)]

The above case of disobeying a corrupt government that isn't doing its job is not only a right, but a duty, according to the Declaration of Independence:

"But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security."

[[Declaration of Independence](#)]

1 How is it that we can lawfully cease to obey a government or its laws when neither are not only not protecting us, but actually  
 2 hurting us? The method is to “divorce the corporate state” using the following steps, which are exhaustively described in the  
 3 Tax Fraud Prevention Manual, Form #06.008 and simplified below:

- 4 1. Change our domicile to a place outside the legislative jurisdiction of the government in question. For example, we can  
 5 lawfully change our domicile to “heaven” and rely exclusively on God’s laws for our protection. The Jews did this in  
 6 the book of Nehemiah by building a wall and erecting their own substitute government. This removes us from the  
 7 jurisdiction of the civil laws of a corrupted government. Federal Rule of Civil Procedure 17(b) says the capacity to sue  
 8 or be sued is determined by the laws of the defendant’s domicile. Domicile must be voluntary and when it is coerced,  
 9 its obligations cannot be enforced.
- 10 2. Change our citizenship status to that of a “national” and not a “citizen”. A “national”, as you will learn in section 4.12.12  
 11 and following later in this chapter, is a person subject to the “political jurisdiction” but not the “legislative jurisdiction”  
 12 of the government in question. Citizenship, like allegiance, must be voluntary, and when it is coerced, its obligations  
 13 cannot be enforced.
- 14 3. Revoke all licenses and privileges from the government:
  - 15 3.1. Revoke all marriage licenses and replace them with private contracts.
  - 16 3.2. Revoke driver’s licenses or get a foreign driver’s license.
  - 17 3.3. Revoke all government-issued numbers, such as Socialist Security Numbers.
  - 18 3.4. Stop accepting all privileged “government benefits”. When we cease to need or want anything, we can’t be  
 19 controlled by the government.

20 *“The more you want, the more the world can hurt you.” [Confucius]*

21 When we have accomplished the above steps, the only thing we can lawfully be held responsible for by the government is  
 22 hurting our neighbor, which are the criminal laws. We are not subject to or responsible for most civil laws or taxes.

23 Now let’s look at the purpose of government from a spiritual perspective. According to the Bible, the purpose of government  
 24 is to reward good and punish evil as God’s law defines it and NOT as man’s law defines it. This responsibility on the part of  
 25 government can be summarized in one word: protection. Government is there to protect us from evil on the part of fellow  
 26 Americans, aliens, and even other nations. This commission derives directly from the second great commandment to love  
 27 our neighbor as ourselves found in Romans 13:9 and Matt. 29:39.

28 *“Master, which is the greatest commandment in the law? Jesus said to him, Thou shalt love the Lord thy God*  
 29 *with all thy heart, and with all thy soul and with all thy mind. This is the first and great commandment. (39) And*  
 30 *the second is like unto it, Thou shalt love thy neighbor as thyself. On these two commandments hang all*  
 31 *law...”*  
 32 *[Matthew 22:36-40, Bible, NKJV]*

33 The Apostle Paul even said that loving our neighbor fulfilled ALL the law. We assume he said this because God is our  
 34 neighbor:

35 *“For all the law is fulfilled in one word, even in this: ‘You shall love your neighbor as yourself.’”*  
 36 *[Gal 5:14, Bible, NKJV]*

37 To be more specific, that which the government is protecting in the process of “loving” us, according to Thomas Jefferson in  
 38 our Declaration of Independence, is our “life, liberty, and our pursuit of happiness”. The Supreme Court has said that “pursuit  
 39 of happiness” equates with our property rights. Here is an example:

40 *“By that portion of the fourteenth amendment by which no State may make or enforce any law which shall abridge*  
 41 *the privileges and immunities of citizens of the United States, or take life, liberty, or property, without due process*  
 42 *of law, it has now become the fundamental law of this country that life, liberty, and property (which include*  
 43 *‘the pursuit of happiness’) are sacred rights, which the Constitution of the United States guarantees to its*  
 44 *humblest citizen against oppressive legislation, whether national or local, so that he cannot be deprived of*  
 45 *them without due process of law.”*  
 46 *[Bartemeyer v. State of Iowa, 85 U.S. 129 (1873)]*

47 That is why we say:

48 *“Liberty, man’s highest value, is simply love disguised.” [Family Guardian Fellowship]*

1 We emphasize that fear and love, by the way, are *mutually exclusive*:

2 *"There is no fear in love, but perfect love casteth out fear: because fear hath torment. He that feareth is not made*  
 3 *perfect in love."*  
 4 *[1 John 4:18, Bible, NKJV]*

5 Therefore, if there is any aspect of what government does that makes us *fearful* or *afraid* even though we are diligently doing  
 6 our best to follow God's law in its entirety and loving our neighbor according to the standards that God set down in the Ten  
 7 Commandments, then our government has violated its commission and its authority delegated from God, because it is *not*  
 8 fulfilling the second great commandment to "love our neighbor" as the Bible requires. Instead, it has become a *terrorist*  
 9 *organization* that makes us afraid for our lives and our liberties. We expand upon this point further in section 2.1.10 of the  
 10 *Tax Fraud Prevention Manual*, Form #06.008, where we will establish from a legal perspective that the IRS is indeed a  
 11 terrorist organization.

12 Governments based on fear that disrespect the requirement for consent of the governed are Satanic while governments based  
 13 on love and respect for our neighbor are godly. Most of the governments throughout the world are based on fear and not  
 14 love, and therefore most of them are Satanic, which is to say that they are controlled by Satan himself. They are Satan's  
 15 property. Jesus, after all, referred to Satan as "the ruler of the world," the one whom mankind in general obeys by heeding  
 16 his urgings to ignore God's requirements (John 14:30; Eph. 2:2). The Bible also calls Satan "the god of this system of things,"  
 17 who is honored by the religious practices of people who adhere to this system of things. See 2 Cor. 4:4; 1 Cor. 10:20.

18 When endeavoring to tempt Jesus Christ, the Devil brought Him up and showed him all the kingdoms, also called  
 19 "governments" of the inhabited earth in an instant of time; and the Devil said to Him:

20 *"I will give you all this authority and the glory of them, because it has been delivered to me, and to whomever I*  
 21 *wish I give it. You, therefore, if you do an act of worship before me, it will all be yours."*  
 22 *[Luke 4:5-7]*

23 If the governments of the world both present as well as past were *not* under Satan's authority and rulership he could never  
 24 have offered them to Christ in the first place. Revelation 13:1-2 reveals that Satan gives "power, throne and great authority"  
 25 to the global political system of rulership. Daniel 10:13, 20 discloses that Satan has had demonic princes over principal  
 26 kingdoms of the earth. Ephesians 6:12 refers to these as constituting "governments, authorities, world rulers of this darkness,  
 27 wicked spirit forces in heavenly places." No wonder that 1 John 5:19 says: "The whole world is lying in the power of the  
 28 wicked one." But his power is only for a limited period of time and is only by the toleration and consent of God Almighty.

29 When we love our neighbor (our fellow Americans) the way that God intends, we would certainly *never* hurt or enslave them  
 30 or make them afraid like our government does and if *everyone* loved them, then they wouldn't need protection or government  
 31 to begin with! In that ideal state, we would be a country (but *not* a nation, see section 4.5) without a need for a government,  
 32 which is exactly how Adam and Eve were before their fall. It is also the type of government the founding fathers intended:  
 33 "A government of the people, for the people, and by the people", as Abraham Lincoln said at his famous Gettysburg address.  
 34 A government of the people, by the people, and for the people is a government where the people rule themselves *without*  
 35 a king and are aided in doing that through their public *servants*, who represent and execute but not usurp the people's will.

36 *"The words 'people of the United States' and 'citizens,' are synonymous terms, and mean the same thing. They*  
 37 *both describe the political body who, according to our republican institutions, form the sovereignty, and who*  
 38 *hold the power and conduct [run] the government through their representatives [servants]. They are what we*  
 39 *familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this*  
 40 *sovereignty. ..."*  
 41 *[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]*

42 Our biblical response to *godly* government is found in the same passage as God's purpose for government.

43 *"Submit yourself to every ordinance of man [which is] for the Lord's sake, whether it be to the king, as supreme,*  
 44 *or unto governors, as unto them that are sent by him for the punishment of evildoers, and for the praise of them*  
 45 *that do well."*  
 46 *[1 Peter 2:13-14, Bible, KJV]*

47 Our duty to submit to godly authority has a qualifier attached to it, and that is that the authority be godly, that it "praises good  
 48 and punishes evil" according to God's, and not man's definition of evil found in His law, the Bible. The Apostle Paul even  
 49 said that all authority comes from God:

1 “Let every soul be subject to the governing authorities. For there is no authority except from God, and the  
2 authorities that exist are appointed by God.”

3 [Romans 13:1, Bible, NKJV]

4 Therefore, when “authority” ceases to be godly or violates God’s sacred law, then we cease to have a duty to submit to it.  
5 The implication is that any act by a government employee that does not have authority that comes from God’s law ceases to  
6 have any authority at all, and by implication becomes the act of a private and not government authority undertaken for  
7 personal gain. After all, how can you claim that you are a servant of God or His Divine Justice as we showed earlier in  
8 section 4.1 if you follow or condone or subsidize a government that disrespects or disobeys or rebels against God and His  
9 law? This would lead to an absurd consequence indeed!

10 “No one can serve two masters: for either he will hate the one, and love the other; or else he will hold to the one,  
11 and despise the other. Ye cannot serve God and mammon.”

12 [Matt. 6:24, Bible, NKJV]

13 Those people who founded America found themselves in exactly that position above where they could not please both God  
14 and the British government and their reaction was to rebel and not obey.

15 If God is who He says He is, then He is the ultimate designer of all that exists in the universe. He is the great “physician”,  
16 the great “engineer”. His “user manual” on how to run everything he created for us is in His Holy Book. The scriptures  
17 identify four types of government: personal government, family government, church government and civil government. If  
18 God is God then only He has the authority (the author) to set the jurisdictional boundaries between each type of government  
19 because only He created them all:

20 *“The heavens are Yours, the earth also is Yours;*  
21 *The world and all its fullness, You have founded them.*  
22 *The north and the south, You have created them;*  
23 *Tabor and Hermon rejoice in Your name.*  
24 *You have a mighty arm;*  
25 *Strong is Your hand, and high is Your right hand.*  
26 *Righteousness and justice are the foundation of Your throne;*  
27 *Mercy and truth go before Your face”*  
28 [Psalm 89:11-14, Bible, NKJV]

29 For example, God delegated to families the teaching of children, not to government. The entire system of government schools  
30 is a violation of God’s design. A civil government limited in jurisdiction to only the purposes identified in scripture would  
31 need very little money to operate. There would be no need to tax a man’s right to exist. No need to tax his wages or salary,  
32 because people would be presumed to govern their own affairs and support themselves, and to delegate to government only  
33 those things that they cannot do for themselves, like a military, a court system, and jails.

34 Protection of its weaker citizens is therefore the only source of moral authority for anything that government does. But  
35 exactly who is it that government has the greatest and most sacred duty to protect? The strong or the wealthy or the educated  
36 in any society don’t need protection because they can fend for themselves. The reason we even have a public education  
37 system is to make even the humblest of citizens better able to fend for themselves to begin with. With their wealth and  
38 education and influence, the strong of society can:

- 39 1. Hire the best lawyers to defend them.
- 40 2. Bribe politicians.
- 41 3. Use their influence to coerce others to do their bidding.
- 42 4. Hire bodyguards.
- 43 5. Install alarm systems to protect their property.
- 44 6. Pay expensive talent to manage their assets to eliminate taxes altogether using trusts and exotic tax shelters.
- 45 7. Form cartels and monopolies to coerce the people to pay higher prices.

46 So the real people who the government is there to protect are the weak and defenseless of our society: those with so little  
47 money and so little influence and education that no one else would even bother come to their aid and protection. These people  
48 include:

- 49 • Widows
- 50 • Adolescents

- 1 • Aged and retired people
- 2 • Immigrants who can't speak the language
- 3 • The poor
- 4 • The ignorant or undereducated
- 5 • Those who can't afford legal counsel of their own if prosecuted wrongfully

6 Lysander Spooner explained the purpose of Government as follows:

7 *"Government is established for the protection of the weak against the strong. This is the principal, if not the sole*  
 8  *motive for the establishment of all legitimate government. It is only the weaker party that lose their liberties, when*  
 9  *a government becomes oppressive. The stronger party, in all governments are free by virtue of their superior*  
 10  *strength. They never oppress themselves. Legislation is the work of this stronger party; and if, in addition to the*  
 11  *sole power of legislation, they have the sole power of determining what legislation shall be enforced, they have*  
 12  *all power in their hands, and the weaker party are the subjects of an absolute government. Unless the weaker*  
 13  *party have a veto, they have no power whatever in the government and...no liberties... The trial by jury is the*  
 14  *only institution that gives the weaker party any veto upon the power of the stronger. Consequently it is the only*  
 15  *institution that gives them any effective voice in the government, or any guaranty against oppression."*  
 16 *[Lysander Spooner in his short essay entitled "Trial by Jury"]*

17 The Bible also confirms that the purpose of God's law is to protect the weaker, not stronger parties, when God said:

#### 18 ***The Essence of the Law***

19 *"And now, Israel, what does the LORD your God require of you, but to fear the LORD your God, to walk in all His*  
 20  *ways and to love Him, to serve the LORD your God with all your heart and with all your soul, and to keep the*  
 21  *commandments of the LORD and His statutes which I command you today for your good? Indeed heaven and the*  
 22  *highest heavens belong to the LORD your God, also the earth with all that is in it. **The LORD delighted only in***  
 23  ***your fathers, to love them; and He chose their descendants after them, you above all peoples, as it is this day.***  
 24 *Therefore circumcise the foreskin of your heart, and be stiff-necked no longer. For the LORD your God is God of*  
 25  *gods and Lord of lords, the great God, mighty and awesome, who shows no partiality nor takes a bribe. **He***  
 26  ***administers justice for the fatherless and the widow, and loves the stranger, giving him food and clothing.***  
 27 ***Therefore love the stranger, for you were strangers in the land of Egypt.** You shall fear the LORD your God; you*  
 28  *shall serve Him, and to Him you shall hold fast, and take oaths in His name. He is your praise, and He is your*  
 29  *God, who has done for you these great and awesome things which your eyes have seen. Your fathers went down*  
 30  *to Egypt with seventy persons, and now the LORD your God has made you as the stars of heaven in multitude.*  
 31 *[Deut. 10:12-22, Bible, NKJV]*

33 ***"A father of the fatherless, a defender of widows,***  
 34 ***is God in His holy habitation.***

35 *God sets the solitary in families;*  
 36 *He brings out those who are bound into prosperity;*  
 37 *But the rebellious dwell in a dry land."  
 38 *[Psalm 68:5-6, Bible, NKJV]**

39 ***"You shall not afflict any widow or fatherless child."***  
 40 *[Exodus 22:2, Bible, NKJV]*

41 *"When you beat your olive trees, you shall not go over the boughs again; it shall be for the stranger, the*  
 42  *fatherless, and the widow. When you gather the grapes of your vineyard, you shall not glean it afterward; it*  
 43  *shall be for the stranger, the fatherless, and the widow."  
 44 *[Deut. 24:20-21, Bible, NKJV]**

45 *"Cursed is the one who perverts the justice due the stranger, the fatherless, and widow." "And all the people*  
 46  *shall say, "Amen!"*  
 47 *[Deut. 27:19, Bible, NKJV]*

48 ***"The LORD watches over the strangers; He relieves the fatherless and widow; But the way of the wicked He***  
 49  *turns upside down."  
 50 *[Psalm 146:9, Bible, NKJV]**

51 ***"Defend the fatherless, Plead for the widow."***  
 52 *[Isaiah 1:17, Bible, NKJV]*

53 *"For if you thoroughly amend your ways and your doings, if you thoroughly execute judgment between a man*  
 54  *and his neighbor, if you do not oppress the stranger, the fatherless, and the widow, and do not shed innocent*



1 *blood in this place, or walk after other gods to your hurt, then I will cause you to dwell in this place, in the*  
 2 *land that I gave to your fathers forever and ever."*  
 3 *[Jer. 7:5-7, Bible, NKJV]*

4 *Thus says the LORD: "Execute judgment and righteousness, and deliver the plundered out of the hand of the*  
 5 *oppressor. Do no wrong and do no violence to the stranger, the fatherless, or the widow, nor shed innocent*  
 6 *blood in this place."*  
 7 *[Jer. 22:3, Bible, NKJV]*

8 *"Do not oppress the widow or the fatherless, The alien or the poor. Let none of you plan evil in his heart*  
 9 *Against his brother."*  
 10 *[Zech. 7:10, Bible, NKJV]*

11 Is government living up to its calling to defend and protect the above types of defenseless and weaker people? Well, for  
 12 starters, we show you in section 2.12.1 of the *Tax Fraud Prevention Manual*, Form 06.008 that the IRS focuses the vast  
 13 majority of its audit activity and expenditures on low income people, who are *least* able to afford to pay extortion money to  
 14 the government or expensively litigate to defend their rights when abused. That is a massive injustice because as we just  
 15 pointed out, the weak and the poor are the ones who need government's protection the most! Abortion falls in the same  
 16 category. All of the scriptures above that refer to the "fatherless" are also referring to children born usually to poor women  
 17 who didn't have a male provider and who in most cases were unwanted. Who defends the speechless and the most vulnerable  
 18 members of society like unborn children, most of whom are fatherless? Our government certainly isn't doing it! Here is  
 19 what the Bible says about what we are supposed to do for all the babies who are being murdered by abortionists at government  
 20 expense:

21 *"Open your mouth for the speechless,*  
 22 *In the cause of all [unborn children] who are appointed to die.<sup>[U]</sup>*  
 23 *Open your mouth, judge righteously,*  
 24 *And plead the cause of the poor and needy."*  
 25 *[Prov. 31:8-9, Bible, NKJV]*

26 Our government is failing miserably at the *only* job that it has to protect the most defenseless members in society, folks! God  
 27 said abortion is the weapon of choice that He would use against a wicked and defiant people who rebel against Him and His  
 28 Law and who refuse to defend the weak of society. Here is an example:

29 *"All the kings of the nations,*  
 30 *All of them, sleep in glory,*  
 31 *Everyone in his own house;*  
 32 *But you [the rebellious and wicked] are cast out of your grave*  
 33 *Like an abominable branch,*  
 34 *Like the garment of those who are slain,*  
 35 *Thrust through with a sword,*  
 36 *Who go down to the stones of the pit,*  
 37 *Like a corpse trodden underfoot.*  
 38 *You will not be joined with them in burial.*  
 39 *Because you have destroyed your land*  
 40 *And slain your [unborn] people.*  
 41 *The brood of evildoers shall never be named.*  
 42 *Prepare slaughter for his children*  
 43 *Because of the iniquity of their fathers,*  
 44 *Lest they rise up and possess the land,*  
 45 *And fill the face of the world with cities."*

46 *"For I will rise up against them," says the LORD of hosts,*  
 47 *"And cut off from Babylon the name and remnant,*  
 48 *And offspring and posterity," says the LORD.*  
 49 *"I will also make it a possession for the porcupine,*  
 50 *And marshes of muddy water;*  
 51 *I will sweep it with the broom of destruction," says the LORD of hosts.*  
 52 *[Isaiah 14:18-23, Bible, NKJV]*

53 Our birth rate has gone so low because of abortion that we aren't even replacing the people we have, and God is thereby using  
 54 abortion to extinct a selfish and wicked and rebellious people from their own land. Couples who should be having babies are  
 55 so worried about their personal standard of living and civil status and keeping up with the Joneses that we aren't having any  
 56 more children because they cost too much money. Their tax rate is so high that they can't afford to have babies. Instead, we

1 are sucking babies brains out (partial birth abortion) and throwing them in the garbage can! Those societies and peoples who  
 2 don't allow the murder of abortion are the ones who will eventually inherit our land, which right now looks like it will be the  
 3 Mexican and Black cultures. God is doing this because in Genesis 1:28, He commanded us to "be fruitful and multiply" and  
 4 we are disobeying and defying His command, so He is disciplining us. We have forgotten what God said about children, and  
 5 how they are a gift from Him. God is angry with us because we won't accept His gift!

6 *"Behold, children are a heritage from the LORD,  
 7 The fruit of the womb is a reward.  
 8 Like arrows in the hand of a warrior,  
 9 So are the children of one's youth.  
 10 Happy is the man who has his quiver full of them;  
 11 They shall not be ashamed,  
 12 But shall speak with their enemies in the gate."  
 13 [Psalm 127:3-5, Bible, NKJV]*

14 As of 1909, when the Sixteenth Amendment was proposed, the United States federal government had yet to become the great  
 15 nanny in the sky (the political corporation, or *Parens Patriae*) solving everybody's problems from cradle to grave. Instead,  
 16 our government largely followed the Biblical mandate just mentioned. Government's fundamental duty to protect life and  
 17 property can also be found at Romans 13:3-4.

18 The Geneva Bible, which is the Bible the Pilgrims used, states:

19 *"For princes are not to be feared for good works, but for evil. Wilt you then be without fear of the power? Do  
 20 well. For shalt though have praise of the same. For he is the minister of God for thy wealth. But if though do  
 21 evil, fear: for he beareth not the sword for nought: for he is the minister of God to take vengeance on him that  
 22 doth evil."  
 23 [Geneva Bible, 1<sup>st</sup> Edition, 1560]*

24 When government takes one-third or more of a man's yearly earnings, using as its authority to do so a "Code" that isn't even  
 25 enacted "law" that is many thousands of pages long and so complicated that virtually no one can understand it, is government  
 26 doing good? Or is government doing evil?

27 The way to make people respect and obey the law is to make the law respectable. The way to make the law respectable, in  
 28 turn, is to keep it short and simple and comprehensible by the common man, who is the person it was intended to apply to.  
 29 The extent to which *only* judges and lawyers can understand the law is the extent to which the law is no longer respectable.  
 30 The extent to which our law becomes not law, but "Code" that is not enacted into positive law and which essentially is a  
 31 state-sponsored "religion" is the extent to which our government has become a false god and a religion. The Internal Revenue  
 32 "Code" is not public or positive law, but religion, as you will find out later in section 5.4.1. It doesn't protect or help anyone  
 33 but public servants and the irresponsible. See:

*Socialism: The New American Civil Religion*, Form #05.016  
<http://sedm.org/Forms/FormIndex.htm>

34 Adam Smith, in his famous book entitled "Wealth of Nations," upon which our founders heavily relied when they wrote our  
 35 Constitution, espoused this same general concept of government described above:

36 *"The first duty of the sovereign is, that of protecting the society from the violence and invasion of other  
 37 independent societies...The second duty of the sovereign is, that of protecting, as far as possible, every member  
 38 of the society from the injustice or oppression of every other member of it... The third duty and last duty of the  
 39 sovereign or commonwealth is that of erecting and maintaining those public institutions and those public works,  
 40 which, though they may be in the highest degree advantageous to a great society..."  
 41 [Adam Smith, *Wealth of Nations*, book V, pp. 468-473, (1776); Prometheus Books, Amherst, New York, 1991]*

42 When Jesus said, "Render to Caesar the things that are Caesar's: and to God the things that are God's," (Matt. 22:21) notice  
 43 that He did *not* say, "Give Caesar everything he asks you for." Jesus also didn't define exactly what belongs to Caesar, now  
 44 did he? Deuteronomy 10:14 says that the *entire world* belongs to God, so what really DOES belong to Caesar?

45 *"Indeed heaven and the highest heavens belong to the Lord your God, also the earth with all that is in it."  
 46 [Deuteronomy 10:14, Bible, NKJV]*

Inherent in the former statement is the idea that there are limits on what belongs to Caesar and that the consent of the people, not Caesar, define what belongs to Caesar. God also said in 1 Sam. 12:19 that Caesar CANNOT be above us, but must below us, and that it is a sin to have a “king” above us. By implication, this means that no one working in government can be anything BUT a servant below us and not a ruler above us. The servant cannot be greater than the Master, and must SERVE the master:

*“Servants, be submissive to your masters with all fear, not only to the good and gentle, but also to the harsh.”*  
 [1 Peter 2:18, Bible, NKJV]

In God’s world view, civil government has limited jurisdiction and is a servant of the people, who are then servants of God who are conformed to God’s holy Law. If government asks you to render to it the mind of your child, will you obey or object?

#### 4.4.4 Equal protection

Equal protection is the cornerstone of all free governments. It is the heart and soul of the Constitution and is mentioned once in the Declaration of Independence and three times in the Constitution as follows:

*Declaration of Independence: “We hold these truths to be self-evident, that all men 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.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.”*

[See: [http://www.archives.gov/national\\_archives\\_experience/charters/declaration\\_transcript.html](http://www.archives.gov/national_archives_experience/charters/declaration_transcript.html)]

*Constitution, Article IV, Section 1: Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.*

*Constitution, Article IV, Section 2: “The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.”*

[See: <http://caselaw.lp.findlaw.com/data/constitution/article04/>]

*Constitution, Fourteenth Amendment, Section 1: “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”*

[See: <http://caselaw.lp.findlaw.com/data/constitution/amendment14/>]

Equal protection is also found in the enactments of Congress made in pursuance to the Constitution. Below is one of many examples found in the Titles of the U.S. Code:

[TITLE 42 > CHAPTER 21 > SUBCHAPTER I > Sec. 1981.](#)  
[Sec. 1981. - Equal rights under the law](#)

(a) *Statement of equal rights*

*All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.*

Equal protection means, for instance, that:

1. All Biological People are treated equally under the law. See the Declaration of Independence. The law may not discriminate against or injure one group of people to the benefit of another group. They all have equal civil rights, but they must be “citizens” in order to have political rights.
2. All States are equal under the Constitution. See <http://caselaw.lp.findlaw.com/data/constitution/article04/16.html#3>
3. Every legal “person” is equal under the law in any given place. The one exception to this rule is that that biological people enjoy the protection of the Bill of Rights (the first Ten Amendments to the U.S. Constitution) whereas artificial persons such as corporations do not.

1 Our notion of “justice”, in fact, originates with the concept of equal protection. Here is a definition of “justice” from Easton’s  
2 Bible Dictionary.

3 **JUSTICE** — is rendering to **every one** [equally, whether citizen or alien] that which is his due. It has been  
4 distinguished from equity in this respect, that while justice means merely the doing what positive law demands,  
5 equity means the doing of what is fair and right in every separate case.<sup>92</sup>  
6 [Easton’s Bible Dictionary, 1996]

7 Those who want to graphically depict the operation of law and justice will often do so by using a scale. The purpose of a  
8 scale is to demonstrate when two weights are precisely equal, and when they are not equal, the scale will tip to one side or  
9 the other and thereby demonstrate the existence of inequality. When the weights are unequal, we have what is called a “false  
10 balance”. The Bible mentions the following in regards to a false or unjust balance:

11 “Dishonest scales are an [hateful] abomination to the LORD,  
12 But a just weight is His delight.”  
13 [Prov. 11:1, Bible, NKJV]

14 The above scripture is basically saying that God HATES a false balance. He hates when people are cheated for dishonest  
15 gain, which is called “mammon” in the Bible.

16 “No one can serve two masters; for either he will hate the one and love the other, or else he will be loyal to the  
17 one and despise the other. **You cannot serve God and mammon.**”<sup>93</sup>  
18 [Jesus in Matt. 6:24, Bible, NKJV]

19 “MAMMON. This word occurs in the Bible only in Mt. 6:24 and Lk. 16:9, 11, 13, and is a transliteration of  
20 Aramaic māmōnā. It means simply wealth or profit, but Christ sees in it an egocentric covetousness which claims  
21 man’s heart and thereby estranges him from God (Mt. 6:19ff.): when a man ‘owns’ anything, in reality it owns  
22 him. (Cf. the view that mammon derives from Bab. mimma, ‘anything at all’.) ‘Unrighteous mammon’ (Lk. 16:9)  
23 is dishonest gain (F. Hauck, TDNT 4, pp. 388–390) or simply gain from self-centered motives (cf. Lk. 12:15ff.).  
24 The probable meaning is that such money, used for others, may be transformed thereby into true riches in the  
25 coming age (Lk. 16:12).<sup>94</sup> “  
26 [The New Bible Dictionary, INTER-VARSITY PRESS38 De Montfort Street, Leicester LE1 7GP, England, p. 720]

27 A famous Bible commentary on Prov. 11:1 above has the following very enlightening things to say which reveal the true  
28 meaning of “equal protection”:

29 “As religion towards God is a branch of universal righteousness (he is not an honest man that is not devout), so  
30 **righteousness towards men is a branch of true religion, for he is not a godly man that is not honest, nor can he**  
31 **expect that his devotion should be accepted; for,**

32 **1. Nothing is more offensive to God than deceit in commerce. A false balance is here put for all manner of**  
33 **unjust and fraudulent practices [of our public dis-servants] in dealing with any person [within the public],**  
34 **which are all an abomination to the Lord, and render those abominable [hated] to him that allow themselves**  
35 **in the use of such accursed arts of thriving. It is an affront to justice, which God is the patron of, as well as a**  
36 **wrong to our neighbour, whom God is the protector of. Men [in the IRS and the Congress] make light of such**  
37 **frauds, and think there is no sin in that which there is money to be got by, and, while it passes undiscovered,**  
38 **they cannot blame themselves for it; a blot is no blot till it is hit, Hos. 12:7, 8. But they are not the less an**  
39 **abomination to God, who will be the avenger of those that are defrauded by their brethren.**

40 **2. Nothing is more pleasing to God than fair and honest dealing, nor more necessary to make us and our**  
41 **devotions acceptable to him: A just weight is his delight. He himself goes by a just weight, and holds the scale**  
42 **of judgment with an even hand, and therefore is pleased with those that are herein followers of him.**

43 **A [false] balance, [whether it be in the federal courtroom or at the IRS or in the**  
44 **marketplace,] cheats, under pretence of doing right most exactly, and therefore is the greater**  
45 **abomination to God.”**  
46 [Matthew Henry’s Commentary on the Whole Bible; Henry, M., 1996, c1991, under Prov. 11:1]

<sup>92</sup>Easton, M. 1996, c1897. *Easton’s Bible dictionary*. Logos Research Systems, Inc.: Oak Harbor, WA

<sup>93</sup>The New King James Version. 1996, c1982. Thomas Nelson: Nashville

<sup>94</sup>Wood, D. R. W., & Marshall, I. H. 1996. *New Bible dictionary* (3rd ed. /). InterVarsity Press: Leicester, England; Downers Grove, Ill.

1 Equal protection demands that all persons shall be treated equally in any given place. It does not, however, guarantee that  
 2 the persons in one place will be treated the same as persons in another place or another state. Here is an explanation of this  
 3 fact from the Supreme Court:

4 *“We might go still further and say, with undoubted truth, that there is nothing in the Constitution to prevent any*  
 5 *state from adopting any system of laws or judicature it sees fit for [176 U.S. 581, 599] all or any part of its*  
 6 *territory. If the state of New York, for example, should see fit to adopt the civil law and its method of procedure*  
 7 *for New York city and the surrounding counties, and the common law and its method of procedure for the rest of*  
 8 *the state, there is nothing in the Constitution of the United States to prevent its doing so. This would not of itself,*  
 9 *within the meaning of the Fourteenth Amendment, be a denial to any person of the equal protection of the laws.*  
 10 *If every person residing or being in either portion of the state should be accorded the equal protection of the laws*  
 11 *prevailing there, he could not justly complain of a violation of the clause referred to. For, as before said, it has*  
 12 *respect to persons and classes of persons. It means that no person or class of persons shall be denied the same*  
 13 *protection of the laws which is enjoyed by other persons or other classes in the same place and under like*  
 14 *circumstances. The Fourteenth Amendment does not profess to secure to all persons in the United States the*  
 15 *benefit of the same laws and the same remedies. Great diversities in these respects may exist in two states*  
 16 *separated only by an imaginary line. On one side of this line there may be a right of trial by jury, and on the other*  
 17 *side no such right. Each state prescribes its own modes of judicial proceeding. If diversities of laws and judicial*  
 18 *proceedings may exist in the several states without violating the equality clause in the Fourteenth Amendment,*  
 19 *there is no solid reason why there may not be such diversities in different parts of the same state. A uniformity*  
 20 *which is not essential as regards different states cannot be essential as regards different parts of a state, provided*  
 21 *that in each and all there is no infraction of the constitutional provision. Diversities which are allowable in*  
 22 *different states are allowable in different parts of the same state. Where part of a state is thickly settled, and*  
 23 *another part has but few inhabitants, it may be desirable to have different systems of judicature for the two*  
 24 *portions, -trial by jury in one, for example, and not in the other. Large cities may require a multiplication of courts*  
 25 *and a peculiar arrangement of jurisdictions. It would be an unfortunate restriction of the powers of the state*  
 26 *government if it could not, in its [176 U.S. 581, 600] discretion, provide for these various exigencies. If a*  
 27 *Mexican state should be acquired by treaty and added to an adjoining state or part of a state in the United States,*  
 28 *and the two should be erected into a new state, it cannot be doubted that such new state might allow the Mexican*  
 29 *laws and judicature to continue unchanged in the one portion, and the common law and its corresponding*  
 30 *judicature in the other portion. Such an arrangement would not be prohibited by any fair construction of the*  
 31 *Fourteenth Amendment. It would not be based on any respect of persons or classes, but on municipal*  
 32 *considerations alone, and a regard for the welfare of all classes within the particular territory or jurisdiction.”*  
 33 *[Missouri v. Lewis, 101 U.S. 22 (1879)]*

34 Equal protection is also the heart of our tax system, which is a form of “commerce” described in the above passage:

- 35 1. All Americans in the states are required to pay the same amount of money to support the federal government, and this  
 36 amount is called a “direct tax” or a “capitation tax”. A tax which is graduated and discriminates against the rich, for  
 37 instance, is unequal and therefore violates equal protection. That is why the Constitution says the following:  
 38 1.1. Article 1, Section 9, Clause 4: “No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census  
 39 of Enumeration herein before directed to be taken.”  
 40 1.2. Article 1, Section 2, Clause 3: “Representatives and direct Taxes shall be apportioned among the several States  
 41 which may be included within this Union, according to their respective Numbers”  
 42 2. All states pay the same amount, per person, to support the federal government. An apportioned direct tax is collected by  
 43 the state government, and the same amount is assessed against every person in the state and throughout the country. It  
 44 is up to the states how they choose to collect the money, but they must pay their apportionment at the beginning of every  
 45 federal fiscal year.  
 46 3. In the Internal Revenue Code:  
 47 3.1. All income tax that applies within states of the Union has a flat percentage rate of 30% for ALL income and are not  
 48 “graduated” or “progressive”. See 26 U.S.C. §871(a).  
 49 3.2. The only people who pay a graduated and discriminatory rate are those who “consent” or “elect” to do so. That  
 50 “election” is made by filing a form 1040 rather than the form 1040NR that is the proper form for those in states of  
 51 the Union. All income connected with a “trade or business in the United States”, which is defined in 26 U.S.C.  
 52 §7701(a)(26) as “the functions of a public office”, is subject to the graduated rate. Because all “public offices”  
 53 exist in the District of Columbia under 4 U.S.C. §72, and because the Bill of Rights and the requirement for equal  
 54 protection do not apply in the District of Columbia, a graduated rate of tax is then applied to what essentially are  
 55 the government’s own elected or appointed officers. These people are the only real statutory “employees” within  
 56 the Internal Revenue Code. See 26 U.S.C. §6331(a) for proof.

57 When equal protection is working the way it is supposed to, we have a society that is entirely free of “hypocrisy”, “favoritism”,  
 58 and “partiality”. We looked in Black’s Law Dictionary for the word “hypocrisy” and it wasn’t there. According to Jesus,  
 59 lawyers and judges are among the worst hypocrites of all, which may explain why they don’t want the truth about their

1 misdeeds mentioned in their favorite or most frequently used book. Below is a definition of the word from Harper's Bible  
2 Dictionary:

3 *"hypocrisy, a term and idea that are primarily limited in the Bible to the NT writings. The Greek word*  
4 *transliterated into English as 'hypocrite' was used to denote an actor, one who performed behind a mask. Thus*  
5 *the popular understanding came to be that of persons who pretended to be something that they were not. It is*  
6 *interesting to note, however, that hypocrisy does not appear to be so limited in meaning in the NT. The term can*  
7 *sometimes denote general wickedness or evil, self-righteousness, pretense, or breach of 'contract.'*

8 *"The best-known passage in the NT describing hypocrisy is Matthew 23:1, where self-righteousness and pretense*  
9 *are both in evidence (cf. also Matt. 6:2, 5, 16; 7:5; 15:7; 22:18; 24:51; Mark 7:6; Luke 6:42; 12:56; 13:15).*

10 *In Gal. 2:13, Paul accuses Peter, Barnabas, and other Jewish Christians of hypocrisy (RSV: 'insincerity').*  
11 *Although the term does not occur in Acts 5:1-11, the story reflects the seriousness with which the early church*  
12 *regarded hypocritical behavior. Perhaps the most frightening aspect of this sin is that one can enter the state of*  
13 *hypocrisy and not realize it (Matt. 7:21-23).<sup>95</sup>*  
14 *[Nave's New Bible Dictionary]*

15 Hypocrisy or favoritism in the administration of man's laws results in an unstable government, because people get angry at  
16 the government for playing favorites and eventually will revolt against that government. Everyone who has been a parent  
17 knows how this works. Parents who don't love all their children equally will end up with sibling rivalries that can alienate  
18 family members from each other, make family life very tumultuous, and eventually destroy families. Likewise, if you want  
19 to know exactly what is wrong in the political family called "government", start looking for instances of favoritism and  
20 hypocrisy, which are the surest signs of tyranny and injustice. This whole book is an effort to do precisely that.

21 The Supreme Court had some very powerful things to say about the requirement for equal protection. Below are a few of  
22 their more eloquent dictas on the subject:

23 *"The equal protection demanded by the fourteenth amendment forbids this. No language is more worthy of*  
24 *frequent and thoughtful consideration than these words of Mr. Justice Matthews, speaking for this court, in*  
25 *Yick Wo v. Hopkins, 118 U.S. 356, 369, 6 S. Sup. Ct. 1064, 1071: 'When we consider the nature and the theory of our*  
26 *institutions of government, the principles upon which they are supposed to rest, and review the history of their*  
27 *development, we are constrained to conclude that they do not mean to leave room for the play and action of purely*  
28 *personal and arbitrary power.' The first official action of this nation declared the foundation of government in*  
29 *these words: 'We hold these truths to be self-evident, [165 U.S. 150, 160] that all men are created equal, that they*  
30 *are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit*  
31 *of happiness.' While such declaration of principles may not have the force of organic law, or be made the basis*  
32 *of judicial decision as to the limits of right and duty, and while in all cases reference must be had to the organic*  
33 *law of the nation for such limits, yet the latter is but the body and the letter of which the former is the thought and*  
34 *the spirit, and it is always safe to read the letter of the constitution in the spirit of the Declaration of Independence.*  
35 ***No duty rests more imperatively upon the courts than the enforcement of those constitutional provisions***  
36 ***intended to secure that equality of rights which is the foundation of free government.**"*  
37 *[Gulf, C. & S.F.R. Co. v. Ellis, 165 U.S. 150 (1897)]*

38  
39 *"In Calder v. Bull, which was here in 1798, **Mr. Justice Chase said, that there were acts which the Federal and***  
40 ***State legislatures could not do without exceeding their authority, and among them he mentioned** a law which*  
41 ***punished a citizen for an innocent act; a law that destroyed or impaired the lawful private [labor] contracts [and***  
42 ***labor compensation, e.g. earnings from employment through compelled W-4 withholding] of citizens; a law that***  
43 ***made a man judge in his own case; and a law that took the property from A [the worker], and gave it to B [the***  
44 ***government or another citizen, such as through social welfare programs]. 'It is against all reason and justice,'***  
45 ***he added, 'for a people to intrust a legislature with such powers, and therefore it cannot be presumed that they***  
46 ***have done it. They may command what is right and prohibit what is wrong; but they cannot change innocence***  
47 ***into guilt, or punish innocence as a crime, or violate the right of an antecedent lawful private [employment]***  
48 ***contract [by compelling W-4 withholding, for instance], or the right of private property. To maintain that a***  
49 ***Federal or State legislature possesses such powers [of THEFT!] if they had not been expressly restrained,***  
50 ***would, in my opinion, be a political heresy altogether inadmissible in all free republican governments.' 3 Dall.***  
51 ***388."***  
52 *[Sinking Fund Cases, 99 U.S. 700 (1878)]*

<sup>95</sup> Achtemeier, P. J., Harper & Row, P., & Society of Biblical Literature. 1985. *Harper's Bible dictionary*. Includes index. (1st ed.). Harper & Row: San Francisco

The notion of equal protection is also found hidden throughout the Bible. When it is talked about, it is described as “hypocrisy” or “hypocrites”. Below are just a few examples where the subject of “hypocrites” is described in the New King James Bible:

1. God knows and detects hypocrites. Isa 29:15,16.
2. Christ knew and detected hypocrisy. Mt 22:18.
3. God has no pleasure in hypocrites. Isa 9:17.
4. Hypocrites shall not come before God. Job 13:16.
5. Hypocrites described as:
  - 5.1. Willfully blind. Mt 23:17,19,26.
  - 5.2. Vile. Isa 32:6.
  - 5.3. Self-righteous. Isa 65:5; Lu 18:11.
  - 5.4. Covetous. Eze 33:31; 2 Pe 2:3.
  - 5.5. Ostentatious. Mt 5:2,5,16; 23:5.
  - 5.6. Censorious. Mt 7:3-5; Lu 13:14,15.
  - 5.7. Regarding tradition more than the word of God. Mt 15:1-3.
  - 5.8. Exact in minor things, but neglecting important duties. Mt 23:23,24.
  - 5.9. Having but a form of godliness. 2 Ti 3:5.
  - 5.10. Seeking only outward purity. Lu 11:39.
  - 5.11. Professing but not practicing. Eze 33:31,32; Mt 23:3; Ro 2:17-23.
  - 5.12. Using but lip-worship. Isa 29:13; Mt 15:8.
  - 5.13. Glorifying in appearance only. 2 Co 5:12.
  - 5.14. Trusting in privileges. Jer 7:4; Mt 3:9.
  - 5.15. Apparently zealous in the things of God. Isa 58:2.
  - 5.16. Zealous in making proselytes. Mt 23:15.
  - 5.17. Devouring widows’ houses. Mt 23:14.
  - 5.18. Loving pre-eminence. Mt 23:6,7.
6. Worship by hypocrites not acceptable to God. Isa 1:11-15; 58:3-5; Mt 15:9.
7. Joy of hypocrites, but for a moment. Job 20:5.
8. Hope of hypocrites will perish. Job 8:13; 27:8,9.
9. Heap up wrath against hypocrites. Job 36:13.
10. Fearfulness shall surprise hypocrites. Isa 33:14.
11. Hypocrites destroy others by slander. Pr 11:9.
12. Hypocrites when in power, are a snare. Job 34:30.
13. Apostasy abounds with hypocrites. 1 Ti 4:2.
14. Beware the principles of hypocrites. Lu 12:1.
15. Spirit of hypocrites hinders growth in grace. 1 Pe 2:1.
16. Woe to hypocrites. Isa 29:15; Mt 23:13.
17. Punishment of hypocrites. Job 15:34; Isa 10:6; Jer 42:20,22; Mt 24:51.
18. Hypocrites illustrated by Jesus. Mt 23:27,28; Lu 11:44.
19. Exemplified by the following Bible personalities
  - 19.1. Cain. Ge 4:3.
  - 19.2. Absalom. 2 Sa 15:7,8.
  - 19.3. The Jews. Jer 3:10.
  - 19.4. Pharisees, &c. Mt 16:3.
  - 19.5. Judas. Mt 26:49.
  - 19.6. Herodians. Mr 12:13,15.
  - 19.7. Ananias. Ac 5:1-8.
  - 19.8. Simon. Ac 8:13-23.

Note item 5.14 above, which describes hypocrites as “trusting in privileges”. Here is what the scripture says in that reference:

*But when he saw many of the Pharisees and Sadducees coming to his baptism, he said to them, “Brood of vipers! Who warned you to flee from the wrath to come? Therefore bear fruits worthy of repentance, and do not think to say to yourselves, ‘We have Abraham as our father.’ For I say to you that God is able to raise up children to Abraham from these stones. And even now the ax is laid to the root of the trees. Therefore every tree which does not bear good fruit is cut down and thrown into the fire. I indeed baptize you with water unto repentance, but He who is coming after me is mightier than I, whose sandals I am not worthy to carry. He will baptize you with the*

1 Holy Spirit and fire. His winnowing fan is in His hand, and He will thoroughly clean out His threshing floor, and  
 2 gather His wheat into the barn; but He will burn up the chaff with unquenchable fire.”  
 3 [Jesus in Matt. 3:7-12, Bible, NKJV]

4 What Jesus was implying in the above scripture is that we should not trust in, or rely upon any kind of “privileges” and that  
 5 we instead will be judged at Jesus’ second coming by our acts of righteousness, and not by our “privileged” status or condition.  
 6 You will note, for instance, that at the final Wedding Supper of the Lamb described in the book of Revelation Chapter 19 and  
 7 in Matt. 22:2-14, believers in God who have been obedient to God’s calling and His sacred Law shall be present to rejoin  
 8 their Bridegroom, who is Jesus, God’s Son. Those who are invited to the wedding *must* be attired in clean white linen, which  
 9 is described in Rev. 19:18 as “the righteous acts of the saints”. Note there is no mention of “privilege” being an adequate  
 10 substitute for righteous acts anywhere in the Bible.

11 And to her [the bride of Christ, which is the Church and the believers in the Church] it was granted to be arrayed  
 12 in fine linen, clean and bright, for the fine linen is the righteous acts of the saints.

13 Then he said to me, “Write: ‘Blessed are those who are called to the marriage supper of the Lamb!’”  
 14 [Rev. 19:8, Bible, NKJV]  
 15

16 “But when the king [God] came in to see the guests [at the wedding feast], he saw a man there who did not have  
 17 on a wedding garment. So he said to him, ‘Friend, how did you come in here without a [clean white] wedding  
 18 garment?’ And he was speechless. Then the king [God] said to the servants ‘Bind him hand and foot, take him  
 19 away, and cast him into outer darkness: there will be weeping and gnashing of teeth.’ For many are called, but  
 20 few are chosen.”  
 21 [Matt. 22:11-14, Bible, NKJV]

22 We’ll expand considerably upon that idea of “trusting in privileges” as being a kind of hypocrisy that is despised not only by  
 23 most people, but more importantly by God Himself in several other places in this book, because it is a very important point  
 24 and the key to the way our government causes our taxing system to operate. Most notably, we will cover it later in section  
 25 4.4.12, where we will talk about “Government-instituted slavery using ‘privileges’”.

26 Other places where the subject of equality and equal protection is dealt with in the Bible include the following:

27 “You shall not show partiality in judgment; you shall hear the small as well as the great; you shall not be afraid  
 28 in any man’s presence, for the judgment is God’s. The case that is too hard for you, bring to me, and I will hear  
 29 it.”  
 30 [Deut. 1:17, Bible, NKJV]

31 “You shall not pervert justice; you shall not show partiality, nor take a bribe, for a bribe blinds the eyes of the  
 32 wise and twists the words of the righteous.”  
 33 [Deut. 16:19, Bible, NKJV]

34 “For the LORD your God is God of gods and Lord of lords, the great God, mighty and awesome, who shows no  
 35 partiality nor takes a bribe.” [Deut. 10:17, Bible, NKJV]

36 “He [God] will surely rebuke you If you secretly show partiality.”  
 37 [Job 13:10, Bible, NKJV]

38 “The rich and the poor have this in common, the LORD is the maker of them all.”  
 39 [Prov. 22:2, Bible, NKJV]

40 “But you, do not be called ‘Rabbi’; for One is your Teacher, the Christ, and you are all brethren. Do not call  
 41 anyone on earth your father; for One is your Father, He who is in heaven. And do not be called teachers; for One  
 42 is your Teacher, the Christ. But he who is greatest among you shall be your servant. And whoever exalts  
 43 himself will be humbled, and he who humbles himself will be exalted”.  
 44 [Jesus in Matt. 23:8-12, Bible, NKJV]

45 But Jesus called them to Himself and said to them, “You know that those who are considered rulers over the  
 46 Gentiles lord it over them, and their great ones exercise authority over them. Yet it shall not be so among you;  
 47 but whoever desires to become great among you shall be your servant. And whoever of you desires to be first  
 48 shall be slave of all. For even the Son of Man did not come to be served, but to serve, and to give His life a  
 49 ransom for many.”  
 50 [Mark 10:42-45, Bible, NKJV. See also Matt. 20:25-28]



1 “There is neither Jew nor Greek, there is neither slave nor free, there is neither male nor female; **for you are all**  
2 **one in Christ Jesus.**”

3 [Gal. 3:28, Bible, NKJV]

4 Is it fitting to say to a king, "You are worthless,"  
5 And to nobles, "You are wicked"?

6 **Yet He [God] is not partial to princes,**

7 **Nor does He regard the rich more than the poor;**

8 For they are all the work of His hands.

9 [Job. 34:18-19, Bible, NKJV]

10 “The poor man is hated even by his own neighbor,  
11 But the rich has many friends.

12 **He who despises his neighbor sins;**

13 **But he who has mercy on the poor, happy is he.**”

14 [Prov. 14:20-21]

15 **“You shall not show partiality to a poor man in his dispute.”**

16 [Exodus 23:3, Bible, NKJV]

17 “The rich shall not give more and the poor shall not give less than half a shekel, when you give an offering to  
18 the LORD, to make atonement for yourselves.”

19 [Exodus 30:15, Bible, NKJV]

20 “Better is the poor who walks in his integrity Than one perverse in his ways, though he be rich.”

21 [Prov. 28:6, Bible, NKJV]

22 “And again I say to you, it is easier for a camel to go through the eye of a needle than for a rich man to enter  
23 the kingdom of God.”

24 [Matt. 19:24, Bible, NKJV]

25 **“For there is no distinction between Jew and Greek, for the same Lord over all is rich to all who call upon**  
26 **Him.”**

27 [Rom. 10:12, Bible, NKJV]

28 “Command those who are rich in this present age not to be haughty, nor to trust in uncertain riches but in the  
29 living God, who gives us richly all things to enjoy.”

30 [1 Tim. 6:17, Bible, NKJV]

31 Every place where Jesus Christ vehemently condemned a sin in the Bible was one where hypocrisy and inequality was  
32 evident. The greater the hypocrisy, the more vehement was His condemnation. Below is the most graphic example of His  
33 condemnation of hypocrisy from the Bible, in Matt. 23. This was the passage cited in the definition of “hypocrisy” above:

34 <sup>13</sup>“Woe to you, teachers of the law and Pharisees, you hypocrites! You shut the kingdom of heaven in men's faces.  
35 You yourselves do not enter, nor will you let those enter who are trying to.

36 <sup>15</sup>“Woe to you, teachers of the law and Pharisees, you hypocrites! You travel over land and sea to win a single  
37 convert, and when he becomes one, you make him twice as much a son of hell as you are.

38 <sup>16</sup>“Woe to you, blind guides! You say, ‘If anyone swears by the temple, it means nothing; but if anyone swears by  
39 the gold of the temple, he is bound by his oath.’ <sup>17</sup>You blind fools! Which is greater: the gold, or the temple that  
40 makes the gold sacred? <sup>18</sup>You also say, ‘If anyone swears by the altar, it means nothing; but if anyone swears by  
41 the gift on it, he is bound by his oath.’ <sup>19</sup>You blind men! Which is greater: the gift, or the altar that makes the gift  
42 sacred? <sup>20</sup>Therefore, he who swears by the altar swears by it and by everything on it. <sup>21</sup>And he who swears by the  
43 temple swears by it and by the one who dwells in it. <sup>22</sup>And he who swears by heaven swears by God's throne and  
44 by the one who sits on it.

45 <sup>23</sup>“Woe to you, teachers of the law and Pharisees, you hypocrites! You give a tenth of your spices—mint, dill and  
46 cummin. But you have neglected the more important matters of the law—justice, mercy and faithfulness. You  
47 should have practiced the latter, without neglecting the former. <sup>24</sup>You blind guides! You strain out a gnat but  
48 swallow a camel.

49 <sup>25</sup>“Woe to you, teachers of the law and Pharisees, you hypocrites! You clean the outside of the cup and dish, but  
50 inside they are full of greed and self-indulgence. <sup>26</sup>Blind Pharisee! First clean the inside of the cup and dish, and  
51 then the outside also will be clean.

1 <sup>27</sup>“Woe to you, teachers of the law [both man’s law and God’s law] and Pharisees, you hypocrites! You are like  
2 whitewashed tombs, which look beautiful on the outside but on the inside are full of dead men’s bones and  
3 everything unclean. <sup>28</sup>In the same way, on the outside you appear to people as righteous but on the inside you are  
4 full of hypocrisy and wickedness.

5 <sup>29</sup>“Woe to you, teachers of the law and Pharisees, you hypocrites! You build tombs for the prophets and decorate  
6 the graves of the righteous. <sup>30</sup>And you say, ‘If we had lived in the days of our forefathers, we would not have taken  
7 part with them in shedding the blood of the prophets.’ <sup>31</sup>So you testify against yourselves that you are the  
8 descendants of those who murdered the prophets. <sup>32</sup>Fill up, then, the measure of the sin of your forefathers!

9 <sup>33</sup>“You snakes! You brood of vipers! How will you escape being condemned to hell? <sup>34</sup>Therefore I am sending you  
10 prophets and wise men and teachers. Some of them you will kill and crucify; others you will flog in your  
11 synagogues and pursue from town to town. <sup>35</sup>And so upon you will come all the righteous blood that has been  
12 shed on earth, from the blood of righteous Abel to the blood of Zechariah son of Berehiah, whom you murdered  
13 between the temple and the altar. <sup>36</sup>I tell you the truth, all this will come upon this generation.

14 <sup>37</sup>“O Jerusalem, Jerusalem, you who kill the prophets and stone those sent to you, how often I have longed to  
15 gather your children together, as a hen gathers her chicks under her wings, but you were not willing. <sup>38</sup>Look, your  
16 house is left to you desolate. <sup>39</sup>For I tell you, you will not see me again until you say, ‘Blessed is he who comes in  
17 the name of the Lord.’”  
18 [Jesus in Matt. 23:13-39, Bible, NIV]

19 Funny, and very true! ☺ By condemning hypocrisy frequently throughout the New Testament, Jesus (God’s servant) was  
20 basically saying that everyone should play by the same rules and that those who refuse to will suffer the wrath (severe anger  
21 and displeasure) of God. If God is our Father and parents can’t play favorites with their children, then we are all equal under  
22 His divine Laws found in the Holy Bible. That same spirit of equality, then, must also exist in our own earthly laws enacted  
23 pursuant to His divine delegated authority in the Bible. In fact, this equality does exist for the most part within the laws of  
24 America. It is only in the taxing statutes (which you will learn later are neither “law” nor “positive law”) where inequality  
25 exists. Gross and totally unjust inequality also exists in the application and enforcement of law by the federal and state  
26 judiciaries, the legal profession, and the Department of Justice. The weak point is and always has been the weaknesses,  
27 prejudices, and biases of us as humans in administering God’s perfect laws and justice. This is especially true of the way that  
28 our tax laws are administered by the I.R.S., which is described throughout this book. The gross injustice and inequality found  
29 in the administration of our taxing “codes” or “statutes” was the reason, as a matter of fact, for the writing of this book.  
30 Below are just a few examples of such gross inequality, hypocrisy, and partiality on the part of the government and IRS and  
31 there are many more documented later in Chapter 7:

- 32 1. When the IRS attempts collection, they seize people’s property and money without even going to court. But when we  
33 want to collect anything from anyone, we have to hire an expensive lawyer and go to court and the federal judiciary will  
34 refuse to force the IRS to pay our legal fees, which never would have been necessary if they had just obeyed the law like  
35 everyone else. This prejudices the defense of our rights
- 36 2. The IRS insists that we put the most intimate details about ourselves on a tax return document, and yet when you talk to  
37 anyone at the IRS or write them a letter, they refuse to sign the letter or even provide their full legal name or address.
- 38 3. Those who counterfeit money are punished with 20 years in prison, but when the IRS produces a fraudulent security  
39 called an “assessment” with no authority of law whatsoever and sells it on the open market, the federal judiciary routinely  
40 refuses to convict them of securities fraud.
- 41 4. The Fair Debt Collection Practices Act, Public Law 104-208 requires in section 809 that anyone collecting a debt, when  
42 requested, produce the original debt instrument and prove the existence of the debt. HOWEVER, when people send a  
43 Privacy Act request to the IRS demanding evidence of a valid assessment, the IRS routinely refuse to produce it and the  
44 courts routinely refuse to compel them to produce it, knowing full well that there is no law that authorizes them to do  
45 assessments on people.

46 Lastly, we must remember that any entity that can break the [Ten Commandments](#) or any of man’s laws and not suffer the  
47 same punishment under the law as everyone else in a society based on equal protection of the laws is a false god and an idol.  
48 An idol is simply any “superior being or thing” which has greater rights and sovereignty than anyone else in society. The  
49 first four commandments of the [Ten Commandments](#) make idolatry not only a sin, but the WORST kind of sin punishable by  
50 death. Any misguided individual who tolerates or votes in favor of governments abusing their taxing powers to steal from  
51 the rich and give to the poor is committing treason against the Constitution and also is violating the second great  
52 commandment to love his neighbor. You don’t STEAL from someone you love, and neither do honorable or respectable  
53 members of society tolerate or condone government servants who do the stealing as their agents either. The Ten  
54 Commandments say “Thou shalt not steal.” They don’t say: “Though shalt not steal, UNLESS you are the government.”

If you'd like to investigate this matter of "hypocrisy" covered extensively elsewhere in this and other books, read the following sections:

1. Section 1.10.5 of this book: You can't trust most lawyers or politicians
2. Section 4.4.12 of this book: Government-instituted slavery using "privileges"
3. Section 4.4.13 of this book: Government has become idolatry and a false religion
4. Section 4.3.15 of this book: How public servants eliminate or avoid or hide the requirement for consent
5. Section 5.14 of this book: Congress has made you a Political "tax prisoner" and a feudal "tax serf" in your own country
6. Chapter 6 of this book covers many aspects of hypocrisy in action within all branches of the U.S. government.
7. Chapter 2 of the *Tax Fraud Prevention Manual*, Form #06.008 covers the specific issue of IRS hypocrisy, arrogance, and violation of law. It proves that the IRS depends on privileges not enjoyed by the average American in the illegal collection and assessment of income taxes:  
<http://sedm.org/Forms/FormIndex.htm>
8. Chapter 5 of the *Tax Fraud Prevention Manual*, Form #06.008 points out all the lies and propaganda put out by the government intended to deceive the average American into accepting an unequal role as a federal serf working for a privileged class of hypocrites in the District of Columbia (Washington "D.C."):  
<http://sedm.org/Forms/FormIndex.htm>.

Because it is a natural human tendency to hate hypocrisy and sin, those who intend to win using litigation against the government should grandstand to the jury the inherent inequity, injustice, and hypocrisy rampant in our government. This will mobilize the support needed to get a conviction against government lawbreakers.

If you would like a much more detailed treatment of the subject of equal protection and equal treatment that is the foundation of the United States Constitution beyond that described in this section, please read the following document:

*Requirement for Equal Protection and Equal Treatment*, Form #05.033  
<http://sedm.org/Forms/FormIndex.htm>

#### 4.4.5 How government and God compete to provide "protection"

We stated in the previous section that the goal of government is protection of the liberties of the sovereign public from evil and harm. Here is an example from the Declaration of Independence:

*"We hold these truths to be self-evident, that all men 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.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."*

Because God loves us, He has exactly the same purpose and goal as any just government should have. Here are a few examples of how the purpose of God is protection, and there are many more in the book of Psalm:

*"O you afflicted one, tossed with tempest, and not comforted, behold, I will lay your stones with colorful gems, and lay your foundations with sapphires. I will make your pinnacles of rubies, your gates of crystal, and all your walls of precious stones. All your children shall be taught by the Lord, and great shall be the peace of your children. In righteousness you shall be established; you shall be far from oppression, for you shall not fear; and from terror, for it shall not come near you. Indeed they shall surely assemble, but not because of Me. Whoever assembles against you shall fall for your sake."*

*"Behold, I have created the blacksmith who blows the coals in the fire, who brings forth an instrument for his work; and I have created the spoiler to destroy. No weapon formed against you shall prosper, and every tongue which rises against you in judgment you shall condemn. This is the heritage of the servants of the Lord, and their righteousness is from Me," says the Lord.*  
*[Isaiah 54:11-17, Bible, NKJV]*

As Christians, we should prefer God's protection over government's protection at all times. This is because we should trust the Lord and not man:

1                   *"It is better to trust the Lord*  
 2                   *Than to put confidence in man.*  
 3                   *It is better to trust in the Lord*  
 4                   *Than to put confidence in princes."*  
 5                   *[Psalm 118:8-9, Bible, NKJV]*

6 In the scripture above, the term "man" is synonymous with the words "nation" or "government". Governments are simply  
 7 collections of men and if we can't put confidence in "men", then we also can't put confidence or trust in any collection of  
 8 men, whether it be a corporation or a government. Here is one reason why:

9                   *"Arise, O Lord,*  
 10                   ***Do not let man prevail:***  
 11                   *Let the nations be judged in Your sight.*  
 12                   *Put them in fear, O Lord,*  
 13                   ***That the nations may know themselves to be but men."***  
 14                   *[Psalm 9:19-20, Bible, NKJV]*

15 No collection of men, whether it be an organized jural society, a government, or simply a mob, can have any more rights than  
 16 a single man, because the Constitution makes *the people*, not the government, the sovereigns (kings) and makes us all "equal"  
 17 under the law. We covered the section of "equal protection of the law" earlier in the chapter, in fact. In particular, the  
 18 Fourteenth Amendment section 1 guarantees "equal protection of the laws" to all. At the point when the Declaration of  
 19 Independence was signed in 1776, we eliminated all "kings" and "rulers" in our society because that divinely inspired  
 20 document said that *all of us* were endowed by God Himself with *equal*, inalienable rights, which implied that we all are *equal*  
 21 under God's laws and man's laws:

22                   *"We hold these truths to be self-evident, that **all men are created equal, that they are endowed by their Creator***  
 23                   ***[God] with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."***

24 If we are all equal under the law, then our government may not discriminate against biological people for the benefit of its  
 25 own statutory "employees" or the corporate entities which it creates in the furtherance of "commerce". The real "king" in  
 26 our society, then, is the people individually and collectively and public servants in government, from the President on down,  
 27 simply serve them. Therefore, government statutory "employees" or public officers cannot have any more "privileges" or  
 28 rights than private citizens. The public *servant* cannot be greater than his Master, which is you. The purpose for having  
 29 juries in courts is so that the people can govern themselves, which relegates the judge to that of being simply a coach to ensure  
 30 that they do it fairly and in a way that is consistent with the Constitution and respects the equal rights of others. The legal  
 31 encyclopedia Corpus Juris Secundum and the United States supreme Court both confirmed the above conclusions somewhat  
 32 when they said:

33                   *"...when the United States enters into commercial business it abandons its sovereign capacity and is treated like*  
 34                   *any other corporation..." [91 Corpus Juris Secundum (C.J.S.), United States, §4 (2003)]*

35                   *"It has always been a part of the judicial function to determine whether the act of one party (**whether that party***  
 36                   ***be a single individual, an organized body, or the public as a whole**) operates to divest the other party of any*  
 37                   *rights of person or property. In every constitution is the guaranty against the taking of private property for public*  
 38                   *purposes without just compensation."*  
 39                   *[Reagan v. Farmers Loan & Trust Co., 154 U.S. 362 (1894)]*

40 Here is another example of why we should trust the Lord instead of any man or collection of men in government for our  
 41 protection, extracted again from the Bible:

42                   *"For I was ashamed to request of the king an escort of soldiers and horsemen to help us against the enemy on*  
 43                   *the road, because we had spoken to the king, saying 'The hand of our God is upon all those for good who seek*  
 44                   *Him, but His power and His wrath are against all those who forsake Him.' So we fasted and entreated our God*  
 45                   *for this, and He answered our prayer."*  
 46                   *[Ezra 8:21-22, Bible, NKJV]*

47 When governments have (or at least "should" have) the same loving goals as God in terms of protecting us (His children and  
 48 His sheep/ flock) *equally* from evil and harm, then we are to submit to them. When they cease to be ministers of God's justice  
 49 or turn against God, then we should disobey those government laws that conflict with God's laws or natural law.

50                   *"We ought to obey God rather than men."*  
 51                   *[Acts 5:27-29, Bible, NKJV]*

1 This must be so because we have a fiduciary duty to God himself to keep justice under His sacred law over and above any  
 2 earthly law, and when our *servants* in government don't or won't do it, then it becomes our job as the Sovereigns and Masters  
 3 to do the job they have failed to do as our agents and servants:

4 *"Keep justice, and do righteousness, for My salvation is about to come, and My righteousness is revealed.  
 5 Blessed is the man who does this, and the son of man who lays hold of it; who keeps from defiling the Sabbath,  
 6 and keeps his hand from doing any evil."  
 7 [Isaiah 56:1-2, Bible, NKJV]*

8 If we sit idly by and neglect our civic duties while subsidizing and encouraging our servants in government to breach their  
 9 fiduciary duty to protect us because of our negligence and inattention, then we become accountable to God for the acts and  
 10 omissions of our agents and the harm that causes to our neighbor and our fellow man. This is vividly illustrated by the story  
 11 of David and Bathsheeba in the Bible found in 2 Samuel Chapters 11 and 12. In that story, king David lusted after a beautiful  
 12 married woman named Bathsheeba and had his servant send Bathsheeba's husband Uriah into battle to be killed (See 2 Sam.  
 13 11:14-25). After Uriah was killed and David married Bathsheeba, first the Lord killed the child born of adultery and then here  
 14 is what the Lord said to David about the acts of his servant/agent, and note that God held David, not his servant, responsible  
 15 for the murder:

16 *[Then Nathan said to David] "Why have you despised the commandment of the Lord, to do evil in His sight? You  
 17 have killed Uriah the Hittite with the sword; you have taken his wife to be your wife, and you have killed him with  
 18 the sword of the people of Ammon. Now therefore, the sword shall never depart from your house, because you  
 19 have despised Me, and have taken the wife of Uriah the Hittite to be your wife."  
 20 [2 Sa 12:9, Bible, NKJV]*

21 Because both God and government have as their goal protection of their believers and subjects respectively, you could say  
 22 that both God and government are competitors for the affections, worship, and obedience of the people. This has been so  
 23 throughout history. The whole notion behind the separation of church and state is aimed at making this competition fair and  
 24 equal between these two competing sovereigns. That is why churches are not supposed to involve themselves in politics if  
 25 they want to maintain their tax exempt status and why governments may not tax churches: because taxation by government  
 26 of churches or political advocacy against government by churches would destroy that perfect separation of powers.

27 When government becomes too oppressive, then the healthy competition between church and state ensures a steady  
 28 convergence back to the perfect balance of powers that Natural Law requires. For instance, if government raises its tax rates  
 29 too high, then everyone will either donate everything they have to the church or become churches (Corporation Sole, for  
 30 instance) in order to avoid government taxes and control. Likewise, when church gets to be too big or influential, then the  
 31 government tries to step in and pass laws and ordinances to limit its power or worse yet, creates its own state-sanctioned  
 32 church, as the kings of England did with the Anglican church. In that case, the church becomes another means of state control.  
 33 America was founded by Quakers in the 1600's who were trying to escape state control of the Anglican church so they could  
 34 worship freely according to their conscience and without government interference. See section 5.2.1 for a fascinating history  
 35 of the creation and founding of America.

36 When governments grow too big, the competition between church and state for the affections and loyalty of the public favors  
 37 government and thereby prejudices the influences of churches and God on the people. At that point, churches and believers  
 38 have a moral responsibility for political activism and reform. This political imbalance is perpetuated by a combination of:  
 39 1. Media advocacy; 2. Unjust laws that discriminate against religious activities; 3. Dumbing down of the population in  
 40 regards to religious issues and legal issues. Government thus becomes a substitute for God or an idol in this case, and this  
 41 violates the First Commandment to put God first and have no other gods (see Exodus 20:1-11, Bible, NKJV). The focus of  
 42 section 4.4.13 later is to then prove from a legal perspective using evidence that our contemporary government has indeed  
 43 replaced God and become an idol, and that this condition poses a great threat to our freedoms and liberties, and invites the  
 44 wrath of God. Ultimately, the result will be subjection and slavery of the people to their rulers and a police state the likes of  
 45 which this country has never seen. The people will be lead like lemmings into government and legal profession captivity and  
 46 slavery because of their ignorance and lack of faith or trust in God.

47 *"The Gentiles shall know that the house of Israel went into captivity for their iniquity: because they were  
 48 unfaithful to Me, therefore I hid My face from them. I gave them into the hand of their enemies, and they all fell  
 49 by the [legal] sword. According to their uncleanness and according to their transgressions I have dealt with  
 50 them, and hidden My face from them."  
 51 [Ezekiel 39:23-24, Bible, NKJV]*

52 How has God "hidden his face"? By:

1. The outlawing of simple prayer in the schools.
2. The removal of the Ten Commandments and crosses from public buildings and parks.
3. The removal of religious teachings from our classrooms.
4. The passing of government laws that clearly violate God's laws.

See section 4.17 later, for instance, for further details on man's laws conflict with God's laws.

#### 4.4.6 Separation of powers doctrine

The foundation of our republican form of government is the notion of "separation of powers". In the legal field, this is called "the separation of powers doctrine". The U.S. Supreme Court confirmed the purpose of the separation of powers doctrine in the case of *U.S. v. Lopez*, 514 U.S. 549 (1995) :

*"In Europe, the Executive is almost synonymous with the Sovereign power of a State; and, generally, includes legislative and judicial authority. When, therefore, writers speak of the sovereign, it is not necessarily in exclusion of the judiciary; and it will often be found, that when the Executive affords a remedy for any wrong, it is nothing more than by an exercise of its judicial authority. Such is the condition of power in that quarter of the world, where it is too commonly acquired by force, or fraud, or both, and seldom by compact. In America, however, the case is widely different. Our government is founded upon compact. Sovereignty was, and is, in the people. It was entrusted by them, as far as was necessary for the purpose of forming a good government, to the Federal Convention; and the Convention executed their trust, by effectually separating the Legislative, Judicial, and Executive powers; which, in the contemplation of our Constitution, are each a branch of the sovereignty. The well-being of the whole depends upon keeping each department within its limits. In the State government, several instances have occurred where a legislative act, has been rendered inoperative by a judicial decision, that it was unconstitutional; and even under the Federal government the judges, for the same reason, have refused to execute an act of Congress. <sup>FN\*</sup> When, in short, either branch of the government usurps that part of the sovereignty, which the Constitution assigns to another branch, liberty ends, and tyranny commences."*  
*[The Betsey, 3 U.S. 6 (1794)]*

*"We start with first principles. The Constitution creates a Federal Government of enumerated powers. See U.S. Const., Art. I, 8. As James Madison wrote, "[t]he powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite." The Federalist No. 45, pp. 292-293 (C. Rossiter ed. 1961). **This constitutionally mandated division of authority "was adopted by the Framers to ensure protection of our fundamental liberties."** *Gregory v. Ashcroft*, 501 U.S. 452, 458 (1991) (internal quotation marks omitted). "Just as the separation and independence of the coordinate branches of the Federal Government serves to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front." *Ibid.* "*U.S. v. Lopez*, 514 U.S. 549 (1995)]*

*"The people of the United States, by their Constitution, have affirmed a division of internal governmental powers between the federal government and the governments of the several states-committing to the first its powers by express grant and necessary implication; to the latter, or [301 U.S. 548, 611] to the people, by reservation, 'the powers not delegated to the United States by the Constitution, nor prohibited by it to the States.' The Constitution thus affirms the complete supremacy and independence of the state within the field of its powers. *Carter v. Carter Coal Co.*, 298 U.S. 238, 295, 56 S.Ct. 855, 865. The federal government has no more authority to invade that field than the state has to invade the exclusive field of national governmental powers; for, in the oft-repeated words of this court in *Texas v. White*, 7 Wall. 700, 725, 'the preservation of the States, and the maintenance of their governments, are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National government.' The necessity of preserving each from every form of illegitimate intrusion or interference on the part of the other is so imperative as to require this court, when its judicial power is properly invoked, to view with a careful and discriminating eye any legislation challenged as constituting such an intrusion or interference. See *South Carolina v. United States*, 199 U.S. 437, 448, 26 S.Ct. 110, 4 Ann.Cas. 737."  
*[Steward Machine Co. v. Davis, 301 U.S. 548 (1937)]**

The founders believed that men were inherently corrupt. They believed that where power concentrates, so does tyranny. To prevent tyranny, they separated the power within our government in the following ways:

1. **Separation of church (God) and state.** The state and God (the church) are in competition with each other to protect the people, as we showed in the previous section. Guaranteed by the First Amendment to the Constitution.

2. **Separation of money and state.** Guaranteed by Article 1, Section 10, Clause 1 of the Constitution, which required that no State shall make anything but gold and silver money. See also section 2.8.9.2 later.
3. **Separation of marriage and state.** At the time, there were no marriage licenses and everyone got married in their church. Their marriage certificate was the family bible, because that is where they recorded the ceremony.
4. **Separation of education and state.** The Constitution did not authorize the federal government to get involved in education, and since everything not mentioned in the Constitution was reserved to the states under the Tenth Amendment, we also had separation of education and state.
5. **Separation of media and state:** The founders always believed that a free and independent media was a precursor to an accountable and moral government and they wrote the requirement for freedom of the press into the First Amendment to the U.S. Constitution.
6. **Separation of the people and the government.** The founders gave the people equal footing with the state governments by giving them the House of Representatives. The House of Representatives is equal in legislative power to the Senate, which represents the state governments.
7. **State v. Federal separation.** The states had complete sovereignty *internal* to their border over everything except taxes on foreign commerce, mail fraud, and counterfeiting. Slavery was later added to that by the Thirteenth Amendment. The federal government had jurisdiction over all *external* or foreign matters *only*. Guaranteed by Art. IV of the Constitution.
8. **Separation of powers within the above two distinct governments.** Guaranteed by Art. 1, Art. II, and Art. III of the Constitution:
  - 8.1. Executive
  - 8.2. Legislative
  - 8.3. Judicial

The founding fathers derived the idea of separation of powers from various historical legal treatises available to them at the time they wrote the Constitution. The main source which described this separation of powers and after which they patterned their design for our government was a book written by Montesquieu which you can read for yourself below:

*The Spirit of Laws, Charles de Montesquieu, 1758*  
<http://famguardian.org/Publications/SpiritOfLaws/sol.htm>

The founders implemented separation between the federal and state governments to put the states in competition with each other for citizens and commerce, so that when one state became too oppressive by having taxes that were too high or too many laws, people would move to a better state where they had more freedom and lower taxes. This would ensure that the states that were most oppressive would have the fewest citizens and the worst economy. They also put the federal government in charge of foreign commerce *only*, so that the only way it could increase its revenues was to promote, not discourage or restrict, commerce with foreign nations. If the taxes on foreign commerce were too high, people would simply buy more domestic goods and the federal government would shrink. It was naturally self-balancing.

The founders also put branches within each government in competition with each other: Executive, Legislative, and Judicial. They ensured that each branch had distinct functions that could *not* be delegated to another branch of government. Each branch would then jealously guard its power and jurisdiction to ensure that it was not invaded or undermined by the other branch. This ensured that there would always be a balance of powers so that the system was self-regulating and the balance of powers would be maintained.

*"To the contrary, the Constitution divides authority between federal and state governments for the protection of individuals. State sovereignty is not just an end in itself: "Rather, federalism secures to citizens the liberties that derive from the diffusion of sovereign power." Coleman v. Thompson, 501 U.S. 722, 759 (1991) (BLACKMUN, J., dissenting). "Just as the separation and independence of the coordinate branches of the Federal Government serve to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front." Gregory v. [505 U.S. 144, 182] Ashcroft, 501 U.S., at 458. See The Federalist No. 51, p. 323. (C. Rossiter ed. 1961).*

*Where Congress exceeds its authority relative to the States, therefore, the departure from the constitutional plan cannot be ratified by the "consent" of state officials. An analogy to the separation of powers among the branches of the Federal Government clarifies this point. The Constitution's division of power among the three branches is violated where one branch invades the territory of another, whether or not the encroached-upon branch approves the encroachment. In Buckley v. Valeo, 424 U.S. 1, 118-137 (1976), for instance, the Court held that Congress had infringed the President's appointment power, despite the fact that the President himself had manifested his consent to the statute that caused the infringement by signing it into law. See National League*

of *Cities v. Utery*, 426 U.S., at 842, n. 12. In *INS v. Chadha*, 462 U.S. 919, 944 -959 (1983), we held that the legislative veto violated the constitutional requirement that legislation be presented to the President, despite Presidents' approval of hundreds of statutes containing a legislative veto provision. See *id.*, at 944-945. The constitutional authority of Congress cannot be expanded by the "consent" of the governmental unit whose domain is thereby narrowed, whether that unit is the Executive Branch or the States.

**State officials thus cannot consent to the enlargement of the powers of Congress beyond those enumerated in the Constitution. Indeed, the facts of this case raise the possibility that powerful incentives might lead both federal and state officials to view departures from the federal structure to be in their personal interests.** Most citizens recognize the need for radioactive waste disposal sites, but few want sites near their homes. As a result, while it would be well within the authority of either federal or state officials to choose where the disposal sites will be, it is likely to be in the political interest of each individual official to avoid being held accountable to the voters for the choice of location. If [505 U.S. 144, 183] a federal official is faced with the alternatives of choosing a location or directing the States to do it, the official may well prefer the latter, as a means of shifting responsibility for the eventual decision. If a state official is faced with the same set of alternatives - choosing a location or having Congress direct the choice of a location - the state official may also prefer the latter, as it may permit the avoidance of personal responsibility. The interests of public officials thus may not coincide with the Constitution's intergovernmental allocation of authority. Where state officials purport to submit to the direction of Congress in this manner, federalism is hardly being advanced. "  
[*New York v. United States*, 505 U.S. 144 (1992)]

The founders put the states in charge of the federal government by filling the senate with delegates from each state and by giving each state full and complete and exclusive control over all taxation within its borders, with the exception of taxes on foreign commerce, which is commerce external to states of the Union and among foreign countries.

"In the states, there reposes the sovereignty to manage their own affairs except only as the requirements of the Constitution otherwise provide. **Within these constitutional limits the power of the state over taxation is plenary.**"  
[*Madden v. Commonwealth of Kentucky*, 309 U.S. 83 (1940)]

The states gave the federal government control only over taxes on foreign commerce under Article 1, Section 8, Clause 3 of the Constitution.<sup>96</sup> The states ensured this result by mentioning in two places in the Constitution, Article 1, Section 2, Clause 3 and Article 1, Section 9, Clause 4, that all direct taxes had to be apportioned to the legislatures of each state. The requirement to apportion direct taxes is the only mandate that appears twice in the Constitution, because they wanted to emphasize this limit on federal taxing powers. This ensured that the federal government could never burden or economically enslave individual citizens within each state or tax state governments directly:

"The difficulties arising out of our dual form of government and the opportunities for differing opinions concerning the relative rights of state and national governments are many; **but for a very long time this court has steadfastly adhered to the doctrine that the taxing power of Congress does not extend to the states or their political subdivisions.** The same basic reasoning which leads to that conclusion, we think, requires like limitation upon the power which springs from the bankruptcy clause. *United States v. Butler*, *supra*."  
[*Ashton v. Cameron County Water Improvement District No. 1*, 298 U.S. 513, 56 S.Ct. 892 (1936)]

The founders imposed these restrictions on direct taxation because they knew that direct taxes amounted to slavery and they didn't want to become slaves to the federal government. Through the requirement for apportionment, state legislatures became the intermediaries for all federal appropriations that depended on other than indirect taxes on foreign commerce. Any other approach would require citizens in the states to serve two masters: state and federal, for the income they earn. This is a fulfillment of the Bible, which said on this subject:

"**No one can serve two masters** [state and federal]: for either he will hate the one, and love the other; or else he will hold to the one, and despise the other. Ye cannot serve God and mammon."  
[*Matt. 6:24, Bible, NKJV*]

Thomas Jefferson, one of our most important founding fathers, confirmed the purpose of the separation of powers between state and federal governments. He confirmed that the purpose of the federal government was to regulate commerce and interaction with foreign countries and that it never had the authority or jurisdiction to invade within states, either through legislation or through police powers:

"The extent of our country was so great, and its former division into distinct States so established, that **we thought it better to confederate [U.S. government] as to foreign affairs only. Every State retained its self-government in domestic matters, as better qualified to direct them to the good and satisfaction of their citizens, than a**

<sup>96</sup> See Federalist Paper #45 for confirmation of this fact.



general government so distant from its remoter citizens and so little familiar with the local peculiarities of the different parts."

[Thomas Jefferson to A. Coray, 1823. ME 15:483 ]

"I believe the States can best govern our home concerns, and the General Government our foreign ones."

[Thomas Jefferson to William Johnson, 1823. ME 15:450 ]

"My general plan [for the federal government] would be, to make the States one as to everything connected with foreign nations, and several as to everything purely domestic."

[Thomas Jefferson to Edward Carrington, 1787. ME 6:227 ]

"Distinct States, amalgamated into one as to their foreign concerns, but single and independent as to their internal administration, regularly organized with a legislature and governor resting on the choice of the people and enlightened by a free press, can never be so fascinated by the arts of one man as to submit voluntarily to his usurpation. Nor can they be constrained to it by any force he can possess. While that may paralyze the single State in which it happens to be encamped, [the] others, spread over a country of two thousand miles diameter, rise up on every side, ready organized for deliberation by a constitutional legislature and for action by their governor, constitutionally the commander of the militia of the State, that is to say, of every man in it able to bear arms."

[Thomas Jefferson to A. L. C. Destutt de Tracy, 1811. ME 13:19 ]

You can read the above quotes from Thomas Jefferson on our website at:

<http://famguardian.org/Subjects/Politics/ThomasJefferson/jeff1050.htm>

Note that Jefferson said that the federal government was given jurisdiction over foreign affairs only, which includes foreign commerce. The only exception to this general rule is subject matter within the states over the following:

1. Slavery under the Thirteenth Amendment.
2. Counterfeiting under Article 1, Section 8, Clause 5 of the Constitution.
3. Mail under Article 1, Section 8, Clause 7 of the Constitution.
4. Assaults and infractions against its own officers under Article 1, Section 8, Clause 18 of the Constitution.
5. Treason under Article 3, Section 3, Clause 2 of the Constitution.

Every other type of subject matter jurisdiction exercised by the federal government within the states is not authorized by the Constitution, and therefore can only be undertaken with the voluntary consent and participation of the state governments and the people within them. This type of consensual jurisdiction is called "comity".

"comity. Courtesy; complaisance; respect; a willingness to grant a privilege, not as a matter of right, but out of deference and good will. Recognition that one sovereignty allows within its territory to the legislative, executive, or judicial act of another sovereignty, having due regard to rights of its own citizens. Nowell v. Nowell, Tex.Civ.App., 408 S.W.2d. 550, 553. In general, principle of "comity" is that courts of one state or jurisdiction will give effect to laws and judicial decisions of another state or jurisdiction, not as a matter of obligation, but out of deference and mutual respect. Brown v. Babbitt Ford, Inc., 117 Ariz. 192, 571 P.2d. 689, 695. See also Full faith and credit clause."

[Black's Law Dictionary, Sixth Edition, p. 267]

Jefferson's quotes are also fully consistent with our system of federal taxation. For instance, Article 1, Section 8, Clause 3 of the U.S. Constitution limits federal taxation powers to commerce with foreign nations and between, but not within, states. 26 C.F.R. §1.861-8(f) also reveals that the only specific sources of "gross income" that are taxable under Subtitle A of the Internal Revenue Code are those associated with Domestic International Sales Corporations (DISC) and Foreign Sales Corporations (FSCs), both of whom are involved in commerce with foreign countries only. Even the IRS' own publications in the Federal Register confirm that this was the original intent of the founders. Below is an excerpt from the Federal Register, Volume 37, page 20960 dated October 5, 1972:

"Madison's Notes on the Constitutional Convention [see [Federalist Paper #45](#)] reveal clearly that the framers of the Constitution believed for some time [and wrote this permanent requirement into the Constitution] that the principal, if not sole, support of the new Federal Government would be derived from customs duties and taxes connected with shipping and importations. Internal taxation would not be resorted to except infrequently, and for special [emergency] reasons. The first resort to internal taxation, the enactment of internal revenue laws in 1791 and in the following 10 years, was occasioned by the exigencies of the public credit. These first laws were repealed in 1802. Internal revenue laws were reenacted for the period 1813-17, when the effects of the war of 1812 caused Congress to resort to internal taxation. From 1818 to 1861, however, the United States

1 *had no internal revenue laws and the Federal Government was supported by the revenue from import duties and*  
 2 *the proceeds from the sale of public lands. In 1862 Congress once more levied internal revenue taxes. This time*  
 3 *the establishment of an internal revenue system, not exclusively dependent upon the supplies of foreign commerce,*  
 4 *was permanent."*

5 What the IRS doesn't tell you in the above is that the resort to internal taxation under Subtitle A of the Internal Revenue Code  
 6 was only authorized against officers of the United States government and not against private citizens living in the states of  
 7 the Union. According to the U.S. Supreme Court, the enactment of the Sixteenth Amendment didn't change that  
 8 Constitutional requirement one iota either. You can view this document on our website at:

9 <http://famguardian.org/TaxFreedom/Evidence/OrgAndDuties/37FR20960-20964-OrgAndFunctions.pdf>

10 Those federal politicians, legislators, and judges intent on becoming tyrants or expanding their power must break down the  
 11 separation of powers established by the founders above if they want to concentrate power or take away powers from the  
 12 states. They have done this over the years mainly by the following means, which we devote nearly the entirety of this book  
 13 to exposing and explaining:

- 14 1. Deliberately deceiving people about the intent and result of ratifying the Sixteenth Amendment. According to the U.S.  
 15 Supreme Court, the Sixteenth Amendment "conferred no power of taxation" upon the federal government, but simply  
 16 reinforced the idea that federal income taxes are indirect excise taxes only on businesses.<sup>97</sup> Yet, to this day, your  
 17 dishonest Congressman and the IRS itself both insist that the Sixteenth Amendment is the basis for their authority to tax  
 18 the labor of a natural person, in spite of the fact that these kind of taxes violate the Thirteenth Amendment and constitute  
 19 slavery and involuntary servitude.
- 20 2. Eliminating separation of church and state by either taxing churches or using the IRS to terrorize and gag them for their  
 21 political activities. This is already happening. See the following website for details: <http://www.hushmoney.org/>
- 22 3. Eliminating separation of money and state by eliminating the gold standard and transitioning to a fiat paper currency.  
 23 This was done in 1913 with the introduction of the Federal Reserve Act on Dec. 23, 1913, shortly after the ratification  
 24 of the Sixteenth Amendment in February 1913.
- 25 4. Eliminating separation of marriage and state by introducing marriage licenses. This was done in a large scale starting in  
 26 1923, with the Uniform Marriage and Divorce Act of 1929. See section 4.14.6.7 later for further details.
- 27 5. Confusing the definitions of words to make the separation of powers between state and federal unclear. For instance:  
 28 5.1. Confusing the definitions of "state" and "State".  
 29 5.2. Confusing the definition of "United States"  
 30 5.3. Not defining the word "foreign" in the Internal Revenue Code
- 31 6. Obfuscating the distinctions between "U.S. citizen" and "national" status within federal statutes. "U.S. citizens" were  
 32 born in the federal United States while "nationals" were born in states of the Union.
- 33 7. Judges violating the due process rights of the accused by making frequent use of false presumption against litigants  
 34 regarding citizenship and "taxpayer" status without documenting in their rulings what presumptions they are making or  
 35 having to defend with evidence why such presumptions are warranted. Remember that "presumption" is the opposite of  
 36 due process and also happens to be a sin in the Bible. Refer to section 2.8.2 earlier for details.
- 37 8. Refusing to acknowledge or recognize the limits of federal jurisdiction within federal courtrooms. We have been  
 38 informed of many individuals being brutalized and abused by itinerant federal judges whose jurisdiction was challenged.
- 39 9. Suppressing any evidence or debate in courtrooms on the nature of separation of powers. Doing so by complicating rules  
 40 of evidence, and making citizens meet a higher standard for evidence than the government.
- 41 10. Using the proceeds of extorted or illegally-collected federal income tax revenues to break down the separation of powers  
 42 between states and the federal government. For instance, depriving states of federal revenues who do not do what the  
 43 federal government wants them to do. This is called "privilege-induced slavery". We explain later in section 6.1 that  
 44 this kind of artifice has been thoroughly exploited to create a de facto government that is completely at odds with the de  
 45 jure separation of powers required by our Constitution.
- 46 11. Discrediting and slandering legal professionals who bring attention to the separation of powers between state and federal  
 47 jurisdiction by calling them "frivolous" or "incompetent" and/or pulling their license to practice law. The framing of  
 48 Congressman Traficant and Congressman George Hansen are examples of this kind of political persecution by abusing  
 49 the legal system as a tool of persecution.
- 50 12. Paying people in the legal publishing business to obfuscate the definitions of words. We show later in section 6.8 several  
 51 instances of such corruption.

<sup>97</sup> See *Stanton v. Baltic Mining*, 240 U.S. 103 (1916), *Peck v. Lowe*, 247 U.S. 165 (1918), and many others.

- 1 13. Making the laws found in the U.S. Code so confusing that the average American can't rely on his own understanding of  
 2 them to know what the law requires. Instead, he must be compelled to rely on a high-paid expert, such as a judge or lawyer,  
 3 both of whom have a conflict of interest in expanding their power, to say what the law really requires. This transforms  
 4 our society from a "society of laws and not men" into a "society of men".<sup>98</sup>
- 5 14. Suppressing and oppressing the Right to Petition guaranteed to We the People in the [First Amendment](#). The Founders  
 6 believed that the people had an inalienable right to withhold payment of taxes until their petitions were heard and  
 7 responded to. Federal courts have evaded and avoided upholding this requirement, in what amounts to treason against  
 8 the Constitution punishable by death. See the article on our website about this subject at:

9 <http://famguardian.org/Subjects/Taxes/LegalEthics/RightToPet-031002.pdf>

10 The U.S. Supreme Court in the case of *Baker v. Carr*, [369 U.S. 186](#) (1962) has developed some legal criteria for determining  
 11 whether a court may invade or undermine the duties of a coordinate branch of government in its rulings and thereby undermine  
 12 the separation of powers. Below is the criteria:

- 13 1. Has the issue been committed expressly by the Constitution to a coordinate political branch of the government?  
 14 2. Are there judicially discoverable and manageable standards for deciding the case?  
 15 3. Can the case be decided without some initial policy determination of a kind clearly for nonjudicial discretion?  
 16 4. Can the court decide the case independently without expressing lack of respect due a coordinate branch of the  
 17 government?  
 18 5. Is there an unusual need for unquestioning adherence to a political decision already made?  
 19 6. Is there a potentiality for embarrassment from multifarious decisions by different branches of the government on the  
 20 same question?

21 In the criteria above, the Executive and Legislative branches of the government are regarded as "political branches", while  
 22 the judicial branch is not a political branch, but exclusively a legal branch. Understanding these criteria are important for  
 23 readers who want to challenge the exercise of political powers by the federal judiciary, such as in areas of:

- 24 1. Interfering with one's political choice of domicile. See section 5.4.8 later for details.  
 25 2. Interfering with one's political choice of citizenship. See sections 4.11 through 4.11.13 later.  
 26 3. Interfering with the exercise of political rights or a political party. You as a private individual constitute an independent  
 27 sovereignty and political party and a court may not interfere with your political choices. See section 4.3.6 earlier for a  
 28 definition of political rights.

29 A court that interferes with or questions or undermines a person's political affiliations above is involving itself in political  
 30 questions and the judge is overstepping his authority.

31 ***"Political questions.** Questions of which courts will refuse to take cognizance, or to decide, on account of their  
 32 purely political character, or because their determination would involve an encroachment upon the executive or  
 33 legislative powers.*

34 *"Political questions doctrine" holds that certain issues should not be decided by courts because their resolution  
 35 is committed to another branch of government and/or because those issues are not capable, for one reason or  
 36 another, of judicial resolution. Islamic Republic of Iran v. Pahlavi, 116 Misc.2d. 590, 455 N.Y.S.2d. 987, 990.*

37 *A matter of dispute which can be handled more appropriately by another branch of the government is not a  
 38 "justiciable" matter for the courts. However, a state apportionment statute is not such a political question as to  
 39 render it nonjusticiable. Baker v. Carr, 369 U.S. 186, 208-210, 82 S.Ct. 691, 705-706, 7 L.Ed.2d. 663.  
 40 [Black's Law Dictionary, Sixth Edition, pp. 1158-1159]*

41 The U.S. Supreme Court has also insightfully defined the very harmful effect on society when the judicial branch of the  
 42 government involves itself in political questions of the above nature in the case of *Luther v. Borden*:

43 *"But, fortunately for our freedom from political excitements in judicial duties, **this court [the U.S. Supreme**  
 44 **Court] can never with propriety be called on officially to be the umpire in questions merely political. The**  
 45 **adjustment of these questions belongs to the people and their political representatives, either in the State or**  
 46 **general government. These questions relate to matters not to be settled on strict legal principles. They are**  
 47 **adjusted rather by inclination, or prejudice or compromise, often.***

<sup>98</sup> See *Marbury v. Madison*, [5 U.S. 137](#), 1 Cranch 137, 2 L.Ed. 60 (1803)

[ . . . ]

**Another evil, alarming and little foreseen, involved in regarding these as questions for the final arbitrament of judges would be that, in such an event, all political privileges and rights would, in a dispute among the people, depend on our decision finally. We would possess the power to decide against, as well as for, them, and, under a prejudiced or arbitrary judiciary, the public liberties and popular privileges might thus be much perverted, if not entirely prostrated.** But, allowing the people to make constitutions and unmake them, allowing their representatives to make laws and unmake them, and without our interference as to their principles or policy in doing it, yet, when constitutions and laws are made and put in force by others, then the courts, as empowered by the State or the Union, commence their functions and may decide on the rights which conflicting parties can legally set up under them, rather than about their formation itself. **Our power begins after theirs [the Sovereign People] ends. Constitutions and laws precede the judiciary, and we act only under and after them, and as to disputed rights beneath them, rather than disputed points in making them. We speak what is the law, jus dicere, we speak or construe what is the constitution, after both are made, but we make, or revise, or control neither. The disputed rights beneath constitutions already made are to be governed by precedents, by sound legal principles, by positive legislation e.g. "positive law", clear contracts, moral duties, and fixed rules; they are per se questions of law, and are well suited to the education and habits of the bench.** But the other disputed points in making constitutions, depending often, as before shown, on policy, inclination, popular resolves and popular will and arising not in respect to private rights, not what is meum and tuum, but in relation to politics, they belong to politics, and they are settled by political tribunals, and are too dear to a people bred in the school of Sydney and Russel for them ever to intrust their final decision, when disputed, to a class of men who are so far removed from them as the judiciary, a class also who might decide them erroneously, as well as right, and if in the former way, **the consequences might not be averted except by a revolution, while a wrong decision by a political forum can often be peacefully corrected by new elections or instructions in a single month; and if the people, in the distribution of powers under the constitution, should ever think of making judges supreme arbiters in political controversies when not selected by nor, frequently, amenable to them nor at liberty to follow such various considerations in their judgments as [48 U.S. 53] belong to mere political questions, they will dethrone themselves and lose one of their own invaluable birthrights; building up in this way -- slowly, but surely -- a new sovereign power in the republic, in most respects irresponsible and unchangeable for life, and one more dangerous, in theory at least, than the worst elective oligarchy in the worst of times. Again, instead of controlling the people in political affairs, the judiciary in our system was designed rather to control individuals, on the one hand, when encroaching, or to defend them, on the other, under the Constitution and the laws, when they are encroached upon.** And if the judiciary at times seems to fill the important station of a check in the government, it is rather a check on the legislature, who may attempt to pass laws contrary to the Constitution, or on the executive, who may violate both the laws and Constitution, than on the people themselves in their primary capacity as makers and amenders of constitutions."

[Luther v. Borden, [48 U.S. 1](#) (1849)]

If you would like a more thorough analysis of why courts do not have jurisdiction over "political questions" and why your choice of citizenship and domicile are political questions, please see the following excellent memorandum of law:

[Political Jurisdiction, Form #05.004](#)  
<http://sedm.org/Forms/FormIndex.htm>

If you would like a much more detailed treatment of the subject of the separation of powers that is the foundation of the United States Constitution beyond that described in this section, please read the following document:

[Government Conspiracy to Destroy the Separation of Powers, Form #05.023](#)  
<http://sedm.org/Forms/FormIndex.htm>

#### 4.4.7 "Sovereign"="Foreign"

In law, a "sovereign" is called a "foreigner", "stranger", "transient foreigner", "sojourner", "stateless person", or simply a "nonresident". This is an unavoidable result of the fact that states of the Union are:

1. The separation of powers between the states and the national government. See:

[Government Conspiracy to Destroy the Separation of Powers, Form #05.023](#)  
<https://sedm.org/Forms/FormIndex.htm>

2. The separation between PUBLIC and PRIVATE. See:

Separation Between Public and Private Course, Form #12.025

<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

3. The legal separation between Church and State, whereby we humans are the church and the government is the state:

Law and Government Page, Section 11: Church v. State and First Amendment

[https://famguardian.org/Subjects/LawAndGovt/LawAndGovt.htm#CHURCH v. STATE AND FIRST AMENDMENT](https://famguardian.org/Subjects/LawAndGovt/LawAndGovt.htm#CHURCH_v.STATE_AND_FIRST_AMENDMENT)

4. The fact that States of the Union are:

4.1. Sovereign in respect to each other and in respect to federal jurisdiction.

4.2. "foreign countries" or "foreign states" with respect to federal legislative jurisdiction.

*"The United States Government is a foreign corporation with respect to a state." [N.Y. v. re Merriam, 36 N.E. 505, 141 N.Y. 479, affirmed 16 S.Ct. 1073, 41 L.Ed. 287]*

*[19 Corpus Juris Secundum (C.J.S.), Corporations, §884 (2003)]*

4.3. Addressed as "states" rather than "States" in federal law because they are foreign.

4.4. The equivalent of independent nations in respect to federal jurisdiction excepting the subject of foreign affairs.

*"The States between each other are sovereign and independent. They are distinct and separate sovereignties, except so far as they have parted with some of the attributes of sovereignty by the Constitution. They continue to be nations, with all their rights, and under all their national obligations, and with all the rights of nations in every particular; except in the surrender by each to the common purposes and objects of the Union, under the Constitution. The rights of each State, when not so yielded up, remain absolute."*

*[Bank of Augusta v. Earle, 38 U.S. (13 Pet.) 519, 10 L.Ed. 274 (1839)]*

Many Americans naturally cringe at the idea of being called a "foreigner" in their own country. The purpose of this section is to explain why there is nothing wrong with maintaining the status of being "foreign" and why it is the ONLY way to preserve and protect the separation of powers that was put into place by the very wise founding fathers for the explicit purpose of protecting our sacred Constitutional Rights.

The U.S. Supreme Court described how legal entities and persons transition from being FOREIGN to DOMESTIC in relation to a specific court or venue, which is ONLY with their express consent. This process of giving consent is also called a "waiver of sovereign immunity" and it applies equally to governments, states, and the humans occupying them. To wit:

***Before we can proceed in this cause we must, therefore, inquire whether we can hear and determine the matters in controversy between the parties, who are two states of this Union, sovereign within their respective boundaries, save that portion of power which they have granted to the federal government, and foreign to each other for all but federal purposes. So they have been considered by this Court, through a long series of years and cases, to the present term; during which, in the case of The Bank of the United States v. Daniels, this Court has declared this to be a fundamental principle of the constitution; and so we shall consider it in deciding on the present motion. 2 Peters, 590, 91.***

***Those states, in their highest sovereign capacity, in the convention of the people thereof; on whom, by the revolution, the prerogative of the crown, and the transcendent power of parliament devolved, in a plenitude unimpaired by any act, and controllable by no authority, 6 Wheat. 651; 8 Wheat. 584, 88; adopted the constitution, by which they respectively made to the United States a grant of judicial power over controversies between two or more states. By the constitution, it was ordained that this judicial power, in cases where a state was a party, should be exercised by this Court as one of original jurisdiction. The states waived their exemption from judicial power, 6 Wheat. 378, 80, as sovereigns by original and inherent right, by their own grant of its exercise over themselves in such cases, but which they would not grant to any inferior tribunal. By this grant, this Court has acquired jurisdiction over the parties in this cause, by their own consent and delegated authority; as their agent for executing the judicial power of the United States in the cases specified.***

*[The State of Rhode Island and Providence Plantations, Complainants v. the Commonwealth of Massachusetts, Defendant, 37 U.S. 657, 12 Pet. 657, 9 L.Ed. 1233 (1838)]*

The idea of the above cite is that all civil subject matters or powers by any government NOT expressly consented to by the object of those powers are foreign and therefore outside the civil legal jurisdiction of that government. This fact is recognized in the Declaration of Independence, which states that all just powers derive from the CONSENT of those governed. The method of providing that consent, in the case of a human, is to select a civil domicile within a specific government and thereby nominate a protector under the civil statutory laws of the territory protected by that government. This fact is recognized in Federal Rule of Civil Procedure 17(b), which says that the capacity to sue or be sued is determined by the law

1 of the domicile of the party. Civil statutory laws from places or governments OUTSIDE the domicile of the party may  
2 therefore NOT be enforced by a court against the party. This subject is covered further in section 5.4.8 of this book.

3 A very important aspect of domicile is that whether one is domestic and a citizen or foreign under the civil statutory laws is  
4 determined SOLELY by one's domicile, and NOT their nationality. You can be born anywhere in America and yet still be a  
5 non-resident non-person in relation to any and every state or government within America simply by not choosing or having  
6 a domicile within any municipal government in the country. You can also be a statutory "non-resident non-person" in relation  
7 to the national government and yet still have a civil domicile within a specific state of the Union, because your DOMICILE  
8 is foreign, not your nationality.

9 Consistent with the above analysis of how one transitions from FOREIGN to DOMESTIC through CONSENT are the  
10 following corroborating authorities.

- 11 1. The Declaration of Independence, which says that all JUST powers derive ONLY from the "consent of the governed".  
12 Anything not consensual is therefore unjust and does not therefore have the "force of law" or any civil jurisdiction  
13 whatsoever against those not consenting.

14 [DECLARATION OF INDEPENDENCE, 1776](#)

15 *"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator  
16 with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure  
17 these rights, Governments are instituted among Men, **deriving their just powers from the consent of the  
18 governed.**"*

19 [[Declaration of Independence, 1776](#)]

- 20 2. The concept of "comity" in legal field:

21 ***comity.** Courtesy; complaisance; respect; a willingness to grant a privilege, not as a matter of right, but out of  
22 deference and good will. Recognition that one sovereignty allows within its territory to the legislative, executive,  
23 or judicial act of another sovereignty, having due regard to rights of its own citizens. Nowell v. Nowell,  
24 Tex.Civ.App., 408 S.W.2d. 550, 553. In general, principle of "comity" is that courts of one state or jurisdiction  
25 will give effect to laws and judicial decisions of another state or jurisdiction, not as a matter of obligation, but  
26 out of deference and mutual respect. Brown v. Babbitt Ford, Inc., 117 Ariz. 192, 571 P.2d. 689, 695. See also  
27 Full faith and credit clause.*

28 [*Black's Law Dictionary, Sixth Edition, p. 267*]

- 29 3. The Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Part 4, Chapter 97.
- 30 4. The Minimum Contacts Doctrine, U.S. Supreme Court of the U.S. Supreme Court. See International Shoe Co. v.  
31 Washington, 326 U.S. 310 (1945).
- 32 5. The Longarm Statutes within your state. Each state has statutes authorizing nonresidents and therefore foreign  
33 sovereigns to waive their sovereign immunity in civil court.

34 Going along with the notion of the Separation Of Powers doctrine in the previous section is the concept of "sovereignty".  
35 Sovereignty is the foundation of all government in America and fundamental to understanding our American system of  
36 government. Below is how President Theodore Roosevelt, one of our most beloved Presidents, describes "sovereignty":

37 *"We of this mighty western Republic have to grapple with the dangers that spring from popular self-government  
38 tried on a scale incomparably vaster than ever before in the history of mankind, and from an abounding material  
39 prosperity greater also than anything which the world has hitherto seen.*

40 *As regards the first set of dangers, it behooves us to remember that men can never escape being governed. Either  
41 they must govern themselves or they must submit to being governed by others. If from lawlessness or fickleness,  
42 from folly or self-indulgence, they refuse to govern themselves then most assuredly in the end they will have to be  
43 governed from the outside. They can prevent the need of government from without only by showing they possess  
44 the power of government from within. A sovereign cannot make excuses for his failures; a sovereign must accept  
45 the responsibility for the exercise of power that inheres in him; and where, as is true in our Republic, the people  
46 are sovereign, then the people must show a sober understanding and a sane and steadfast purpose if they are to  
47 preserve that orderly liberty upon which as a foundation every republic must rest."*

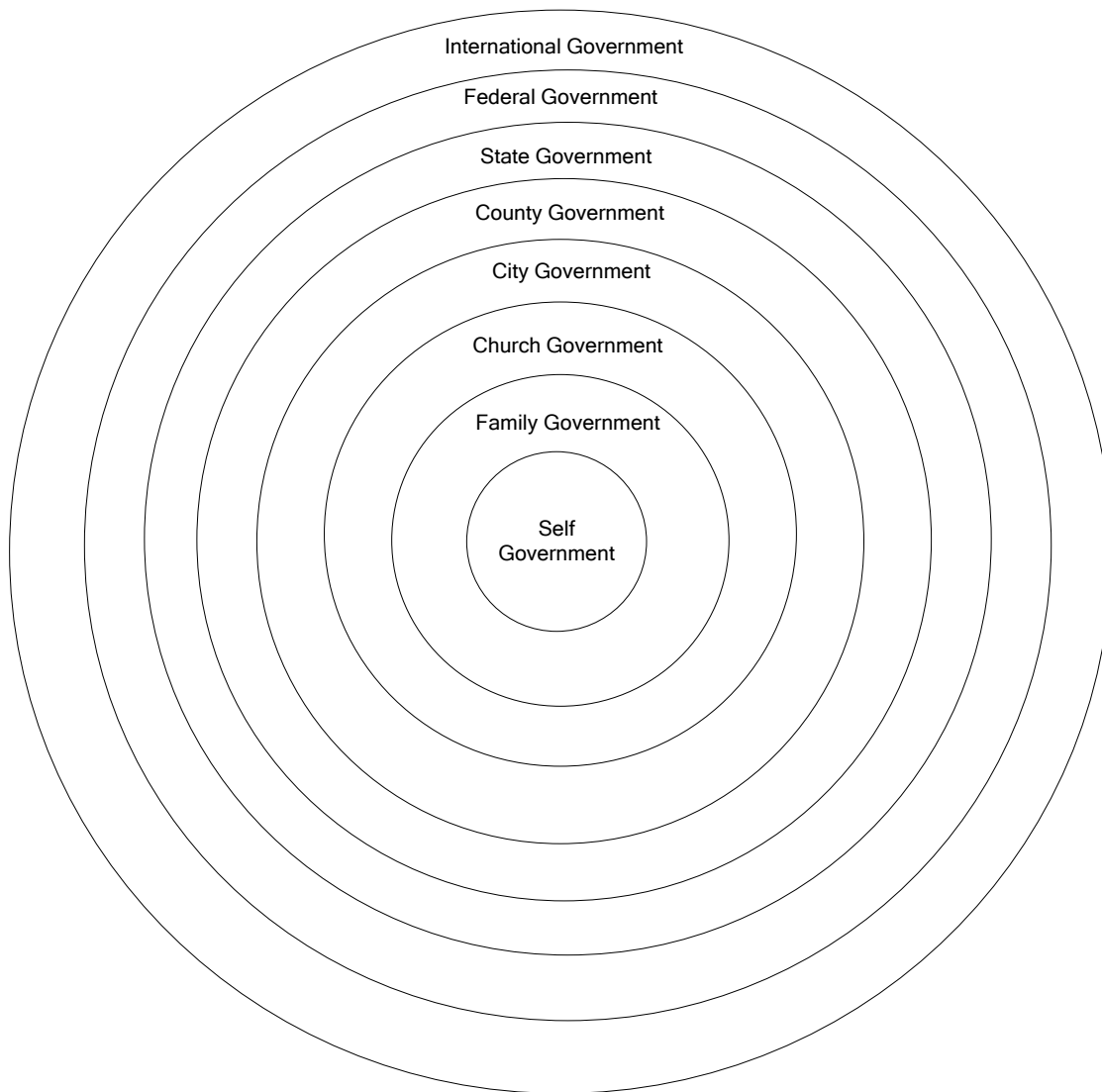
48 [*President Theodore Roosevelt; Opening of the Jamestown Exposition; Norfolk, VA, April 26, 1907*]

49 In this section, we will cover some very important implications of sovereignty within the context of government authority  
50 and jurisdiction generally. We will analyze these implications both from the standpoint of relations WITHIN a government

1 and the relationship that government has with its citizens and subjects. We will expand upon the subject of sovereignty in  
 2 the context of taxes later in sections 5.2.2 and 5.2.3.

3 Sovereignty can exist within individuals, families, churches, cities, counties, states, nations, and even international bodies.  
 4 This is depicted in the “onion diagram” below, which shows the organization of personal, family, church, and civil  
 5 government graphically. The boundaries and relations between each level of government are defined by God Himself, who  
 6 is the Creator of all things and the Author of the user manual for it all, His Holy Book. Each level of the “onion” below is  
 7 considered sovereign, independent, and “foreign” with respect to all the levels *external* to it. Each level of the diagram  
 8 represents an additional layer of protection for those levels within it, keeping in mind that the purpose of government at every  
 9 level is “protection” of the sovereigns which it was created to serve and which are within it in the diagram below:

10 **Figure 4-3: Hierarchy of sovereignty**



11

12 The interior levels of the above onion govern and direct the external levels of the onion. For instance, citizens govern and  
 13 direct their city, county, state, and federal governments by exercising their political right to vote and serve on jury duty. Here  
 14 is how the Supreme Court describes it:

1                   “The words ‘people of the United States’ and ‘citizens,’ are synonymous terms, and mean the same thing. They  
2 both describe the political body who, according to our republican institutions, form the sovereignty, and **who**  
3 **hold the power and conduct the government through their representatives.** They are what we familiarly call the  
4 ‘sovereign people,’ and every citizen is one of this people, and a constituent member of this sovereignty. ...” [Boyd  
5 v. State of Nebraska, [143 U.S. 135](#) (1892)]

6                   “...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but  
7 they are sovereigns without subjects...with none to govern but themselves; the citizens of America are equal as  
8 fellow citizens, and as joint tenants in the sovereignty.”

9 [Chisholm v. Georgia, [2 Dall \(U.S.\) 419](#), 454, 1 L.Ed. 440, 455 @DALL 1793, pp. 471-472]

10 City governments control their state governments by directing elections, controlling what appears on the ballot, and  
11 controlling how much of the property and sales tax revenues are given to the states. State government exercise their authority  
12 over the federal government by sending elected representatives to run the Senate and by controlling the “purse” of the federal  
13 government when direct taxes are apportioned to states.

14 Sovereignty also exists within a single governmental unit. For instance, in the previous section, we described the Separation  
15 of Powers Doctrine by showing how a “republican form of government” divides the federal government into three distinct,  
16 autonomous, and completely independent branches that are free from the control of the other branches. Therefore, the  
17 Executive, Legislative, and Judicial departments of both state and federal governments are “foreign” and “alien” with respect  
18 to the other branches.

19 Sovereignty is defined in man’s law as follows, in Black’s Law Dictionary:

20                   “**Sovereignty.** The supreme, absolute, and uncontrollable power by which any independent state is governed;  
21 supreme political authority; paramount control of the constitution and frame of government and its  
22 administration; self sufficient source of political power, from which all specific political powers are derived; the  
23 **international independence of a state, combined with the right and power of regulating its internal affairs**  
24 **without foreign dictation; also a political society, or state, which is sovereign and independent.**  
25 *Chisholm v. Georgia, 2 Dall. 455, 1 L.Ed. 440; Union Bank v. Hill, 3 Cold., Tenn 325; Moore v. Shaw, 17 Cal.*  
26 *218, 79 Am.Dec. 123; State v. Dixon, 66 Mont. 76, 213 P. 227.”*  
27 [Black’s Law Dictionary Fourth Edition (1951), p. 1568]

28 “Sovereignty” consists of the combination of legal authority and responsibility that a government or individual has within  
29 our American system of jurisprudence. The key words in the above definition of sovereignty are: “foreign”, “uncontrollable”,  
30 and “independence”. A “sovereign” is:

- 31 1. A servant and fiduciary of all sovereigns internal to it.
- 32 2. Not subject to the legislative or territorial jurisdiction of any external sovereign. This is because he is the “author” of  
33 the law that governs the external sovereign and therefore not subject to it.

34                   “Sovereignty itself is, of course, not subject to law, for it is the author and source of law...While sovereign powers  
35 are delegated to ...the government, sovereignty itself remains with the people.”  
36 [Yick Wo v. Hopkins, [118 U.S. 356](#) (1886)]

- 37 3. “Foreign” but not a privileged “alien” with respect to other external sovereigns, from a legal perspective. This means  
38 that:
  - 39 3.1. The purpose of the laws of the sovereign at any level is to establish a fiduciary duty to protect the rights and  
40 sovereignty of all those entities which are internal to a sovereignty.
  - 41 3.2. The existence of a sovereign may be acknowledged and defined, but not limited by the laws of an external sovereign.
  - 42 3.3. The rights and duties of a sovereign are not prescribed in any law of an external sovereign.
- 43 4. “Independent” of other sovereigns. This means that:
  - 44 4.1. The sovereign has a duty to support and govern itself completely and to not place any demands for help upon an  
45 external sovereign.
  - 46 4.2. The moment a sovereign asks for “benefits” or help, it ceases to be sovereign and independent and must surrender  
47 its rights and sovereignty to an external sovereign using his power to contract in order to procure needed help.

48 The purpose of the Constitution is to preserve “self-government” and independence at every level of sovereignty in the above  
49 onion diagram:



1 *“The determination of the Framers Convention and the ratifying conventions to preserve complete and*  
 2 *unimpaired state [and personal] self-government in all matters not committed to the general government is*  
 3 *one of the plainest facts which emerges from the history of their deliberations.* And adherence to that  
 4 *determination is incumbent equally upon the federal government and the states. State powers can neither be*  
 5 *appropriated on the one hand nor abdicated on the other. As this court said in Texas v. White, 7 Wall. 700,*  
 6 *725, ‘The preservation of the States, and the maintenance of their governments, are as much within the design*  
 7 *and care of the Constitution as the preservation of the Union and the maintenance of the National government.*  
 8 *The Constitution, in all its provisions, looks to an indestructible Union, composed of indestructible States.’ Every*  
 9 *journey to a forbidden end begins with the first step; and the danger of such a step by the federal government in*  
 10 *the direction of taking over the powers of the states is that the end of the journey may find the states so despoiled*  
 11 *of their powers, or-what may amount to the same thing-so [298 U.S. 238, 296] relieved of the responsibilities*  
 12 *which possession of the powers necessarily enjoins, as to reduce them to little more than geographical*  
 13 *subdivisions of the national domain. It is safe to say that if, when the Constitution was under consideration, it*  
 14 *had been thought that any such danger lurked behind its plain words, it would never have been ratified.* “  
 15 [*Carter v. Carter Coal Co., 298 U.S. 238 (1936)*]

16 Below are some examples of the operation of the above rules for sovereignty within the American system of government:

- 17 1. No federal law prescribes a *duty* upon a person who is a “national” per 8 U.S.C. §1101(a)(21) but not a statutory “citizen”  
 18 under 8 U.S.C. §1401 or 8 U.S.C. §1152(a)(21). References to “nationals” within federal law are rare and every instance  
 19 where it is mentioned is in the context of duties and obligations of public servants, rather than the “national himself” or  
 20 herself. We will expand further upon this subject later in section 4.12.1 and following.
- 21 2. Natural persons who have not expressly and in writing contracted away their rights are “sovereign”. Here is how the  
 22 U.S. Supreme Court describes it:

23 *“There is a clear distinction in this particular case between an individual and a corporation, and that the latter*  
 24 *has no right to refuse to submit its books and papers for an examination at the suit of the State. The individual*  
 25 *may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own*  
 26 *way. His power to contract is unlimited. He owes no such duty to the State, since he receives nothing therefrom,*  
 27 *beyond the protection of his life and property. His rights are such as existed by the law of the land long antecedent*  
 28 *to the organization of the State, and can only be taken from him by due process of law, and in accordance with*  
 29 *the constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his*  
 30 *property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he*  
 31 *does not trespass upon their rights.”*  
 32 [*Hale v. Henkel, 201 U.S. 43, 74 (1906)*]

- 33 3. States of the Union and the Federal government are both immune from lawsuits against them by “nationals”, except in  
 34 cases where they voluntarily consent by law. This is called “sovereign immunity”. Read the Supreme Court case of  
 35 *Alden v. Maine, 527 U.S. 706* (1999) for exhaustive details on the constitutional basis for this immunity.
- 36 4. States of the Union are “foreign” with respect to the federal government for the purposes of legislative jurisdiction. In  
 37 federal law, they are called “foreign states” and they are described with the *lower case* word “states” within the U.S.  
 38 Code and in *upper case* “States” in the Constitution. Federal “States”, which are actually territories of the United States  
 39 (see 4 U.S.C. §110(d)) are spelled in upper case in most federal statutes and codes. States of the Union are immune from  
 40 the jurisdiction of federal courts, except in cases where they voluntarily consent to be subject to the jurisdiction. The  
 41 federal government is immune from the jurisdiction of state courts and international bodies, except where it consents to  
 42 be sued as a matter of law. This is called “sovereign immunity”.

43 *Foreign States:* “Nations outside of the United States...Term may also refer to another state; i.e. a sister state.  
 44 The term ‘foreign nations’, ...should be construed to mean all nations and states other than that in which the  
 45 action is brought; and hence, one state of the Union is foreign to another, in that sense.”  
 46 [*Black’s Law Dictionary, Sixth Edition, p. 648*]

47 *Foreign Laws:* “The laws of a foreign country or sister state. In conflicts of law, the legal principles of  
 48 jurisprudence which are part of the law of a sister state or nation. Foreign laws are additions to our own laws,  
 49 and in that respect are called ‘jus receptum’.”  
 50 [*Black’s Law Dictionary, Sixth Edition, p. 647*]

- 51 5. The rules for surrendering sovereignty are described in the “Foreign Sovereign Immunities Act”, which is codified in 28  
 52 U.S.C. §§1602-1611. A list of exceptions to the act in 28 U.S.C. §1605 define precisely what behaviors cause a sovereign  
 53 to surrender their sovereignty to a fellow sovereign.

54 The key point we wish to emphasize throughout this section is that a sovereign is legislatively (but not necessarily  
 55 constitutionally) “foreign” with respect to all other *external* (outside them within the onion diagram) sovereigns and therefore  
 56 not subject to their jurisdiction. In that respect, a sovereign is considered a “foreigner” of one kind or another in the laws of

every sovereign external to it. For instance, state citizens who are a “national” (as defined in 8 U.S.C. §1101(a)(21)) but not a subject STATUTORY “citizen” (8 U.S.C. §1401) are classified as a statutory “non-resident non-persons” within the Internal Revenue Code. Only by lawfully occupying a public office do they acquire any civil status, to include “nonresident alien”. They are “alien” to the code because he is not subject to it and they are a “non-resident” because they do not maintain a domicile in the federal zone. This is no accident, but simply proof in the law itself that such a person is in deed and in fact a “sovereign” with respect to the government entity that serves him. Understanding this key point is the foundation for understanding the next chapter, where we will prove to you with the government’s own laws that most Americans born in and living within states of the Union, which are “foreign states” with respect to federal jurisdiction, are:

1. Statutory “non-resident non-persons” if they are not engaged in a public office.
2. “nonresident aliens” as defined under 26 U.S.C. §7701(b)(1)(B) if they are engaged in a public office in the national government.
3. Not “persons” or “individuals” within federal civil law, including the Internal Revenue Code. You can’t be a “person” or an “individual” within federal law unless you either have a domicile within federal jurisdiction or contract with the federal government to procure an identity or “res” within their jurisdiction and thereby become a “res-ident”. The U.S. Supreme Court has held that the rights of human beings are unalienable, which means they can’t be bargained or contracted away through any commercial process. Therefore, domicile is the only lawful source of jurisdiction over human beings.

*“Men are endowed by their Creator with certain unalienable rights, -life, liberty, and the pursuit of happiness;’ and to ‘secure,’ not grant or create, these rights, governments are instituted. That property [or income] which a man has honestly acquired he retains full control of. . .”*  
*[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

Furthermore, the Bible says we can’t contract with “the Beast”, meaning the government and therefore, we have no delegated authority to give away our rights to the government:

*“You shall make no covenant [contract or franchise] with them [foreigners, pagans], nor with their [pagan government] gods [laws or judges]. They shall not dwell in your land [and you shall not dwell in theirs by becoming a “resident” in the process of contracting with them], lest they make you sin against Me [God]. For if you serve their gods [under contract or agreement or franchise], it will surely be a snare to you.”*  
*[Exodus 23:32-33, Bible, NKJV]*

4. Not “nonresident alien individuals”. You can’t be a “nonresident alien individual” without first being an “individual” and therefore a “person”. 26 U.S.C. §7701(c) defines the term “person” to include “individuals”. Instead, they are “nonresident alien NON-persons”.
5. “foreign” or “foreigners” with respect to federal jurisdiction. All of their property is classified as a “foreign estate” under 26 U.S.C. §7701(a)(31). In the Bible, this status is called a “stranger”:

*“You shall neither mistreat a **stranger** nor oppress him, for you were **strangers** in the land of Egypt.”*  
*[Exodus 22:21, Bible, NKJV]*

*“And if a **stranger** dwells with you in your land, you shall not mistreat him.”*  
*[Leviticus 19:33, Bible, NKJV]*

6. Not “foreign persons”. You can’t be a “foreign person” without first being a “person”.
7. “nontaxpayers” if they do not earn any income from within the “federal zone” or that is connected with an excise taxable activity called a “trade or business”, which is defined in 26 U.S.C. §7701(a)(26) as a public office in the United States government.
8. Not qualified to sit on a jury in a federal district court, because they are not statutory “citizens” under federal law.

Now do you understand why the Internal Revenue Code defines the term “foreign” as follows? They don’t want to spill the beans and inform you that you are sovereign and not subject to their jurisdiction! The definition of “foreign” in the Internal Revenue Code defines the term ONLY in the context of corporations, because the government only has civil statutory jurisdiction over PUBLIC statutory “persons” that they created and who are therefore engaged in a public office, of which federal corporations are a part:

26 U.S. Code § 7701 - Definitions

(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—

(3) Corporation

The term “corporation” includes associations, joint-stock companies, and insurance companies.

(4) Domestic

The term “domestic” when applied to a corporation or partnership means created or organized in the United States or under the law of the United States or of any State unless, in the case of a partnership, the Secretary provides otherwise by regulations.

(5) Foreign

The term “foreign” when applied to a corporation or partnership means a corporation or partnership which is not domestic.

The reason they defined "foreign" as they did above is that:

1. The “United States” government is a “foreign corporation” in respect to a state. Everything OUTSIDE that corporation is “foreign”.

“The United States government is a foreign corporation with respect to a state.”  
[19 Corpus Juris Secundum (C.J.S.), Corporations, §883 (2003)]

“Corporations are also of all grades, and made for varied objects; all governments are corporations, created by usage and common consent, or grants and charters which create a body politic for prescribed purposes; but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise of power, they are all governed by the same rules of law, as to the construction and the obligation of the instrument by which the incorporation is made. One universal rule of law protects persons and property. It is a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing of protection as other persons, and their corporate property secured by the same laws which protect that of individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law, is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal government, by the amendments to the constitution.”  
[Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, 36 U.S. 420 (1837)]

TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE  
PART VI - PARTICULAR PROCEEDINGS  
CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE  
SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS  
Sec. 3002. Definitions

(15) “United States” means -

(A) a Federal corporation;

(B) an agency, department, commission, board, or other entity of the United States; or

(C) an instrumentality of the United States.

2. The only thing legally INSIDE the “United States” corporation as a legal person are public officers and federal instrumentalities such as OTHER federal corporations.
3. The government can only regulate or control that which it creates, and it didn’t create state corporations. Legislatively foreign states did that. State corporations are therefore OUTSIDE the “United States” corporation and foreign to it because not created by the United States government.
4. The power to tax is the power to create. They can’t tax what they didn't create, meaning they can't tax PRIVATE human beings. PRIVATE human beings are not statutory "persons" or "taxpayers" within the Internal Revenue Code UNLESS they are serving in public offices within the national and not state government. See:

Hierarchy of Sovereignty: The Power to Create is the Power to Tax, Family Guardian Fellowship  
<http://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm>

5. They know they only have jurisdiction over PUBLIC entities lawfully engaged in public offices WITHIN the government, all of which they CREATED by statute.

6. The term "United States" in statutes has TWO possible meanings in statutes such as the I.R.C.:
  - 6.1. The GEOGRAPHICAL "United States" consisting of Federal territory.
  - 6.2. The "United States" federal corporation 28 U.S.C. §3002(15)(A).
7. Most uses of "United States" within the I.R.C. rely on the SECOND definition above, including the term "sources within the United States" found in 26 U.S.C. §864(c)(3). That means a "source in the United States" really means an OFFICE or INSTRUMENTALITY within the United States federal corporation.
8. They want to promote false presumption about federal jurisdiction by making everyone falsely believe that they are a statutory "person" or "taxpayer" and therefore a public office in the national government. Acting as a "public officer" makes an otherwise private human being INTO a public office and therefore LEGALLY but not GEOGRAPHICALLY "within" the "United States" federal corporation.
9. They want to create and exploit "cognitive dissonance" by appealing to the aversion of the average American to being called a "foreigner" or "non-resident non-person" with respect to his own federal government.
10. They want to mislead and deceive Americans into believing and declaring on government forms that they are statutory rather than constitutional "U.S. citizens" pursuant to 8 U.S.C. §1401 who are subject to their corrupt laws instead of "nationals" but not a "citizens" pursuant to 8 U.S.C. §1101(a)(21). The purpose is to compel you through constructive fraud to associate with and conduct "commerce" (intercourse/fornication) with "the Beast" as a statutory "U.S. citizen", who is a government whore. They do this by the following means:
  - 10.1. Using "words of art" to encourage false presumption.
  - 10.2. Using vague or ambiguous language that is not defined and using political propoganda instead of law to define the language.

Keep in mind the following with respect to a "foreigner" and the status of being a statutory "non-resident non-person" and therefore sovereign:

1. What makes you legislatively "foreign" in respect to a specific jurisdiction or venue is a foreign civil DOMICILE, not a foreign NATIONALITY.
2. Federal Rule of Civil Procedure 17(b) is the method of enforcing your foreign status, because it recognizes that those who are not domiciled on federal territory are beyond the civil statutory jurisdiction of the CIVIL court. This does NOT mean that you are beyond the jurisdiction of the COMMON law within that jurisdiction, but simply not beyond the civil STATUTORY control of that jurisdiction.
3. The only way an otherwise PRIVATE human being not domiciled on federal territory can be treated AS IF they are is if they are lawfully engaged in a public office within the national and not state government.
4. There is nothing wrong with being an "alien" in the tax code, as long as we aren't an alien with a "domicile" in the District of Columbia, which makes us into a "resident". The taxes described under Subtitle A of the Internal Revenue Code are not upon "aliens", but instead mainly upon "residents", who are "aliens" with a legal domicile within federal exclusive jurisdiction. We cover this in section 5.4.19 of the *Great IRS Hoax*.
5. A "nonresident alien" is not an "alien" and therefore not a "taxpayer" in most cases. 8 U.S.C. §1101(a)(3) and 26 C.F.R. §1.1141-1(c)(3)(i) both define an "alien" as "any person who is neither a citizen nor national of the United States". 26 U.S.C. §7701(b)(1)(B) defines a "nonresident alien" as "neither a citizen of the United States nor a resident of the United States (within the meaning of subparagraph (A))".
6. A "nonresident alien" who is also an "alien" may elect under 26 U.S.C. §6013(g) or [26 U.S.C. §7701\(b\)\(4\)](#) to be treated as a "resident" by filing the wrong tax form, the 1040, instead of the more proper 1040NR form. Since that election is a voluntary act, then income taxes are voluntary for nonresident aliens.
7. A "nonresident alien" may not lawfully elect to become a "resident alien" or a "resident" pursuant to 26 U.S.C. §6013(g) or [26 U.S.C. §7701\(b\)\(4\)](#) unless married to a STATUTORY "U.S. citizen" defined in 8 U.S.C. §1401. This is confirmed by 26 U.S.C. §6013(g) and (h).
8. The only way that a "non-resident non-person" who is a "national" of the country can lawfully become domiciled in a place is if he or she or it physically moves to that place and then declares an intention to remain permanently and indefinitely. When the nonresident alien does this, it becomes a statutory citizen of that place, not a "resident alien".
9. Only "aliens" can have a "residence" within the Internal Revenue Code pursuant to 26 C.F.R. §1.871-2. "nationals" of the country cannot lawfully be described as having a "residence" because that word is nowhere defined to include "nationals" or even "citizens" with a domicile or abode on federal territory.

If you would like to learn more about the rules that govern sovereign relations at every level, please refer to the table below:

Table 4-13: Rules for Sovereign Relations/Government

#	Sovereignty	Governance and Relations with other Sovereigns Prescribed By	
		God's law	Man's law
1	Self government	Bible <a href="#">Family Constitution</a>	Criminal code. All other "codes" are voluntary and consensual.
2	Family government	Bible <a href="#">Family Constitution</a> <a href="#">Sovereign Christian Marriage, Form #06.009</a>	Family Code in most states, but only for those who get a state marriage license.
3	Church government	Bible <a href="#">Family Constitution</a>	Not subject to government jurisdiction under the <a href="#">Separation of Powers Doctrine</a>
4	City government	Bible	Municipal code
5	County government	Bible	County code
6	State government	Bible	<a href="#">United State Constitution</a> <a href="#">State Constitution</a> <a href="#">State Code</a>
7	Federal government	Bible	<a href="#">United State Constitution</a> <a href="#">Statutes at Large</a> <a href="#">United States Code</a> <a href="#">Code of Federal Regulations</a>
8	International government	Bible	<a href="#">Law of Nations</a> , Vattel

**NOTES:**

- The *Sovereign Christian Marriage*, Form #06.009 book above may be downloaded from the SEDM website at: <http://sedm.org/ItemInfo/Ebooks/SovChristianMarriage/SovChristianMarriage.htm>
- The *Family Constitution* above may be downloaded for free from the Family Guardian website at: <http://famguardian.org/Publications/FamilyConst/FamilyConst.htm>
- Man's laws may be referenced on the Family Guardian website at: <http://famguardian.org/TaxFreedom/LegalRef/LegalResrchSrc.htm>
- God's laws are summarized on the Family Guardian Website below: [http://famguardian.org/Subjects/LawAndGovt/ChurchVState/BibleLawIndex/bl\\_index.htm](http://famguardian.org/Subjects/LawAndGovt/ChurchVState/BibleLawIndex/bl_index.htm)
- You can read *The Law of Nations*, Vattel book mentioned above on the Family Guardian website at: <http://famguardian.org/Publications/LawOfNations/vattel.htm>

This concept of being a "foreigner" or statutory "non-resident non-person" as a sovereign is also found in the Bible as well. Remember what Jesus said about being free?:

*"Ye shall know the Truth and the Truth shall make you free."  
[John 8:32, Bible, NKJV]*

We would also add to the above that the Truth shall also make you a "non-resident non-person" under the civil statutory "codes"/franchises of your own country! Below are a few examples why:

*"Adulterers and adulteresses! Do you now know that friendship [and "citizenship"] with the world [or the governments of the world] is enmity with God? **Whoever therefore wants to be a friend I "citizen" or "taxpayer" or "resident" or "inhabitant" of the world makes himself an enemy of God.**"  
[James 4:4, Bible, NKJV]*

*"**For our citizenship is in heaven [and not earth]**, from which we also eagerly wait for the Savior, the Lord Jesus Christ"  
[Philippians 3:20, Bible, NKJV]*

*"**I am a stranger in the earth**: Do not hide Your commandments [laws] from me."  
[Psalm 119:19, Bible, NKJV]*

*"**I have become a stranger to my brothers, and an alien to my mother's children**; because zeal for Your [God's] house has eaten me up, and the reproaches of those who reproach You have fallen on me."  
[Psalm 69:8-9, Bible, NKJV]*

It is one of the greatest ironies of law and government that the only way you can be free and sovereign is to be an "foreign person" or what the Bible calls a "stranger" of one kind or another within the law, and to understand the law well enough to be able to describe *exactly* what kind of "foreign person" you are and why, so that the government must respect your sovereignty and thereby leave you and your property alone.

*"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a*

part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. **They conferred, as against the Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized men.**"

[Olmstead v. United States, [277 U.S. 438, 478](#) (1928) (Brandeis, J., dissenting); see also Washington v. Harper, [494 U.S. 210](#) (1990)]

The very object of "justice" itself is to ensure that people are "left alone". The purpose of courts is to enforce the requirement to leave our fellow man alone and to only do to him/her what he/she expressly consents to and requests to be done:

PAULSEN, ETHICS (Thilly's translation), chap. 9.

**"Justice, as a moral habit, is that tendency of the will and mode of conduct which refrains from disturbing the lives and interests of others, and, as far as possible, hinders such interference on the part of others.** This virtue springs from the individual's respect for his fellows as ends in themselves and as his co equals. The different spheres of interests may be roughly classified as follows: body and life; the family, or the extended individual life; property, or the totality of the instruments of action; honor, or the ideal existence; and finally freedom, or the possibility of fashioning one's life as an end in itself. The law defends these different spheres, thus giving rise to a corresponding number of spheres of rights, each being protected by a prohibition. . . . To violate the rights, to interfere with the interests of others, is injustice. All injustice is ultimately directed against the life of the neighbor; it is an open avowal that the latter is not an end in itself, having the same value as the individual's own life. The general formula of the duty of justice may therefore be stated as follows: Do no wrong yourself, and permit no wrong to be done, so far as lies in your power; or, expressed positively: Respect and protect the right." [Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 2]

A person who is "sovereign" must be left alone as a matter of law. There are several examples of this important principle of sovereignty in operation in the Bible as well. For example:

Then Haman said to King Ahasuerus, "There is a certain people scattered and dispersed among the people in all the provinces of your kingdom; their laws are different from all other people's, **and they do not keep the king's laws [are FOREIGN with respect to them and therefore sovereign]**. Therefore it is not fitting for the king to let them remain. If it pleases the king, let a decree be written that they be destroyed, and I will pay ten thousand talents of silver into the hands of those who do the work, to bring it into the king's treasuries." [Esther 3:8-9, Bible, NKJV]

In the Bible, when the Jews were being embarrassed and enslaved by surrounding heathen populations, they responded in the Book of Nehemiah by building a wall around their city and being self-contained and self-governing to the exclusion of the "aliens" and "foreigners" around them, who were not believers. This is their way of not only restoring self-government, but of also restoring God as their King and Sovereign, within what actually amounted to a "theocracy":

**"The survivors [Christians] who are left from the captivity in the province are there in great distress and reproach. The wall [of separation between "church", which was the Jews, and "state", which was the heathens around them] of Jerusalem is also broken down, and its gates are burned with fire."** [Neh. 1:3, Bible, NKJV]

Then I said to them, "You see the distress that we are in, how Jerusalem lies waste, and its gates are burned with fire. Come and let us build the wall of [of separation in] Jerusalem that we may no longer be a reproach." And I told them of the hand of my God which had been good upon me, and also of the king's words that he had spoken to me. So they said, "Let us rise up and build." Then they set their hands to this good work.

But when Sanballat the Horonite, Tobiah the Ammonite official, and Geshem the Arab heard of it, they laughed at us and despised us, and said, "What is this thing that you are doing? Will you rebel against the king?"

So I answered them, and said to them, "**The God of heaven Himself will prosper us; therefore we His servants will arise and build [the wall of separation between church and state]...**" [Neh. 3:17-18, Bible, NKJV]

The "wall" of separation between "church", which was the Jews, and "state", which was the surrounding unbelievers and governments, they were talking about above was not only a physical wall, but also a legal one as well! The Jews wanted to be "separate", and therefore "sovereign" over themselves, their families, and their government and not be subject to the surrounding heathens and nonbelievers around them. They selected Heaven as their "domicile" and God's laws as the basis for their self-government, which was a theocracy, and therefore became "strangers" on the earth who were hated by their neighbors. The Lord, in wanting us to be sanctified and "separate" as His "bride", is really insisting that we also be a "foreign

1 person” or “stranger” with respect to our unbelieving neighbors and the people within the heathen state that has territorial  
2 jurisdiction where we physically live:

3 *"Come out from among them [the unbelievers and [government idolaters](#)]*  
4 *And be separate [“sovereign” and “foreign”], says the Lord.*  
5 *Do not touch what is unclean [corrupted],*  
6 *And I will receive you.*  
7 *I will be a Father to you,*  
8 *And you shall be my sons and daughters,*  
9 *Says the Lord Almighty."*  
10 *[[2 Corinthians 6:17-18](#), Bible, NKJV]*

11 When we follow the above admonition of our Lord to become “sanctified” and therefore “separate”, then we will inevitably  
12 be persecuted, just as Jesus warned, when He said:

13 *"If the world hates you, you know that it hated Me before it hated you. If you were of the world, the world would*  
14 *love its own. Yet because you are not of the world, but I chose you out of the world, therefore the world hates*  
15 *you. Remember the word that I said to you, 'A servant is not greater than his master.' If they persecuted Me,*  
16 *they will also persecute you. If they kept My word, they will keep yours also. But all these things they will do*  
17 *to you for My name's sake, because they do not know Him who sent Me. If I had not come and spoken to*  
18 *them, they would have no sin, but now they have no excuse for their sin. He who hates me hated My father*  
19 *also. If I had not done among them the works which no one else did, they would have no sin; but now they*  
20 *have seen and also hated both Me and My Father. But this happened that the word might be fulfilled which is*  
21 *written in their law, 'They hated Me without a cause.'"  
22 *[[John 15:18-25](#), Bible]**

23 The persecution will come precisely and mainly because we are sovereign and therefore refuse to be governed by any  
24 authority except God and His sovereign Law. Now do you understand why Christians, more than perhaps any other faith,  
25 have been persecuted and tortured by governments throughout history? The main reason for their relentless persecution is  
26 that they are a threat to government power because they demand autonomy and self-government and do not yield their  
27 sovereignty to any hostile (“foreign”) power or law other than God and His Holy law. This is the reason, for instance, why  
28 the Roman Emperor Nero burned Christians and their houses when he set fire to Rome and why he made them part of the  
29 barbaric gladiator spectacle: He positively hated anyone whose personal sovereignty would make his authority and power  
30 basically irrelevant and moot and subservient to a sovereign God. He didn't like being answerable to anyone, and especially  
31 not to an omnipotent and omnipresent God. He viewed God as a competitor for the affections and the worship of the  
32 people. This is the very reason why we have "separation of church and state" today as part of our legal system: to prevent  
33 this kind of tyranny from repeating itself. This same gladiator spectacle is also with us today in a slightly different form. It's  
34 called an "income tax trial" in the federal church called "district court". Below are just a few examples of the persecution  
35 suffered by Jews and Christians throughout history, drawn from the Bible and other sources, mainly because they attempted  
36 to fulfill God's holy calling to be sanctified, separate, sovereign, a “foreign person”, and a “stranger” with respect to the laws,  
37 taxes, and citizenship of surrounding heathen people and governments:

- 38 1. The last several years of the Apostle John's life were spent in exile on the Greek island of Patmos, where he was sent by  
39 the Roman government because he was a threat to the power and influence of Roman civil authorities. During his stay  
40 there, he wrote the book of Revelation, which was a cryptic, but direct assault upon government authority.
- 41 2. Every time Israel was judged in the [Book of Judges](#), they came under “tribute” (taxation and therefore slavery) to a  
42 tyrannical king.
- 43 3. Abraham's great struggles for liberty were against overreaching governments, [Genesis 14, 20](#).
- 44 4. Isaac struggled against overreaching governments [Gen 26](#).
- 45 5. Egyptian Pharaohs enslaved God's people, [Ex. 1](#).
- 46 6. Joshua's battle was against 31 kings in Canaan.
- 47 7. Israel struggled against the occupation of foreign governments in the [Book of Judges](#)
- 48 8. David struggled against foreign occupation, [2 Samuel 8, 10](#)
- 49 9. Zechariah lost his life in [2 Chronicles](#) for speaking against a king.
- 50 10. Isaiah was executed by Manasseh.
- 51 11. Daniel was oppressed by Officials who accused him of breaking a Persian statutory law.
- 52 12. Jesus was executed by a foreign power [Jn. 18ff](#).
- 53 13. Jesus was a victim of Israel's kangaroo court, the Sanhedrin.
- 54 14. The last 1/4 of the [Book of Acts](#) is about Paul's defense against fraudulent accusations.
- 55 15. The last 6 years of Paul's life was spent in and out prison defending himself against false accusations.

1 Taxation is the primary means of destroying the sovereignty of a person, family, church, city, state, or nation. Below is the  
2 reason why, from a popular bible dictionary:

3 “TRIBUTE. Tribute in the sense of an impost paid by one state to another, as a mark of subjugation, is a common  
4 feature of international relationships in the biblical world. The tributary could be either a hostile state or an ally.  
5 Like deportation, its purpose was to weaken a hostile state. Deportation aimed at depleting the man-power. The  
6 aim of tribute was probably twofold: to impoverish the subjugated state and at the same time to increase the  
7 conqueror’s own revenues and to acquire commodities in short supply in his own country. As an instrument of  
8 administration it was one of the simplest ever devised: the subjugated country could be made responsible for the  
9 payment of a yearly tribute. Its non-arrival would be taken as a sign of rebellion, and an expedition would then  
10 be sent to deal with the recalcitrant. This was probably the reason for the attack recorded in Gn. 14.  
11 [New Bible Dictionary. Third Edition. Wood, D. R. W., Wood, D. R. W., & Marshall, I. H. 1996, c1982, c1962.  
12 InterVarsity Press: Downers Grove]

13 If you want to stay “sovereign”, then you had better get used to the following:

- 14 1. Supporting yourself and governing your own families and churches, to the exclusion of any external sovereignty. This  
15 will ensure that you never have to surrender any aspect of your sovereignty to procure needed help.
- 16 2. Learning and obeying God’s laws.
- 17 3. Being an “foreigner”, “stranger”, or civil statutory “non-resident non-person” in your own land.
- 18 4. Being persecuted by the people and governments around you because you insist on being “foreign” and “different” from  
19 the rest of the “sheep” around you.

20 If you aren’t prepared to do the above and thereby literally “earn” the right to be free and “sovereign”, just as our founding  
21 fathers did, then you are literally wasting your time to read further in this book. Doing so will make you into nothing more  
22 than an informed coward. Earning liberty and sovereignty in this way is the essence of why America is called:

23 *“The land of the free and the home of the brave.”*

24 It takes courage to be brave enough to be different from all of your neighbors and all the other countries in the world, and to  
25 take complete and exclusive responsibility for yourself and your loved ones. Below is what happened to the founding fathers  
26 because they took this brave path in the founding of this country. Most did so based on the Christian principles mentioned  
27 above. At the point when they committed to the cause, they renounced their British citizenship and because “aliens” with  
28 respect to the British Government, just like you will have to do by becoming a “national” but not a “citizen” under federal  
29 law:

30 And, for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we  
31 mutually pledge to each other our lives, our fortunes, and our Sacred honor

32 *Have you ever wondered what happened to the fifty-six men who signed the Declaration of Independence? This*  
33 *is the price they paid:*

34 *Five signers were captured by the British as traitors, and tortured before they died. Twelve had their homes*  
35 *ransacked and burned. Two lost their sons in the revolutionary army, another had two sons captured. Nine of the*  
36 *fifty-six fought and died from wounds or hardships resulting from the Revolutionary War.*

37 *These men signed, and they pledged their lives, their fortunes, and their sacred honor!*

38 *What kind of men were they? Twenty five were lawyers or jurists. Eleven were merchants. Nine were farmers or*  
39 *large plantation owners. One was a teacher, one a musician, one a printer. Two were manufacturers, one was a*  
40 *minister. These were men of means and education, yet they signed the Declaration of Independence, knowing full*  
41 *well that the penalty could be death if they were captured.*

42 *Almost one third were under forty years old, eighteen were in their thirties, and three were in their twenties. Only*  
43 *seven were over sixty. The youngest, Edward Rutledge of South Carolina, was twenty-six and a half, and the*  
44 *oldest, Benjamin Franklin, was seventy. Three of the signers lived to be over ninety. Charles Carroll died at the*  
45 *age of ninety-five. Ten died in their eighties.*

46 *The first signer to die was John Morton of Pennsylvania. At first his sympathies were with the British, but he*  
47 *changed his mind and voted for independence. By doing so, his friends, relatives, and neighbors turned against*  
48 *him. The ostracism hastened his death, and he lived only eight months after the signing. His last words were, "tell*  
49 *them that they will live to see the hour when they shall acknowledge it to have been the most glorious service that*  
50 *I ever rendered to my country."*



1 Carter Braxton of Virginia, a wealthy planter and trader, saw his ships swept from the seas by the British navy.  
2 He sold his home and properties to pay his debts, and died in rags.

3 Thomas McKeam was so hounded by the British that he was forced to move his family almost constantly. He  
4 served in the Congress without pay, and his family was kept in hiding. His possessions were taken from him, and  
5 poverty was his reward.

6 The signers were religious men, all being Protestant except Charles Carroll, who was a Roman Catholic. Over  
7 half expressed their religious faith as being Episcopalian. Others were Congregational, Presbyterian, Quaker,  
8 and Baptist.

9 Vandals or soldiers or both, looted the properties of Ellery, Clymer, Hall, Walton, Gwinnett, Heyward, Rutledge,  
10 and Middleton.

11 Perhaps one of the most inspiring examples of "undaunted resolution" was at the Battle of Yorktown. Thomas  
12 Nelson, Jr. was returning from Philadelphia to become Governor of Virginia and joined General Washington just  
13 outside of Yorktown. He then noted that British General Cornwallis had taken over the Nelson home for his  
14 headquarters, but that the patriots were directing their artillery fire all over the town except for the vicinity of his  
15 own beautiful home. Nelson asked why they were not firing in that direction, and the soldiers replied, "Out of  
16 respect to you, Sir." Nelson quietly urged General Washington to open fire, and stepping forward to the nearest  
17 cannon, aimed at his own house and fired. The other guns joined in, and the Nelson home was destroyed. Nelson  
18 died bankrupt, at age 51.

19 Caesar Rodney was another signer who paid with his life. He was suffering from facial cancer, but left his sickbed  
20 at midnight and rode all night by horseback through a severe storm and arrived just in time to cast the deciding  
21 vote for his delegation in favor of independence. His doctor told him the only treatment that could help him was  
22 in Europe. He refused to go at this time of his country's crisis and it cost him his life.

23 Francis Lewis's Long Island home was looted and gutted, his home and properties destroyed. His wife was thrown  
24 into a damp dark prison cell for two months without a bed. Health ruined, Mrs. Lewis soon died from the effects  
25 of the confinement. The Lewis's son would later die in British captivity, also.

26 "Honest John" Hart was driven from his wife's bedside as she lay dying, when British and Hessian troops invaded  
27 New Jersey just months after he signed the Declaration. Their thirteen children fled for their lives. His fields and  
28 his grist mill were laid to waste. All winter, and for more than a year, Hart lived in forests and caves, finally  
29 returning home to find his wife dead, his children vanished and his farm destroyed. Rebuilding proved too be too  
30 great a task. A few weeks later, by the spring of 1779, John Hart was dead from exhaustion and a broken heart.

31 Norris and Livingston suffered similar fates.

32 Richard Stockton, a New Jersey State Supreme Court Justice, had rushed back to his estate near Princeton after  
33 signing the Declaration of Independence to find that his wife and children were living like refugees with friends.  
34 They had been betrayed by a Tory sympathizer who also revealed Stockton's own whereabouts. British troops  
35 pulled him from his bed one night, beat him and threw him in jail where he almost starved to death. When he was  
36 finally released, he went home to find his estate had been looted, his possessions burned, and his horses stolen.  
37 Judge Stockton had been so badly treated in prison that his health was ruined and he died before the war's end,  
38 a broken man. His surviving family had to live the remainder of their lives off charity.

39 William Ellery of Rhode Island, who marveled that he had seen only "undaunted resolution" in the faces of his  
40 co-signers, also had his home burned.

41 When we are following the Lord's calling to be sovereign, separate, "foreign", and "alien" with respect to a corrupted state  
42 and our heathen neighbors, below is how we can describe ourselves from a legal perspective:

- 43 1. We are fiduciaries of God, who is a "[nontaxpayer](#)", and therefore we are "nontaxpayers". Our legal status takes on the  
44 character of the sovereign who we represent. Therefore, we become "[foreign diplomats](#)".

45 "[For God is the King of all the earth](#): Sing praises with understanding."  
46 [[Psalm 47:7](#), Bible, NKJV]

47  
48 "[For the LORD is our Judge, the LORD is our Lawgiver, the LORD is our King; He will save \[and protect\] us.](#)"  
49 [[Isaiah 33:22](#), Bible, NKJV]

- 50 2. The laws which apply to all civil litigation relating to us are from the domicile of the Heavenly sovereign we represent,  
51 which are the Holy Bible pursuant to:

2.1. God's Laws found in the following memorandum of law:

[Laws of the Bible, Form #13.001  
http://sedm.org/Forms/FormIndex.htm](http://sedm.org/Forms/FormIndex.htm)

2.2. [Federal Rule of Civil Procedure 17\(b\)](#)

2.3. [Federal Rule of Civil Procedure 44.1](#)

3. Our "[domicile](#)" is the Kingdom of God on Earth, and not within the jurisdiction of any man-made government. We can have a domicile on earth and yet not be in the jurisdiction of any government because the Bible says that God, and not man, owns the WHOLE earth and all of Creation. We are therefore "transient foreigners" and "stateless persons" in respect to every man-made government on earth. [Click here](#) for details.

*"Transient foreigner. One who visits the country, without the intention of remaining."  
[Black's Law Dictionary, Sixth Edition, p. 1498]*

4. We are "[non-resident non-persons](#)" under federal statutory civil law.

5. We are CONSTITUTIONAL but not STATUTORY "citizens" and "[nationals](#)" but not "[citizens](#)" under federal statutory civil law. The reason this must be so is that a statutory "[citizens of the United States](#)" (who are born anywhere in America and domiciled within exclusive federal jurisdiction under [8 U.S.C. §1401](#)) may not be classified as an instrumentality of a foreign state under [28 U.S.C. §1332\(c\)](#) and (d) and [28 U.S.C. §1603\(b\)](#). See our article entitled "[Why You are a 'national', 'state national', and Constitutional but not Statutory Citizen](#)" for further details and evidence.

6. We are not and cannot be "[residents](#)" of any earthly jurisdiction without having a conflict of interest and violating the first four Commandments of the [Ten Commandments](#) found in [Exodus 20](#). Heaven is our exclusive legal "[domicile](#)", and our "permanent place of abode", and the source of **ALL** of our permanent protection and security. We cannot and should not rely upon man's vain earthly laws as an idolatrous substitute for Gods sovereign laws found in the Bible. Instead, only God's laws and the Common law, which is derived from God's law, are suitable protection for our God-given rights.

*"For I was ashamed to request of the king an escort of soldiers and horsemen to help us against the enemy on the road, because we had spoken to the king, saying 'The hand of our God is upon all those for good who seek Him, but His power and His wrath are against all those who forsake Him.' So we fasted and entreated our God for this, and He answered our prayer."  
[Ezra 8:21-22, Bible, NKJV]*

7. We are Princes (sons and daughters) of the only true King and Sovereign of this world, who is God.

*"You [Jesus] are worthy to take the scroll,  
And to open its seals;  
For You were slain,  
And have redeemed us to God by Your blood  
Out of every tribe and tongue and people and nation,  
And have made us kings and priests to our God;  
And we shall reign on the earth."  
[Rev. 5:9-10, Bible, NKJV]*

*And when he had come into the house, Jesus anticipated him, saying, "What do you think, Simon? From whom do the kings [governments] of the earth [lawfully] take customs or taxes, from their sons [citizens and subjects] or from strangers [statutory "aliens", which are synonymous with "residents" in the tax code, and exclude "citizens"]?"*

*Peter said to Him, "From strangers [statutory "aliens"]/"residents" ONLY. See 26 C.F.R. §1.1-1(a)(2)(ii) and 26 C.F.R. §1.1441-1(c)(3)."*

*Jesus said to him, "Then the sons [of the King, Constitutional but not statutory "citizens" of the Republic, who are all sovereign "nationals" and "nonresidents"] are free [sovereign over their own person and labor. e.g. SOVEREIGN IMMUNITY]."  
[Matt. 17:24-27, Bible, NKJV]*

8. We are "Foreign Ambassadors" and "Ministers of a [Foreign State](#)" called Heaven. The U.S. Supreme Court said in *U.S. v. Wong Kim Ark* below that "ministers of a foreign state" may not be statutory "citizens of the United States" under the [Fourteenth Amendment](#) to the United States Constitution. Furthermore, the Fourteenth Amendment was intended exclusively for freed slaves and not sovereign Americans such as us.

1 *"For our citizenship is in heaven [and not earth], from which we also eagerly wait for the Savior, the Lord Jesus*  
 2 *Christ"*  
 3 *[Philippians 3:20, Bible, NKJV]*  
 4

5 *"And Mr. Justice Miller, delivering the opinion of the court [legislating from the bench, in this case], in analyzing*  
 6 *the first clause [of the Fourteenth Amendment], observed that "the phrase 'subject to the jurisdiction thereof'*  
 7 *was intended to exclude from its operation children of ministers, consuls, and citizens or subjects of foreign*  
 8 *states, born within the United States."*  
 9 *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ]*

- 10 9. Our dwelling, which is a "temporary and not permanent place of abode", is a "Foreign Embassy". Notice we didn't say  
 11 "residence", because only "residents" (aliens) can have a "residence" under 26 C.F.R. §1.871-2(b).  
 12 10. We are protected from federal government persecution by [18 U.S.C. §112](#) and the [Foreign Sovereign Immunities Act of](#)  
 13 [1976](#).  
 14 11. We are a "stateless person" within the meaning of [28 U.S.C. §1332\(a\)](#) immune from the jurisdiction of the [federal courts,](#)  
 15 [which are all Article IV, legislative, territorial courts](#). We are "stateless" because we do not maintain a domicile within  
 16 the "state" defined in [28 U.S.C. §1332\(d\)](#), which is a federal territory and excludes states of the Union.  
 17 12. We are not allowed under God's law to conduct "[commerce](#)" or "intercourse" with "the Beast" by sending to it our money  
 18 or receiving benefits we did not earn. Black's law dictionary defines "[commerce](#)" as "intercourse". The Bible defines  
 19 "the Beast" as the "kings of the earth"/political rulers in Rev. 19:19:

20 *"Commerce. ...Intercourse by way of trade and traffic between different peoples or states and the citizens or*  
 21 *inhabitants thereof, including not only the purchase, sale, and exchange of commodities, but also the*  
 22 *instrumentalities [governments] and agencies by which it is promoted and the means and appliances by which it*  
 23 *is carried on..."*  
 24 *[Black's Law Dictionary, Sixth Edition, p. 269]*  
 25

26 *"Come, I will show you the judgment of the great harlot [the atheist totalitarian democracy] who sits on many*  
 27 *waters [which are described as seas and multitudes of people in Rev. 17:15], with whom the kings of the earth*  
 28 *[political rulers of today] committed fornication [intercourse], and the inhabitants of the earth were made*  
 29 *drunk with the wine of her fornication [intercourse, usurious and harmful commerce]."*

30 *So he carried me away in the Spirit into the wilderness. And I saw a woman sitting on a scarlet beast which was*  
 31 *full of names of blasphemy, having seven heads and ten horns. The woman was arrayed in purple and scarlet,*  
 32 *and adorned with gold and precious stones and pearls, having in her hand a golden cup full of abominations and*  
 33 *the filthiness of her fornication [intercourse]. And on her forehead a name was written: MYSTERY, BABYLON*  
 34 *THE GREAT, THE MOTHER OF HARLOTS AND OF THE ABOMINATIONS OF THE EARTH.*

35 *I saw the woman, drunk with the blood of the saints and with the blood of the martyrs of Jesus. And when I saw*  
 36 *her, I marveled with great amazement."*  
 37 *[Rev. 17:1-6, Bible, NKJV]*  
 38

39 *"And I saw the beast, the kings [heathen political rulers and the unbelieving democratic majorities who control*  
 40 *them] of the earth [controlled by Satan], and their armies, gathered together to make war against Him [God]*  
 41 *who sat on the horse and against His army."*  
 42 *[Revelation 19:19, Bible, NKJV]*  
 43

44 The Bible calls this kind of commerce "fornication" and "adultery" and describes the fornicator called "Babylon the Great  
 45 Harlot" basically as a democracy instead of a Republic in [Revelation, Chapters 17 to 19](#). This is consistent with the  
 46 Foreign Sovereign Immunities Act found in [28 U.S.C. §1605\(a\)\(2\)](#), which says that those who conduct "commerce" with  
 47 the "United States" federal corporation within its legislative jurisdiction thereby surrender their sovereignty.  
 48 Participation in our corrupted tax system also fits the classification of "commerce" within the meaning of this  
 49 requirement. See the link below for details:

50  
 51 [http://travel.state.gov/law/info/judicial/judicial\\_693.html](http://travel.state.gov/law/info/judicial/judicial_693.html)

52 If you would like to know how to legally become "foreign" to the government in tax matters, see:

*Non-Resident Non-Person Position, Form #05.020*  
<http://sedm.org/Forms/05-MemLaw/NonresidentNonPersonPosition.pdf>

#### 4.4.8 The purpose of income taxes: government protection of the assets of the wealthy

Since those Americans who have accumulated great wealth benefit more from government than those who have little, it is logical to assume that the wealthy should pay more for government than the poor as the former enjoy a greater benefit. It is the “no free lunch” principle:

*“Mr. COX. It is not my intention to belittle wealth, but, on the other hand, I believe it should be the duty of all to uphold it where it is honestly procured. The idea that men like Carnegie, now the holder of more than \$300,000,000 worth of the bonds of the United States steel trust, escape federal taxation is indeed absurd...and then, to realize that all of these enormous fortunes are escaping their just and proportionate share of taxation while the people themselves are staggering under our present system of indirect taxation, it is no wonder to me they cry for relief. If it be the determination of the so-called ‘business interests’ in this country to maintain an enormous navy at a cost of hundreds of millions of dollars annually, as well as an army, to protect and defend their various business interests, I insist that this part of the wealth of the country ought to stand its proportionate share of taxation, and I know of no way to compel them to do it as justly and equitably as an income tax. [Loud applause]”*  
[44 Cong.Rec. 4424 (1909)]

If you give it some thought, you’ll realize that it would be impossible to accumulate a lot of wealth if it were not for the institution of civil government. What if we lived in anarchy? How much would your stocks and bonds be worth? How much would your vacation home be worth that was hundreds of miles away from where you live? These things would be worth nothing. And what about your overseas investments in oil wells in Africa? If there were no United States navy, air force, or army to protect them, these investments would be worthless too.

So those corporations or businesses that have accumulated a level of wealth beyond what they can personally protect have received an extra benefit from civil government. In this case, the amount of benefit can be measured by the amount of property that has been accumulated. A tax on the income of this property could fairly accurately coincide with the degree of the benefit received. This was the original purpose of the income tax: to tax income from property of corporations and businesses so that the property paid for the support of the government is in proportion to the benefit of property received from the existence of civil government. Sounds reasonable to us:

*“Taxation is the equivalent for the protection which the government affords to the persons and property of its citizens; and as all are alike protected, so all alike should bear the burden, in proportion to the interests secured. [Cooley’s Constitutional Limitations, 6<sup>th</sup> ed., 598, 607, 608, 615.]” [Rehearing, Brief for Appellants at 79, Pollock v. Farmers’ Loan & Trust Co., 158 U.S. 601 (1895)]*

There is also an element of charity inherent in an income tax system that seeks to make property pay for the support of government. The charity involves property that is not productive and not producing income. This would be the family farm that was inherited by beneficiaries who were unable to work it for whatever reason. The farm would pay no income tax as it earned no income, thus allowing the new owners to keep the farm and not lose it to the tax man as they might under a direct tax.

Because the Constitution has always authorized an indirect, unapportioned income tax on corporations involved in foreign and interstate trade under Article 1, Section 8, Clause 3, the means has always been available for the federal government to institute income taxes, with or without the Sixteenth Amendment. If you read the Congressional debates on the Sixteenth Amendment in 1909, you will find that the Sixteenth Amendment was originally introduced by Congress to make the “rich” pay their fair share of the cost of supporting the government. In most cases, the “rich” referred to were the large corporations and trusts that had formed as a result of the gigantic industrial monopolies in the oil, steel, and railroad businesses. The Democrats appealed to people’s jealousies by proposing to institute an income tax on the very rich owners of these trusts and corporations through a direct, unapportioned tax on property while the Republicans proposed higher indirect excise taxes in the Corporate Tax Act of 1909 to appease the Democrats. That Corporate Tax Act of 1909 wasn’t enough to appease the Democrats and the American people so the Sixteenth Amendment was proposed as a solution. Several versions of the Sixteenth Amendment were proposed during the Congressional debates in 1909, including a direct, unapportioned income tax. However, the version that included direct, unapportioned taxes was soundly defeated and the version we have today which survived, according to several rulings of the U.S. Supreme Court, continues to be an indirect excise tax on federal corporations only. The Sixteenth Amendment, as a matter of fact, conferred no new powers of taxation, according to the Supreme Court in *Stanton v. Baltic Mining*, 240 U.S. 103 (1916) . See the following for additional details on the nature of the income tax as an indirect excise tax:

<http://famguardian.org/TaxFreedom/CitesByTopic/income.htm>

#### 4.4.9 Why all man-made law is religious in nature

A fascinating book on the subject of Biblical Law entitled *The Institutes of Biblical Law* by Rousas John Rushdoony irrefutably establishes that all law is religious, and that it represents a covenant between man and God which is characterized as divine revelation. When we consider that government is founded exclusively on law, government itself then becomes a religion to implement or execute or enforce divine revelation. When government abuses the authority delegated by God through God's law, then it also becomes a false religious cult. This exposition will set the stage for section 4.4.13 later, which establishes that our present day government is nothing but a cult surrounding the false religion it created with its own unjust law because this law has become a vain substitute and an affront to God's Law found in the Bible. Here are some very insightful quotes from pp. 4-5 of that wonderful book:

Law is in every culture religious in origin. Because law governs man and society, because it establishes and declares the meaning of justice and righteousness, law is inescapably religious, in that it establishes in practical fashion the ultimate concerns of a culture. Accordingly, a fundamental and necessary premise in any and every study of law must be, first, a recognition of this religious nature of law.

Second, it must be recognized that in any culture the source of law is the god of that society. If law has its source in man's reason, then reason is the god of that society. If the source is an oligarchy, or in a court, senate, or ruler, then that source is the god of that system. Thus, in Greek culture law was essentially a religiously humanistic concept,

*In contrast to every law derived from revelation, nomos for the Greeks originated in the mind (nous). So the genuine nomos is no mere obligatory law, but something in which an entity valid in itself is discovered and appropriated...It is "the order which exists (from time immemorial), is valid and is put into operation."<sup>99</sup>*

*Because for the Greeks mind was one being with the ultimate order of things, man's mind was thus able to discover ultimate law (nomos) out of its own resources, by penetrating through the maze of accident and matter to the fundamental ideas of being. As a result, Greek culture became both humanistic, because man's mind was one with ultimacy, and also neoplatonic, ascetic, and hostile to the world of matter, because mind, to be truly itself, had to separate itself from non-mind.*

Modern humanism, the religion of the state, locates law in the state and thus makes the state, or the people as they find expression in the state, the god of the system. As Mao Tse-Tung has said, "Our God is none other than the masses of the Chinese people."<sup>100</sup> In Western culture, law has steadily moved away from God to the people (or the state) as its source, although the historic power and vitality of the West has been in Biblical faith and law.

Third, in any society, any change of law is an explicit or implicit change of religion. Nothing more clearly reveals, in fact, the religious change in a society than a legal revolution. When the legal foundations shift from Biblical law to humanism, it means that the society now draws its vitality and power from humanism, not from Christian theism.

Fourth, no disestablishment of religion as such is possible in any society. A church can be disestablished, and a particular religion can be supplanted by another, but the change is simply to another religion. Since the foundations of law are inescapably religious, no society exists without a religious foundation or without a law-system which codifies the morality of its religion.

Fifth, there can be no tolerance in a law-system for another religion. Toleration is a device used to introduce a new law-system as a prelude to a new intolerance. Legal positivism, a humanistic faith, has been savage in its hostility to the Biblical law-system and has claimed to be an "open" system. But Cohen, by no means a Christian, has aptly described the logical positivists as "nihilists" and their faith as "nihilistic absolutism."<sup>101</sup> Every law-system must maintain its existence by hostility to every other law-system and to alien religious foundations or else it commits suicide.

*In analyzing now the nature of Biblical law, it is important to note first that, for the Bible, law is revelation. The Hebrew word for law is torah which means instruction, authoritative direction.<sup>102</sup> The Biblical concept of law is broader than the legal codes of the Mosaic formulation. It applies to the divine word and instruction in its totality:*

<sup>99</sup> Hermann Kleinknecht and W. Gutbrod, *Law* (London: Adam and Charles Black, 1962), p. 21

<sup>100</sup> Mao Tse-Tung, *The foolish Old Man Who Removed Mountains* (Peking: Foreign Languages Press, 1966), p. 3.

<sup>101</sup> Morris Raphael Cohen, *Reason and Law* (New York: Collier Books, 1961), p. 84 f.

<sup>102</sup> Ernest F. Kevan, *The Moral Law* (Jenkintown, Penna.: Sovereign Grace Publishers, 1963) p. 5 f. S.R. Driver, "Law (In Old Testament)," in James Hastings, ed., *A Dictionary of the Bible*, vol. III (New York: Charles Scribner's Sons, 1919), p. 64.

1 ...the earlier prophets also use torah for the divine word proclaimed through them (Is. viii.  
2 16, cf. also v. 20; Isa. xxx. 9 f.; perhaps also Isa. i. 10). Besides this, certain passages in  
3 the earlier prophets use the word torah also for the commandment of Yahweh which was  
4 written down: thus Hos. viii. 12. Moreover there are clearly examples not only of ritual  
5 matters, but also of ethics.

6 Hence it follows that at any rate in this period torah had the meaning of a divine instruction,  
7 whether it had been written down long ago as a law and was preserved and pronounced  
8 by a priest, or whether the priest was delivering it at that time (Lam. ii. 9; Ezek. vii. 26;  
9 Mal. ii. 4 ff.), or the prophet is commissioned by God to pronounce it for a definite situation  
10 (so perhaps Isa. xxx. 9).

11 Thus what is objectively essential in torah is not the form but the divine authority.<sup>103</sup>

12 The law is the revelation of God and His righteousness. There is no ground in Scripture for despising the law.  
13 Neither can the law be relegated to the Old Testament and grace to the New:

14 The time-honored distinction between the OT as a book of law and the NT as a book of  
15 divine grace is without grounds or justification. Divine grace and mercy are the  
16 presupposition of law in the OT; and the grace and love of God displayed in the NT events  
17 issue in the legal obligations of the New Covenant. Furthermore, the OT contains evidence  
18 of a long history of legal developments which must be assessed before the place of law is  
19 adequately understood. Paul's polemics against the law in Galatians and Romans are  
20 directed against an understanding of law which is by no means characteristic of the OT as  
21 a whole.<sup>104</sup>

22 There is no contradiction between law and grace. The question in James's Epistle is faith and works, not faith and  
23 law.<sup>105</sup> Judaism had made law the mediator between God and man, and between God and the world. It was this  
24 view of law, not the law itself, which Jesus attacked. As Himself the Mediator, Jesus rejected the law as mediator  
25 in order to re-establish the law in its God-appointed role as law, the way of holiness. He established the law by  
26 dispensing forgiveness as the law-giver in full support of the law as the convicting word which makes men  
27 sinners.<sup>106</sup> The law was rejected only as mediator and as the source of justification.<sup>107</sup> Jesus fully recognized the  
28 law, and obeyed the law. It was only the absurd interpretations of the law He rejected. Moreover,

29 We are not entitled to gather from the teaching of Jesus in the Gospels that He made any  
30 formal distinction between the Law of Moses and the Law of God. His mission being not  
31 to destroy but to fulfil the Law and the Prophets (Mt. 5:17), so far from saying anything in  
32 disparagement of the Law of Moses or from encouraging His disciples to assume an  
33 attitude of independence with regard to it, He expressly recognized the authority of the  
34 Law of Moses as such, and of the Pharisees as its official interpreters. (Mt. 23:1-3).<sup>108</sup>

35 With the completion of Christ's work, the role of the Pharisees as interpreters ended, but not the authority of the  
36 Law. In the New Testament era, only apostolically received revelation was ground for any alteration in the law.  
37 The authority of the law remained unchanged.

38 St. Peter, e.g. required a special revelation before he would enter the house of the  
39 uncircumcised Cornelius and admit the first Gentile convert into the Church by baptism  
40 (acts 10:1-48) --a step which did not fail to arouse opposition on the part of those who  
41 "were of the circumcision" (cf. 11:1-18).<sup>109</sup>

42 The second characteristic of Biblical law is that it is a treaty or covenant. Kline has shown that the form of the  
43 giving of the law, the language of the text, the historical prologue, the requirement of imprecations and  
44 benedictions, and much more, all point to the fact that the law is a treaty established by God with His people.  
45 Indeed, "the revelation committed to the two tables was rather a suzerainty treaty or covenant than a legal

<sup>103</sup> Kleinknecht an Gutbrod, *Law*, p. 44

<sup>104</sup> W.J. Harrelson, "Law in the OT," in *The Interpreter's Dictionary of the Bible*, (New York: Abingdon Press, 1962), III, 77.

<sup>105</sup> Kleinknecht an Gutbrod, *Law*, p. 125.

<sup>106</sup> *Ibid*, pp. 74, 81-91.

<sup>107</sup> *Ibid.*, p. 95.

<sup>108</sup> Hugh H. Currie, "Law of God," in James Hastings, ed., *A Dictionary of Christ and the Gospels* (New York: Charles Scribner's Sons, 1919), I, 685.

<sup>109</sup> Olaf Moe, "Law," in James Hastings, ed., *Dictionary of the Apostolic Church* (New York: Charles Scribner's Sons, 1919), I, 685.

code.<sup>110</sup> The full covenant summary, the Ten Commandments, was inscribed on each of the two tables of stone, one table or copy of the treaty for each party in the treaty, God and Israel.<sup>111</sup>

The two stone tables are not, therefore, to be likened to a stele containing one of the half-dozen or so known legal codes earlier than or roughly contemporary with Moses as though God had engraved on these tables a corpus of law. The revelation they contain is nothing less than an epitome of the covenant granted by Yahweh, the sovereign Lord of heaven and earth, to his elect and redeemed servant, Israel.

Not law, but covenant. That must be affirmed when we are seeking a category comprehensive enough to do justice to this revelation in its totality. At the same time, the prominence of the stipulations, reflect in the fact that "the ten words" are the element used as pars pro toto, signifies the centrality of law in this type of covenant. There is probably no clearer direction afforded the biblical theologian for defining with biblical emphasis the type of covenant God adopted to formalize his relationship to his people than that given in the covenant he gave Israel to perform, even "the ten commandments." Such a covenant is a declaration of God's lordship, consecrating a people to himself in a sovereignly dictated order of life.<sup>112</sup>

This latter phrase needs re-emphasis: the covenant is "a sovereignly dictated order of life." God as the sovereign Lord and Creator gives His law to man as an act of sovereign grace. It is an act of election, of electing grace (Deut. 7:7 f.; 8:17; 9:4-6, etc.).

The God to whom the earth belongs will have Israel for His own property, Ex. xix. 5. It is only on the ground of the gracious election and guidance of God that the divine commands to the people are given, and therefore the Decalogue, Ex. xx. 2, places at its forefront the fact of election.<sup>113</sup>

In the law, the total life of man is ordered: "there is no primary distinction between the inner and the outer life; the holy calling of the people must be realized in both."<sup>114</sup>

The third characteristic of the Biblical law or covenant is that it constitutes a plan for dominion under God. God called Adam to exercise dominion in terms of God's revelation, God's law (Gen. 1:26 ff.; 2:15-17). This same calling, after the fall, was required of the godly line, and in Noah it was formally renewed (Gen. 9:1-17). It was again renewed with Abraham, with Jacob, with Israel in the person of Moses, with Joshua, David, Solomon (whose Proverbs echo the law), with Hezekiah and Josiah, and finally with Jesus Christ. The sacrament of the Lord's Supper is the renewal of the covenant: "this is my blood of the new testament" (or covenant), so that the sacrament itself re-establishes the law, this time with a new elect group (Matt. 26:28; Mark 14:24; Luke 22:20; 1 Cor. 11:25). The people of the law are now the people of Christ, the believers redeemed by His atoning blood and called by His sovereign election. Kline, in analyzing Hebrews 9:16, 17, in relation to the covenant administration, observes:

...the picture suggested would be that of Christ's children (cf. 2:13) inheriting his universal dominion as their eternal portion (note 9:15b; cf. also 1:14; 2:5 ff.; 6:17; 11:7 ff.). And such is the wonder of the messianic Mediator-Testator that the royal inheritance of his sons, which becomes of force only through his death, is nevertheless one of co-regency with the living Testator! For (to follow the typographical direction provided by Heb. 9:16,17 according to the present interpretation) Jesus is both dying Moses and succeeding Joshua. Not merely after a figure but in truth a royal Mediator redivivus, he secures the divine dynasty by succeeding himself in resurrection power and ascension glory.<sup>115</sup>

The purpose of God in requiring Adam to exercise dominion over the earth remains His continuing covenant word: man, created in God's image and commanded to subdue the earth and exercise dominion over it in God's name, is recalled to this task and privilege by his redemption and regeneration.

<sup>110</sup> Meredith G. Line, *Treaty of the Great King, The Covenant Structure of Deuteronomy: Studies and Commentary* (Grand Rapids: William B. Eerdmans, 1963), p. 16. See also J.A. Thompson: *The Ancient Near Eastern Treaties and the Old Testament* (London: The Tyndale Press, 1964).

<sup>111</sup> Kline, *op. cit.*, p. 19.

<sup>112</sup> *Ibid.*, p. 17.

<sup>113</sup> Gustave Friedrich Oehler, *Theology of the Old Testament* (Grand Rapids: Zondervan, 1883), p. 177.

<sup>114</sup> *Ibid.*, p. 182.

<sup>115</sup> Kline, *Treaty of the Great King*, p. 41.

The law is therefore the law for Christian man and Christian society. Nothing is more deadly or more derelict than the notion that the Christian is at liberty with respect to the kind of law he can have. Calvin whose classical humanism gained ascendancy at this point, said of the laws of states, of civil governments:

*I will briefly remark, however, by the way, what laws it (the state) may piously use before God, and be rightly governed by among men. And even this I would have preferred passing over in silence, if I did not know that it is a point on which many persons run into dangerous errors. For some deny that a state is well constituted, which neglects the polity of Moses, and is governed by the common laws of nations. The dangerous and seditious nature of this opinion I leave to the examination of others; it will be sufficient for me to have evinced it to be false and foolish.<sup>116</sup>*

*Such ideas, common in Calvinist and Lutheran circles, and in virtually all churches, are still heretical nonsense.<sup>117</sup> Calvin favored "the common law of nations." But the common law of nations in his day was Biblical law, although extensively denatured by Roman law. And this "common law of nations" was increasingly evidencing a new religion, humanism. Calvin wanted the establishment of the Christian religion; he could not have it, nor could it last long in Geneva, without Biblical law.*

*Two Reformed scholars, in writing of the state, declare, "It is to be God's servant, for our welfare. It must exercise justice, and it has the power of the sword."<sup>118</sup> Yet these men follow Calvin in rejecting Biblical law for "the common law of nations." But can the state be God's servant and by-pass God's law? And if the state "must exercise justice," how is justice defined, by the nations, or by God? There are as many ideas of justice as there are religions.*

*The question then is, what law is for the state? Shall it be positive law, after calling for "justice" in the state, declare, "A static legislation valid for all times is an impossibility." Indeed!<sup>119</sup> Then what about the commandment, Biblical legislation, if you please, "Thou shalt not kill," and "Thou shalt not steal"? **Are they not intended to valid for all time and in every civil order? By abandoning Biblical law, these Protestant theologians end up in moral and legal relativism.***

*Roman Catholic scholars offer natural law. The origins of this concept are in Roman law and religion. For the Bible, there is no law in nature, because nature is fallen and cannot be normative. Moreover the source of law is not nature but God. There is no law in nature but a law over nature, God's law.<sup>120</sup>*

***Neither positive law [man's law] nor natural law can reflect more than the sin and apostasy of man: revealed law [e.g. ONLY THE BIBLE] is the need and privilege of Christian society. It is the only means whereby man can fulfill his creation mandate of exercising dominion under God. Apart from revealed law [the BIBLE!], man cannot claim to be under God but only in rebellion against God.***

*[The Institutes of Biblical Law, Rousas John Rushdoony, 1973, The Craig Press, Library of Congress Catalog Card Number 72-79485, pp. 4-5, Emphasis added]*

To summarize the findings of this section:

1. The purpose of law is to describe and codify the morality of a culture. Since only religion can define morality, then all law is religious in origin.
2. In any culture, the source of law becomes the god of that society. If law is based on Biblical law, then the God of that society is the true God. If it becomes the judges or the rulers, who are at war with God, then these rulers become the god of that society.
3. In any society, any change of law is an explicit or implicit change of religion.
4. The disestablishment of religion in any society is an impossibility, because all civilizations are based on law and law is religious in nature.

<sup>116</sup> John Calvin, *Institutes of the Christian Religion*, bk. IV, chap. XX, para. Xiv. In the John Allen translation (Philadelphia: Presbyterian Board of Christian Education, 1936), II, 787 f.

<sup>117</sup> See H. de Jongste and J.M. van Krimpen, *The Bible and the Life of the Christian*, for similar opinions (Philadelphia: Presbyterian and Reformed Publishing Co., 1968), p. 66 ff.

<sup>118</sup> *Ibid.*, p. 73.

<sup>119</sup> *Ibid.*, p. 75.

<sup>120</sup> The very term "nature" is mythical. See R.J. Rushdoony, "The Myth of Nature," in *The Mythology of Science* (Nutley, N.J.: The Craig Press, 1967), pp. 96-98.



5. There can be no tolerance in a law system for another religion. All religious systems eventually seek to destroy their competition for the sake of self-preservation. Consequently, governments tend eventually to try to control or eliminate religions in order to preserve and expand their power.
6. The laws of our society must derive from Biblical law. Any other result leads to “humanism”, apostasy, and mutiny against God, who is our only King and our Lawgiver.
7. Humanism is the worship of the “state”, which is simply a collection of people under a democratic form of government. By “worship”, we mean obedience to the dictates and mandates of the collective majority. The United States is NOT a democracy, it is a Republic based on individual rights and sovereignty, NOT collective sovereignty.
8. The consequence of humanism is moral relativism and disobedience to God’s laws, which is sin and apostasy and leads to separation from God.

#### 4.4.10 The Unlimited Liability Universe

*“The hand of the diligent will rule,  
But the lazy [or irresponsible] man will be put to forced labor.”  
[Prov. 12:24, Bible, NKJV]*

In the previous section, we showed how the shift in our culture away from Biblical law has taken us down the path to “humanism”, which turns the “state” or government into a religion and a law system that eventually focuses itself on eradicating all other competing religions and law-systems in the society in order to ensure its own survival. Humanism is the worship of the “state” and it is the essence of socialism. Recall that a “state” is simply a collection of people within a political jurisdiction.

*“**State.** A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other communities of the globe. *United States v. Kusche, D.C.Cal., 56 F.Supp. 201 207, 208. The organization of social life which exercises sovereign power in behalf of the people. Delany v. Moralitis, C.C.A.Md., 136 F.2d. 129, 130. In its largest sense, a “state” is a body politic or a society of men. Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d. 636, 254 N.Y.S.2d. 763, 765. A body of people occupying a definite territory and politically organized under one government. State ex re. Maisano v. Mitchell, 155 Conn. 256, 231 A.2d. 539, 542. A territorial unit with a distinct general body of law. Restatement, Second, Conflicts, §3. Term may refer either to body politic of a nation (e.g. United States) or to an individual government unit of such nation (e.g. California).”*  
[Black’s Law Dictionary, Sixth Edition, p. 1407]*

We will build on that theme in this section to show how the inexorable growth of the power and influence of the state and of humanism is perpetrated in our culture. Much of the content of this section derives once again from the excellent book *Biblical Institutes of Law* by Rousas Rushdoony, 1972, pp. 664-669. The premise of this section is that the growth of humanism, socialism, and collectivism requires the government to exploit the weaknesses of the people. Thomas Jefferson warned us about this tendency of government, when he said:

*“In every government on earth is some trace of human weakness, some germ of corruption and degeneracy, which cunning will discover, and wickedness insensibly open, cultivate and improve.”  
[Thomas Jefferson: Notes on Virginia Q.XIV, 1782. ME 2:207]*

The chief weakness that covetous governments have learned to exploit in order to expand their power is to appeal to people’s sinful need to **avoid responsibility** of all kinds and to thereby evade the consequence of their sinful, lazy, apathetic, and ignorant actions. People by nature are lazy and will always take the path of least resistance. They will often pay any price to evade responsibility for themselves and their actions, including giving up all their rights. In legal terms, the government therefore expands its power by:

1. Writing laws and creating programs that insulate people from responsibility for their actions and themselves.
2. Calling those who receive the benefit of these laws “privileged”
3. Instituting a tax on the “privileged” activities.
4. Persecuting those who speak out about the above types of exploitation.

The above process begins with biblical SIN. The Bible forbids offering oneself, and by implication offering the government or anyone participating in government, as surety for the actions of others.

*Dangerous Promises*

1                   *"My son, if you become surety for your friend, If you have shaken hands in pledge for [or made a promise or*  
 2                   *guarantee to] a stranger, You are snared by the words of your mouth; You are taken by the words of your*  
 3                   *mouth. So do this, my son, and deliver yourself; For you have come into the hand of your friend: Go and humble*  
 4                   *yourself; Plead with your friend. Give no sleep to your eyes, Nor slumber to your eyelids. Deliver yourself like a*  
 5                   *gazelle from the hand of the hunter, And like a bird from the hand of the fowler."*  
 6                   *[Prov. 6:1-5, Bible, NKJV]*

7  
 8                   *"surety. One who at the request of another, and for the purpose of securing to him a benefit, becomes responsible*  
 9                   *for the performance by the latter of some act in favor of a third person, or hypothecates property as security*  
 10                   *therefore. One who undertakes to pay money or to do any other act in event that his principal fails therein. A*  
 11                   *person who is primarily liable for payment of debt or performance of obligation of another."*  
 12                   *[Black's Law Dictionary, Sixth Edition, p. 1441]*

13                   *"A man devoid of understanding shakes hands in a pledge, and becomes surety for his friend."*  
 14                   *[Proverbs 17:18, Bible, NKJV]*

15                   *"He who is surety for a stranger will suffer, but one who hates being surety is secure."*  
 16                   *[Prov. 11:15, NKJV]*

17 In effect, the government is making a profitable business or franchise out of offering surety, and we call this business "social  
 18 insurance". It is the same type of insurance that the serpent offered Eve in the Garden of Eden. Unfortunately, they are not  
 19 offering themselves, that is public servants, as the surety, but SOMEONE ELSE. Namely, YOU if you are a "taxpayer". In  
 20 effect, the government "wolf" takes over the public fool (school) system, regulates the media, and coerces apathetic and  
 21 cowardly employers everywhere into helping them manufacture "sheep" and ignorant people to volunteer to become "surety"  
 22 for all of the non-producers and government dependents in the society.

23                   *"Most assuredly, I say to you, he who does not enter the sheepfold by the door, but climbs up some other way*  
 24                   *[using the Federal Reserve, the IRS, the media, and taking over the public schools], the same is a thief and a*  
 25                   *robber."*  
 26                   *[Jesus in John 10:1, Bible, NKJV]*

27                   *"If you make yourselves sheep, the wolves will eat you."*  
 28                   *[Benjamin Franklin]*

29                   *"A democracy is a sheep and two wolves deciding on what to have for lunch. Freedom is a well armed sheep*  
 30                   *contesting the results of the decision."*  
 31                   *[Benjamin Franklin]*

32                   *"It is the duty of a good shepherd to shear his sheep, not to skin them."*  
 33                   *[Tiberius Caesar]*

34 These sheep are "preprogrammed" to be irresponsible, dependent on government, dysfunctional, ignorant, apathetic, and lazy.  
 35 They are taught to evade personal responsibility for every aspect of their behavior. In short, their sin and violation of God's  
 36 laws has made them unable to govern or support themselves, and so they have given government the moral authority to step  
 37 in as their "Parens Patriae", or government parent, to take over their lives and become an agent of plunder to support their  
 38 sinful and irresponsible lifestyle. These sheep are trained and conditioned by our government "servants", like Pavlov's dogs,  
 39 to succumb to the enticements of an evil government (called a "Beast" in the book of Revelation in the Bible) by participating  
 40 in and partaking of the benefits of socialism and in so doing, they surrender their sovereignty to the totalitarian democratic  
 41 "collective".

42                   *"A violent man entices his neighbor,*  
 43                   *And leads him in a way that is not good*  
 44                   *He winks his eye to devise perverse things;*  
 45                   *He purses [covers] his lips [by not telling the whole truth] and brings about evil."*  
 46                   *[Prov. 16:29-30, Bible, NKJV]*

47 The brainwashed sheep are unwittingly recruited to join a mob full of treacherous socialists who want to plunder the rich by  
 48 abusing their voting rights and their power sitting as a jurist. In effect, the apparatus of government is put to an evil  
 49 use by conducting a war of the have-nots against the haves. The have-nots essentially abuse their democratic power as jurists  
 50 and voters to make the haves surety for have-nots. Here is what the U.S. Supreme Court said about this war, which it called

1 a "war on capital". It also declared that war UNCONSTITUTIONAL by declaring the first income tax after the Civil War  
2 unconstitutional:

3 "The present assault upon [THEFT of] capital [by a corrupted socialist government] is but the beginning. It  
4 will be but the stepping stone to others larger and more sweeping, until our political contest will become war  
5 of the poor against the rich; a war of growing intensity and bitterness. [ . . . ]

6 *The legislation, in the discrimination it makes, is class legislation. Whenever a distinction is made in the burdens*  
7 *a law imposes or in the benefits it confers on any citizens by reason of their birth, or wealth, or religion, it is class*  
8 *legislation, and leads inevitably to oppression and abuses, and to general unrest and disturbance in society."*  
9 *[Pollock v. Farmers Loan and Trust, 157 U.S. 429 (1895)]*

10 The Bible also describes this war exactly the same way as the U.S. Supreme Court did:

11 "Where do wars and fights come from among you? Do they not come from your desires for pleasure [unearned  
12 money from the government] that war in your members [and your democratic governments]? You lust [after  
13 other people's money] and do not have. You murder [the unborn to increase your standard of living] and covet  
14 [the unearned] and cannot obtain [except by empowering your government to STEAL for you!]. You fight and  
15 war [against the rich and the nontaxpayers to subsidize your idleness]. Yet you do not have because you do not  
16 ask [the Lord, but instead ask the deceitful government]. You ask and do not receive, because you ask amiss, that  
17 you may spend it on your pleasures. Adulterers and adulteresses! Do you not know that friendship [citizenship]  
18 with the world [for the governments of the world] is enmity with God? Whoever therefore wants to be a friend  
19 [STATUTORY "citizen", "resident", "taxpayer"] of the world [for the governments of the world] makes  
20 himself an enemy of God."  
21 *[James 4:4, Bible, NKJV]*

22 *"The king establishes the land by justice, But he who receives bribes [socialist handouts, government "benefits",*  
23 *or PLUNDER stolen from nontaxpayers] overthrows it. "*  
24 *[Prov. 29:4, Bible, NKJV]*

25 If a member of the flock of sheep balks at joining the socialist mob, they are censured and punished usually financially for  
26 being politically incorrect. They are denied a job or a socialist benefit and/or credit if they refuse to take the mark of the  
27 Beast, the Socialist Security Number, or refuse to fill out a W-4 to begin withholding taxes. Those who participate in this  
28 brand of socialism all share "one purse", and make the government effectively into one big social insurance company to  
29 insulate themselves from responsibility for their own laziness, apathy, greed, and sin. The role of government in a republic  
30 then transitions from that of only protecting the people to that of punishing and plundering success while rewarding and  
31 encouraging failure. Here is how the Bible says we should view this process of corruption, and note that it says this is "evil"  
32 and that we should not participate in it:

33 *Avoid Bad Company*

34 **"My son, if sinners [socialists, in this case] entice you,**  
35 **Do not consent**  
36 **If they say, "Come with us,**  
37 **Let us lie in wait to shed blood;**  
38 **Let us lurk secretly for the innocent without cause;**  
39 **Let us swallow them alive like Sheol,**  
40 **And whole, like those who go down to the Pit:**  
41 **We shall fill our houses with spoil [plunder];**  
42 **Cast in your lot among us,**  
43 **Let us all have one purse"--**  
44 **My son, do not walk in the way with them,**  
45 **Keep your foot from their path;**  
46 **For their feet run to evil,**  
47 **And they make haste to shed blood.**  
48 **Surely, in vain the net is spread**  
49 **In the sight of any bird;**  
50 **But they lie in wait for their own blood.**  
51 **They lurk secretly for their own lives.**  
52 **So are the ways of everyone who is greedy for gain;**  
53 **It takes away the life of its owners."**  
54 *[Proverbs 1:10-19, Bible, NKJV]*

55 We even have a name for this form of corrupted government:

1                   *“Ineptocracy (in-ep-toc'-ra-cy) - a system of government where the least capable to lead are elected by the least*  
 2 *capable of producing, and where the members of society least likely to sustain themselves or succeed, are*  
 3 *rewarded with goods and services paid for by the confiscated wealth of a diminishing number of producers.*

4                   *Synonyms: Electile dysfunction. “*

5                   *[SEDM Political Dictionary]*

6 God, however, wants us to follow His sacred law, and the result of doing so makes government unnecessary, because we  
 7 become self-governing and self-supporting and do not make government into a false god or become idolaters in the process:

8                   *“He [God] brings the princes to nothing.*  
 9 *He makes the judges of the earth useless.”*  
 10 *[Isaiah 40:23, Bible, NKJV]*

11                   *“How long will you slumber, O sluggard?*  
 12 *When will you rise from your sleep?*  
 13 *A little sleep, a little slumber,*  
 14 *A little folding of the hands to sleep--*  
 15 *So shall your poverty come on you like a prowler,*  
 16 *And your need like an armed man [from the government/IRS].”*  
 17 *[Prov. 6:9-11, Bible, NKJV]*

18                   *“The hand of the diligent will rule,*  
 19 *But the lazy man will be put to forced labor [working for the government through income taxes].”*  
 20 *[Prov. 12:24, Bible, NKJV]*

21 After government has exploited our own sinfulness in this way so as to make us ripe for their political control, domination,  
 22 and oppression, a huge monolithic government bureaucracy steps in as our “sugar daddy” or “Parens Patriae” and not only  
 23 offers but demands to help us run our marriages, our financial affairs, our businesses, and forces us to pay taxes to support  
 24 the infrastructure needed to do this. In many cases, they force us to pay for services and benefits that we don’t want! What  
 25 business within a truly free economy could force you to buy or use their product other than a monopoly, and aren’t monopolies  
 26 illegal under the Sherman Antitrust Act? Tyrants in government thereby appear to the ignorant and complacent masses of  
 27 sheep as God’s avengers to “harvest” (STEAL) our property, our liberty, our labor, and everything else they covet and lust  
 28 after, and we not only willingly accept their domination, but we beg for it by demanding ever more increasing amounts of  
 29 “free” government services! The resulting evasion of responsibility and acquiescence to government usury by the sheep  
 30 manifests itself in many forms, a few of which we have summarized below:  
 31

Table 4-14: The characteristics of the irresponsible and how the government panders to them

#	Type of irresponsibility	How the government and liberal culture exploits this form of irresponsibility for their own gain	How the churches reward and encourage this type of irresponsibility
1	Do not want to take responsibility for the consequences of their sin	Passing laws that legalize sinful behaviors. Promising to pass such laws during election time in order to curry favor with voters.	Smorgasbord religion. Pick the set of beliefs that best benefits you. Focus on "grace" and "love" absent an emphasis on obeying God's laws.
2	Do not want to take responsibility for supporting themselves	Creating Social welfare programs such as Medicare, Welfare, Temporary Aid to Needy Families (TANF), food stamps.	Tithes the churches receive are supposed to be used for charity purposes but pastors jealously guard their contributions to maximize their "take". Then they try to steer the sheep toward government entitlement programs to make up for their greed and their lack of charity.
3	Do not want to take responsibility for their sexual sin	Passes laws allowing children to get condoms in schools. Teaches sex education instead of abstinence in schools. Institutes "don't ask don't tell" policies in the military. Supreme court declaring abortion legal, which is the murder of defenseless children.	Churches look the other way when parishioners get abortions and do not protest the holocaust of abortion by participating in such things as Operation Rescue.
4	Do not want to take responsibility for making their marriage work	Offer marriage licenses that put family court judges in charge of you, your income, and all your assets.	Churches also demanding that their parishioners get a marriage license before they will officiate a ceremony. That way people getting married don't become the churches problem, but instead can be handled by corrupted family courts.
5	Do not want to take responsibility for educating or raising their kids	Offer public schools, so that parents do not have to confederate and start private Christian schools to educate their children. Teaching the young sinful behaviors such as homosexuality, abortion, drugs so they make easy serfs of government. Showing them how to fill out income tax returns in high school before they even know how to balance a checkbook.	Pastors avoiding moral training in church, so that children growing up in single-parent families never learn how to govern themselves from their busy parents and must therefore depend on government to do for them what they cannot do for themselves.
6	Do not want to take responsibility for their retirement	Offer Socialist Security and federal retirement programs and do not offer employees the option of taking money earmarked for retirement and investing and controlling it themselves. This leaves large sums of money in control of the government, which they then use as a carrot to force you to pay income taxes because if you don't, they will turn it over to the IRS.	Not warning people that they should not depend on government and that they should take 100% responsibility for themselves.
7	Do not want to tithe to their church	Federal subsidies for charities, which carry with it the requirement for the churches to not criticize government or oppose its illegal enforcement of income tax code. Example: President Bush's faith-based initiative.	Pastors not chastising parishioners who do not tithe for their greed and robbery of God, for fear of scaring away the sheep. Pastors ingratiating or poaching generous parishioners (sheep) from other churches to join their church.
8	Do not want to take responsibility for bad business decisions	Creating a privileged status called "corporations", in which liability for wrongdoing is limited. This encourages reckless investment, bad business practices, and corruption like we have been seeing lately with Enron, Worldcom, etc. Income taxes on corporations then, amount essentially to "liability insurance".	Not censuring or excommunicating those in the congregation who have committed civil crimes involving business corruption and refuse to repent.
9	Do not want to take responsibility for hurting others in the process of operating a motor vehicle	Government passes laws forcing people to have insurance in order to have the "privilege" of driving.	

The ultimate result of the universal and complete adoption of the above concepts is as follows, which is a parody of the content of the Bible, Psalm 23:

DEMOCRAT'S 23<sup>rd</sup> PSALM

The government is my Shepherd,  
 therefore I shall not work.  
 It alloweth me to lie down on a good job.  
 It leadeth me beside still factories;  
 it destroyeth my initiative,  
 It leadeth me in the path of a parasite  
 for politic's sake.

1  
2           Yea, though I walk through the valley  
3           of laziness and deficit spending,  
4           I will fear no evil, for the government is with me.

5  
6           It prepareth an economic Utopia for me,  
7           by borrowing from future generations.  
8           It filleth my head with false security;  
9           my inefficiency runneth over.

10  
11           Surely the government should take care of me  
12           all the days of my life!  
13           And I will dwell in a welfare state forever and ever.

14 In the legal field, the process of evading responsibility is called “avoiding liability”. Amazingly, the government openly  
15 admits that it is one big insurance company which exists to insulate people from all types of liability! Here is what one  
16 Congressman said during the Congressional debates on the Sixteenth Amendment, which is the income tax amendment:

17           *“M. Thiers, the great French statesman, says, ‘a tax paid by a citizen to his government is like a premium paid*  
18 *by the insured to the insurance company, and should be in proportion to the amount of property insured in one*  
19 *case and the other to the amount of property protected or defended [or managed] by the government.’”*  
20 *[44 Cong.Rec. 4959 (1909)]*

21 The natural consequence of the logic of the quote above is that the less responsibility and liability we are willing to assume  
22 for ourselves, the greater will be our tax rate and the corresponding slavery to government that goes with it. If you trace the  
23 percentage of the average American family’s income which goes to pay state and federal taxes over the last 100 years, we  
24 can see in numerical terms the shift away from personal responsibility and the rise of the “collective” as the sovereign in our  
25 society. This information reveals how we have abandoned the original Constitutional Republican model based on faith and  
26 personal responsibility, and gradually drifted to a socialist/humanistic economy like most of the rest of the nations in the  
27 world. God warned us that this would happen but we simply refuse to heed Him because of the hedonistic stupor our  
28 government has put us into by bribing us with “free” government benefits and programs subsidized with STOLEN loot  
29 through illegally enforcing the income tax code:

30           *“And they rejected His statutes and His covenant that He had made with their fathers, and His testimonies [His*  
31 *Law/Bible] which He had testified against them; they followed [government] idols, became idolaters, and went*  
32 *after the nations who were all around them, concerning whom the LORD had charged them that they should*  
33 *not do like them. So they left all the commandments of the LORD their God, made for themselves a molded*  
34 *image and two calves, made a wooden image and worshiped all the host of heaven, and served Baal. And they*  
35 *caused their sons and daughters to pass through the fire, practiced witchcraft and soothsaying, and sold*  
36 *themselves [through usurious taxes] to do evil in the sight of the LORD, to provoke Him to anger. Therefore*  
37 *the LORD was very angry with Israel, and removed them from His sight; there was none left but the tribe of*  
38 *Judah alone.”*  
39 *[2 Kings 17:15-18, Bible, NKJV]*

40 One congressman has actually quantified this shift from personal to collective responsibility in a wonderful article entitled  
41 “The Coming Crisis: How Government Dependency Threatens America’s Freedom” available on our website at:

42 <http://famguardian.org/Subjects/Freedom/Articles/ComingCrisis-01508.pdf>

43 Governments therefore know that people don’t want to have to accept responsibility or liability and they use this sinful human  
44 tendency to expand their power and revenues by transferring responsibility to themselves. The transfer of responsibility from  
45 us as individuals to the government cannot occur, however, without a transfer of sovereignty with it. *Sovereignty and*  
46 *dependency are mutually exclusive.* The buck has to stop somewhere, and when we won’t take responsibility for ourselves,  
47 we have to surrender sovereignty to the collective democracy, and this eventually leads to socialism and humanism. This  
48 abdication of our responsibilities also amounts to a violation of God’s laws. Christians have a MUCH higher calling with  
49 their God than simply to depend on a bloated and evil socialist government to subsidize their idleness and hedonism with  
50 funds that were stolen from their brother through illegal extortion and constructive fraud:

51           *“You shall not follow a crowd to do evil; nor shall you testify in a dispute so as to turn aside after many to pervert*  
52 *justice.”*  
53 *[Exodus 23:2, Bible, NKJV]*  
54

1                    *"Now about brotherly love we do not need to write to you, for you yourselves have been taught by God to love*  
 2 *each other. And in fact, you do love all the brothers throughout Macedonia. Yet we urge you, brothers, to do so*  
 3 *more and more.*

4                    *"**Make it your ambition to lead a quiet life, to mind your own business and to work with your hands,** just as*  
 5 *we told you, **so that your daily life may win the respect of outsiders and so that you will not be dependent on***  
 6 ***anybody.**"*  
 7 *[1 Thess. 4:9-12, Bible, NIV]*

8 There is nothing new to this government approach of encouraging irresponsibility and indemnifying a person from liability  
 9 for their own sinful actions. Government is simply imitating God's approach. Throughout the Bible, God warns us that we  
 10 will be held personally liable for all of our choices and actions. That liability will occur on judgment day:

11                    *"And as **it is appointed for men to die once, but after this the judgment,** so Christ was offered once to bear the*  
 12 *sins of many. To those who eagerly wait for Him He will appear a second time, apart from sin, for salvation. **For***  
 13 ***the law,** having a shadow of the good things to come, and not the very image of the things, **can never** with these*  
 14 *same sacrifices, which they offer continually year by year, **make those who approach perfect** [in the sight of*  
 15 *God]"*  
 16 *[Hebrews 9:27-28, 10:1, Bible, NKJV]*

17 Here you can see that God is talking about final judgment for our actions and choices, and He is implying that unless we are  
 18 *perfect* in His eyes at that judgment, then we are condemned. However, God is also promising indemnification from personal  
 19 liability, which here is called "salvation" to those who "eagerly wait for Him". Faith in and obedience to Christ is basically  
 20 being offered here as an insurance policy against the final judgment and wrath of God. That obedience manifests itself in  
 21 following the two great commandments that Christ revealed to us in Mark 12:28-33:

22                    *Then one of the scribes came, and having heard them reasoning together, perceiving that He had answered*  
 23 *them well, asked Him, "Which is the first commandment of all?"*

24                    *Jesus answered him, "The first of all the commandments is: "Hear, O Israel, the LORD our God, the LORD is*  
 25 *one. And you shall love the LORD your God with all your heart, with all your soul, with all your mind, and with*  
 26 *all your strength. This is the first commandment. And the second, like it, is this: "You shall love your neighbor*  
 27 *as yourself. There is no other commandment greater than these."*

28                    *So the scribe said to Him, "Well said, Teacher. You have spoken the truth, for there is one God, and there is no*  
 29 *other but He. And to love Him with all the heart, with all the understanding, with all the soul, and with all the*  
 30 *strength, and to love one's neighbor as oneself, is more than all the whole burnt offerings and sacrifices."*  
 31 *[Mark 12:28-33, Bible, NKJV]*

32  
 33                    *"For all the law is fulfilled in one word, even in this: 'You shall love your neighbor as yourself.'"*  
 34 *[Gal 5:14, Bible, NKJV]*

35 The important thing to remember is that there is a BIG difference between man's and God's approach toward encouraging  
 36 people to avoid liability. Faith produces salvation and indemnification because it makes us appear "perfect" in God's eyes,  
 37 but it does not relieve us from personal liability for obeying God's laws.

#### 38 Faith Without Works Is Dead

39                    *What does it profit, my brethren, if someone says he has faith but does not have works? Can faith save him? If a*  
 40 *brother or sister is naked and destitute of daily food, and one of you says to them, "Depart in peace, be warmed*  
 41 *and filled," but you do not give them the things which are needed for the body, what does it profit? Thus also faith*  
 42 *by itself, if it does not have works, is dead.*

43                    *But someone will say, "You have faith, and I have works." Show me your faith without your works, and I will*  
 44 *show you my faith by my works. You believe that there is one God. You do well. Even the demons believe--and*  
 45 *tremble! But do you want to know, O foolish man, that faith without works is dead? Was not Abraham our father*  
 46 *justified by works when he offered Isaac his son on the altar? **Do you see that faith was working together with***  
 47 ***his works, and by works faith was made perfect?** And the Scripture was fulfilled which says, "Abraham believed*  
 48 *God, and it was accounted to him for righteousness." And he was called the friend of God. **You see then that a***  
 49 ***man is justified by works, and not by faith only.***

50                    *Likewise, was not Rahab the harlot also justified by works when she received the messengers and sent them out*  
 51 *another way?*

1 *For as the body without the spirit is dead, so faith without works is dead also.*  
2 *[James 2:14-26, Bible, NKJV]*

3 Faith in God does not allow us to *avoid* the final judgment, but our works provide *evidence* of our faith and obedience at that  
4 judgment. The final judgment is like a court trial. With no admissible evidence of our faith at this trial, we will be convicted  
5 of our sin and suffer God's wrath.

6 *"Then I saw a great throne and Him who sat on it, from whose face the earth and the heaven fled away. And*  
7 *there was found no place for them.*

8 *"And I saw the dead, small and great, standing before God, and books were opened. And another book was*  
9 *opened, which is the Book of Life. And the dead were judged according to their works, by the things which were*  
10 *written in the books.*

11 *"The sea gave up the dead who were in it, and Death and Hades delivered up the dead who were in them. And*  
12 *they were judged, each one according to his works.*

13 *"Then Death and Hades were cast into the lake of fire. This is the second death.*

14 *"And anyone not found written in the Book of Life was cast into the lake of fire."*  
15 *[Revelation 20:11-15, Bible, NKJV]*

16 The purpose of God's law is to teach us how to love God and our neighbor (see the Ten Commandments in Exodus 20). The  
17 Bible says that obedience to God's laws even after we profess faith is *still* mandatory:

18 *"Not everyone who says to Me, 'Lord Lord,' shall enter the kingdom of heaven, but he who does the will of My*  
19 *Father in heaven."*  
20 *[Matt. 7:21, Bible, NKJV]*

21 *"But **whoever keeps His word, truly the love of God is perfected in him.** By this we know that we are in Him."*  
22 *[1 John 2:5, Bible, NKJV]*

23 *"**For this is the love of God, that we keep His commandments.** And His commandments are not burdensome."*  
24 *[1 John 5:3, Bible, NKJV]*

25 *"Therefore, to him who knows to do good and **does not DO it**, to him it is sin."*  
26 *[James 4:17, Bible, NKJV]*

27 *"Blessed are those who **do** His commandments, that they may have the right to the tree of life, and may*  
28 *enter through the gates into the city."*  
29 *[Rev. 22:14; Bible, NKJV]*

30 *"But **he who looks into the perfect law of liberty** and continues in it, and is not a forgetful hearer **but a***  
31 ***DOER of the work**, this one **will be blessed in what he does.**"*  
32 *[James 1:25, Bible, NKJV]*

33 The government, on the other hand, tells us that we can be criminals under God's law and avoid liability and responsibility  
34 for our sins on earth as long as we join the "collective" and worship the politicians and the government as our false god by  
35 surrendering control over our earnings from labor to that god in the form of income taxes. Basically, we have to serve the  
36 government with our labor, and the Bible calls that kind of servitude "worship". Below is an excerpt from the Ten  
37 Commandments demonstrating this:

38 ***"You shall have no other gods before Me.***

39 *"You shall not make for yourself a carved image--any likeness of anything that is in heaven above, or that is in*  
40 *the earth beneath, or that is in the water under the earth; **you shall not bow down to them nor Serve***  
41 ***[worship] them.** For I, the LORD your God, am a jealous God, visiting the iniquity of the fathers upon*



1 *the children to the third and fourth generations of those who hate Me,<sup>6</sup>but showing mercy to thousands, to those*  
 2 *who love Me and keep My commandments."*  
 3 *[Exodus 20:3-4, Bible, NKJV]*

4 That false government promise of no liability for sin was the same promise that Satan made when he tempted the first sinner,  
 5 Eve. Satan promised Eve that if she sinned by eating the forbidden fruit of the tree, then she would **not** suffer the consequence  
 6 of death promised by God. Remember that the Bible says "The wages of sin is death" (Romans 6:23) and Satan lied when  
 7 he promised Eve that she would not die. In short, there would be no liability for her violation of God's law and instead, she  
 8 would be a "god" herself:

9 *Then the serpent said to the woman, "You will **not** surely die [no liability]. For God knows that in the day you*  
 10 *eat of it your eyes will be opened, and you will be like God, knowing good and evil."*  
 11 *[Genesis 3:4-5; Bible, NKJV]*

12 In a "collective" form of government such as a democracy, the "collective" is the false god to be worshipped. That collective  
 13 is called the "state" in legal terms. When we join that collective, we become like a god, and share in the unjust authority and  
 14 power that it has. That unjust authority expresses itself through the abuse of voting rights and jury service in a way that  
 15 actually injures our neighbor and offends God because it attempts to indemnify us from the consequences and liability for  
 16 our sin and irresponsibility.

17 A limited liability company is one in which the liability of each shareholder is limited to the amount of his shares or stocks,  
 18 or to a sum fixed by guarantee called "limited liability guarantee". The purpose of limited liability laws is to limit  
 19 responsibility. Although the ostensible purpose is to protect the shareholders, the practical effect is to limit their responsibility  
 20 and therefore encourage recklessness in investment. A limited liability economy is socialistic. By seeking to protect people,  
 21 a limited liability economy merely transfers responsibility away from the people to the state, where "central government  
 22 planning" supposedly obviates personal responsibility. Limited liability encourages people to take chances with limited risks,  
 23 and to sin economically without paying the price. Limited liability laws rest on the fallacy that payment for economic sins  
 24 need not be made. In actuality, payment is simply transferred to others. Limited liability laws were unpopular in earlier,  
 25 Christian eras but have flourished in the Darwinian world. They rest on important religious presuppositions.

26 In a statement central to his account, C.S. Lewis described his preference, prior to his conversion to Christianity, for a  
 27 materialistic, atheistic universe. The advantages of such a world are the very limited demands it makes on a man.

28 *To such a craven and materialist's universe has the enormous attraction that it offered you limited liabilities. No*  
 29 *strictly infinite disaster could overtake you in it. Death ended all. And if ever finite disasters proved greater than*  
 30 *one wished to bear, suicide would always be possible. The horror of the Christian universe was that it had no*  
 31 *door marked Exit...But, of course, what mattered most of all was my deep-seated hatred of authority, my*  
 32 *monstrous individualism, my lawlessness. No word in my vocabulary expressed deeper hatred than the word*  
 33 *Interference. But Christianity placed at the center what then seemed to me a transcendental Interferer. If this*  
 34 *picture were true then no sort of "treaty with reality" could ever be possible. There was no region even in the*  
 35 *innermost depth of one's soul (nay, there least of all) which one could surround with a barbed wire fence and*  
 36 *guard with a notice of No Admittance. And that was what I wanted; some area, however small, of which I could*  
 37 *say to all other beings, "This is my business and mine only."<sup>121</sup>*

38 This is an excellent summation of the matter. The atheist wants a limited liability universe, and he seeks to create a limited  
 39 liability political and economic order. The more socialistic he becomes, the more he demands a maximum advantage and a  
 40 limited liability from his social order, an impossibility.

41 In reality, living with the fact that the universe and our world carry always unlimited liabilities is the best way to assure  
 42 security and advantage. To live with reality, and to seek progress within its framework, is man's best security.

43 The curses and the blessings of the law stress man's unlimited liability to both curses and blessings as a result of disobedience  
 44 or obedience to the law. In [Deuteronomy 28:2](#) and [15](#), we are told that the curses and blessings come upon us and "overtake"  
 45 us. Man cannot step outside of the world of God's consequence. At every moment and at every point man is overtaken,  
 46 surrounded, and totally possessed by the unlimited liability of God's universe.

<sup>121</sup> C.S. Lewis, *Surprised by Joy* (New York: Harcourt, Brace, 1956), p. 171 f.

1 Man seeks to escape this unlimited liability either through a denial of the true God, or by a pseudo-acceptance which denies  
 2 the meaning of God. In atheism, the attitude of man is well summarized by William Ernest Henley's poem, "Invictus."  
 3 Henley boasted of his "unconquerable soul" and declared,

4 *I am the master of my fate;*  
 5 *I am the captain of my soul*

6 Not surprisingly, the poem has been very popular with immature and rebellious adolescents.

7 Pseudo-acceptance, common to mysticism, pietism, and pseudo evangelicals, claims to have "accepted Christ" while denying  
 8 His law. One college youth, very much given to evangelizing everyone in sight, not only denied the law as an article of his  
 9 faith, in speaking to this writer, but went further. Asked if he would approve of young men and women working in a house  
 10 of prostitution as whores and pimps to convert the inmates, he did not deny this as a valid possibility. He went on to affirm  
 11 that many of his friends were converting girls and patrons wholesale by invading the houses to evangelize one and all. He  
 12 also claimed wholesale conversion of homosexuals, but he could cite no homosexuals who ceased the practice after their  
 13 conversion; nor any whores or their patrons who left the houses with their "evangelizers." Such lawless "evangelism" is only  
 14 blasphemy.

15 In the so-called "Great Awakening" in colonial New England, antinomianism, chiliasm, and false perfectionism went hand  
 16 in hand. Many of these "holy ones" forsook their marriage for adulterous relations, denied the law, and claimed immediate  
 17 perfection and immortality.<sup>122</sup>

18 What such revivalism and pietism espouses is a limited liability universe in God's name. It is thus atheism under the banner  
 19 of Christ. It claims freedom from God's sovereignty and denies predestination. It denies the law, and it denies the validity  
 20 of the curses and blessings of the law. Such a religion is interested only in what it can get out of God: hence, "grace" is  
 21 affirmed, and "love," but not the law, nor God's sovereign power and decree. But smorgasbord religion is only humanism,  
 22 because it affirms the right of man to pick and choose what he wants; as the ultimate arbiter of his fate, man is made captain  
 23 of his soul, with an assist from God. Pietism thus offers limited liability religion, not Biblical faith.

24 According to Heer, the medieval mystic Eckhart gave to the soul a "sovereign majesty together with God. The next step was  
 25 taken by the disciple, Johannes of Star Alley, who asked if the word of the soul was not as mighty as the word of the  
 26 Heavenly Father."<sup>123</sup> In such a faith, the new sovereign is man, and unlimited liability is in process of being transferred to  
 27 God.

28 In terms of the Biblical doctrine of God, absolutely no liabilities are involved in the person and work of the Godhead. God's  
 29 eternal decree and sovereign power totally govern and circumscribe all reality, which is His creation. Because man is a  
 30 creature, man faces unlimited liability; his sins have temporal and eternal consequences, and he cannot at any point escape  
 31 God. Van Til has summed up the matter powerfully:

32 *The main point is that if man could look anywhere and not be confronted with the revelation of God then he could*  
 33 *not sin in the Biblical sense of the term. Sin is the breaking of the law of God. God confronts man everywhere.*  
 34 *He cannot in the nature of the case confront man anywhere if he does not confront him everywhere. God is one;*  
 35 *the law is one. If man could press one button on the radio of his experience and not hear the voice of God then*  
 36 *he would always press that button and not the others. But man cannot even press the button of his own self-*  
 37 *consciousness without hearing the requirement of God.<sup>124</sup>*

38 But man wants to reverse this situation. Let God be liable, if He fails to deliver at man's request. Let man declare that his  
 39 own experience pronounces himself to be saved, and then he can continue his homosexuality or work in a house of  
 40 prostitution, all without liability. Having pronounced the magic formula, "I accept Jesus Christ as my personal lord and  
 41 savior," man then transfers almost all the liability to Christ and can sin without at most more than a very limited liability.  
 42 Christ cannot be accepted if His sovereignty, His law, and His word are denied. To deny the law is to accept a works religion,  
 43 because it means denying God's sovereignty and assuming man's existence in independence of God's total law and  
 44 government. In a world where God functions only to remove the liability of hell, and no law governs man, man works his

<sup>122</sup> C.C. Goen, *Revivalism and Separatism in New England, 1740-1800, Strict Congregationalists and Separate Baptists in the Great Awakening* (New Haven: Yale University Press, 1962), p. 200 f.

<sup>123</sup> Friedrich Heer, *The Intellectual History of Europe*, p. 179.

<sup>124</sup> Cornelius Van Til, *A Letter on Common Grace* (Philadelphia: Presbyterian and Reformed Publishing Company, 1955), p. 40 f.

own way through life by his own conscience. Man is saved, in such a world, by his own work of faith, of accepting Christ, not by Christ's sovereign acceptance of him. Christ said, "Ye have not chosen me, but I have chosen you" ([John 15:16](#)). The pietist insists that *he* has chosen Christ; it is *his* work, not Christ's. Christ, in such a faith, serves as an insurance agent, as a guarantee against liabilities, not as sovereign lord. This is paganism in Christ's name.

In paganism, the worshipper was not in existence. Man did not worship the pagan deities, nor did services of worship occur. The temple was open every day as a place of business. The pagan entered the temple and bought the protection of a god by a gift or offering. If the god failed him, he thereafter sought the services of another. The pagan's quest was for an insurance, for limited liability and unlimited blessings, and, as the sovereign believer, he shopped around for the god who offered the most. Pagan religion was thus a transaction, and, as in all business transactions, no certainty was involved. The gods could not always deliver, but man's hope was that, somehow, his liabilities would be limited.

The "witness" of pietism, with its "victorious living," is to a like limited liability religion. A common "witness" is, "Praise the Lord, since I accepted Christ, all my troubles are over and ended." The witness of Job in his suffering was, "Though he slay me, yet will I trust him" ([Job 13:15](#)). St. Paul recited the long and fearful account of his sufferings *after* accepting Christ: in prison, beaten, shipwrecked, stoned, betrayed, "in hunger and thirst,...in cold and nakedness" ([II Cor. 11:23-27](#)). Paul's was not a religion of limited liability nor of deliverance from all troubles because of his faith.

**The world is a battlefield, and there are casualties and wounds in battle, but the battle is the Lord's and its end is victory. To attempt an escape from the battle is to flee from the liabilities of warfare against sinful men for battle with an angry God. To face the battle is to suffer the penalties of man's wrath and the blessings of God's grace and law.**

Apart from Jesus Christ, men are judicially dead, i.e., under a death sentence, before God, no matter how moral their works. With regeneration, the beginning of true life, man does not move out from under God's unlimited liability. Rather, with regeneration, man moves from the world of unlimited liability under the curse, to the world of unlimited liability under God's blessings. The world and man were cursed when Adam and Eve sinned, but, in Jesus Christ, man is blessed, and the world progressively reclaimed and redeemed for Him. In either case, the world is under God's law. Blessings and curses are thus inseparable from God's law and are simply different relationships to it.

Men inescapably live in a world of unlimited liability, but with a difference. The covenant-breaker, at war with God and unregenerate, has an unlimited liability for the curse. Hell is the final statement of that unlimited liability. The objections to hell, and the attempts to reduce it to a place of probation or correction, are based on a rejection of unlimited liability. But the unregenerate has, according to Scripture, an unlimited liability to judgment and the curse. On the other hand, the regenerate man, who walks in obedience to Jesus Christ, his covenant head, has a limited liability to judgment and the curse. The unlimited liability of God's wrath was assumed for the elect by Jesus Christ upon the cross. The regenerate man is judged for his transgressions of the law of God, but his liability here is a limited one, whereas his liability for blessings in this life and in heaven are unlimited. The unregenerate can experience a limited measure of blessing in this life, and none in the world to come; they have at best a limited liability for blessing.

**Man thus cannot escape an unlimited liability universe. The important question is this: in which area is he exposed to unlimited liability, to an unlimited liability to the curse because of his separation from God, or to an unlimited liability to blessing because of his faith in, union with, and obedience to Jesus Christ?**

Along the lines of this section, a reader sent us the following poem which summarizes why our lives will amount to nothing if we do not accept personal responsibility for ourself and learn to accept the unlimited liability that God bestowed upon us as part of his death sentence for our disobedience in the book of Genesis:

### **Risk..**

*To weep...  
is to risk appearing sentimental,*

*To hope...  
is to risk despair,*

*To reach out for another...  
is to risk involvement,*

1 To try...  
2 is to risk failure,

3 To expose feelings...  
4 is to risk exposing your true self,

5 To place your ideas, your dreams before the crowd...  
6 is to risk their loss,

7 To love is to risk...  
8 not being loved in return,

9 To live...  
10 is to risk dying,

11 But risks must be taken because the greatest hazard in life,  
12 is to risk nothing.

13 The person who risks nothing, does nothing, has nothing, and is nothing. They may avoid suffering and sorrow,  
14 but they cannot learn, feel, change, grow, love, and live. Chained by their certitudes, they are a slave, they have  
15 forfeited their freedom.

16 Only a person who risks.  
17 is free.

#### 18 **4.4.11 The result of violating God's laws or putting man's laws above God's laws is slavery, servitude, and captivity**

19 The Bible vividly describes what happens when the people choose to disregard God's laws and follow only the laws of men  
20 or of governments made up of men. The result of disregarding God's laws and substituting in their place man's vain laws is  
21 slavery, servitude, and captivity for any society that does this. The greater the conflict or deviation between man's laws and  
22 God's laws, the more severe the punishment and oppression and wrath will be that God will inflict:

23 *But to the wicked, God says:*

24 **"What right have you to declare My statutes [write man's vain law], or take My covenant [the Bible] in your**  
25 **mouth, seeing you hate instruction and cast My words behind you?** *When you saw a thief, you consented with*  
26 *him, and have been a partaker with adulterers. You give your mouth to evil, and your tongue frames deceit. You*  
27 *sit and speak against your brother; you slander your own mother's son. These things you have done, and I kept*  
28 *silent; you thought that I was altogether like you; but I will reprove you, and set them in order before your eyes.*  
29 **Now consider this, you who forget God, lest I tear you in pieces, and there be none to deliver: Whoever offers**  
30 **praise glorifies Me; and to him who orders his conduct aright I will show the salvation of God.**  
31 *[Psalm 50:16-23, Bible, NKJV]*

32 Below is an excerpt from the Bible that illustrates the point we are trying to make in this section, found in 2 Kings 17:5-23.  
33 The governments described below that violated God's laws and thereby alienated themselves from God consisted of kings,  
34 but today's equivalent is our politicians, who by law should be *servants* but who through extortion under the color of law in  
35 illegally enforcing income taxes, have made themselves into the equivalent of kings.

36 Israel Carried Captive to Assyria

37 <sup>5</sup> Now the king of Assyria went throughout all the land, and went up to Samaria and besieged it for three years.  
38 <sup>6</sup> In the ninth year of Hoshea, the king of Assyria took Samaria and carried Israel away to Assyria, and placed  
39 them in Halah and by the Habor, the River of Gozan, and in the cities of the Medes.

40 <sup>7</sup> **For so it was that the children of Israel had sinned against the LORD their God,** who had brought them up out  
41 of [slavery in] the land of Egypt, from under the hand of Pharaoh king of Egypt; and they had feared other gods,  
42 **and had walked in the statutes of the nations whom the LORD had cast out from before the children of Israel,**  
43 **and of the kings of Israel, which they had made.** <sup>9</sup> Also the children of Israel secretly did against the LORD their  
44 God things that were not right, and they built for themselves high places in all their cities, from watchtower to  
45 fortified city. <sup>10</sup> They set up for themselves sacred pillars and wooden images <sup>11</sup> on every high hill and under every  
46 green tree. <sup>11</sup> There they burned incense on all the high places, like the nations whom the LORD had carried away  
47 before them; and they did wicked things to provoke the LORD to anger, <sup>12</sup> **for they served idols [governments and**  
48 **laws and kings], of which the LORD had said to them, "You shall not do this thing."**

<sup>13</sup>Yet the LORD testified against Israel and against Judah, by all of His prophets, every seer, saying, "**Turn from your evil ways, and keep My commandments and My statutes, according to all the law which I commanded your fathers, and which I sent to you by My servants the prophets.**" <sup>14</sup>Nevertheless they would not hear, but stiffened their necks, like the necks of their fathers, who did not believe in the LORD their God. <sup>15</sup>And they rejected His statutes and His covenant that He had made with their fathers, and His testimonies which He had testified against them; they followed idols, became idolaters, and went after the nations who were all around them, concerning whom the LORD had charged them that they should not do like them. <sup>16</sup>So they left all the commandments of the LORD their God, made for themselves a molded image and two calves, made a wooden image and worshiped all the host of heaven, and served Baal. <sup>17</sup>And they caused their sons and daughters to pass through the fire, practiced witchcraft and soothsaying, and sold themselves [through usurious taxes] to do evil in the sight of the LORD, to provoke Him to anger. <sup>18</sup>Therefore the LORD was very angry with Israel, and removed them from His sight; there was none left but the tribe of Judah alone.

<sup>19</sup>Also Judah did not keep the commandments of the LORD their God, but walked in the statutes of Israel which they made. <sup>20</sup>And the LORD rejected all the descendants of Israel, afflicted them, and delivered them into the hand of plunderers, until He had cast them from His sight. <sup>21</sup>For He tore Israel from the house of David, and they made Jeroboam the son of Nebat king. Then Jeroboam drove Israel from following the LORD, and made them commit a great sin. <sup>22</sup>For the children of Israel walked in all the sins of Jeroboam which he did; they did not depart from them, <sup>23</sup>until the LORD removed Israel out of His sight, as He had said by all His servants the prophets. So Israel was carried away from their own land to Assyria, as it is to this day.

Therefore, the surest way to incur the wrath of God against you is to disregard or violate His Laws, or to put the commandments and laws and governments of men above obedience to His sacred laws. We must have our priorities straight or we may dishonor God and violate the first four commandments of the Ten Commandments, which require us to love and trust and honor God above and beyond any earthly government. If we put man's laws above God's laws on our priority list, then we are committing idolatry toward a man-made thing called government, as we explained earlier in section 4.1.

We will describe later in section 4.17 a few examples where the modern day vain laws of our government conflict with God's laws. These conflicts of law force us into the circumstance where we must make a choice in our obedience and allegiance. The choice of which of those two we should obey when there is such a conflict ought to be quite evident to those who have read the passage above.

#### 4.4.12 Government-instituted slavery using "privileges"

"In the matter of taxation, every privilege is an injustice."  
[Voltaire]

"The more you want, the more the world can hurt you."  
[Confucius]

"If you think of yourselves as helpless and ineffectual, it is certain that you will create a despotic government to be your master. The wise despot, therefore, maintains among his subjects a popular sense that they are helpless and ineffectual."  
[Frank Herbert, The Dosadi Experiment]

Anyone who has been married instinctively knows what "privilege-induced slavery" is. They understand that you have to give up some of your "rights" for the benefits and "privileges" associated with being married. For instance, one of the rights that the government forces you to give up using the instrument it created called the "marriage license", especially if you are a man, is sovereignty over your property and your labor. As we said in the previous section, if you get married with a state marriage license, then control over your property and labor is surrendered ultimately to the government, because if your spouse becomes dissatisfied, the marriage license gives the government absolute authority to hijack all your property and your labor for the imputed "public good", but as you will find out, the chief result of this hijacking is actually injustice. The marriage license authorizes a family law judge to abuse your property and your labor without your voluntary consent to create a welfare state for women intent on rebelling against their husbands and using marriage as a means of economic equalization. The book entitled Sovereign Christian Marriage, Form #06.009 explains that this very characteristic of marriage licenses issued by the state accomplishes the following unjust results:

1. Usurps and rebels against the sovereignty of God by interfering with His plan for marriage and family clearly spelled out in the Bible.
2. Encourages spouses to get divorced, because at least one of them will be financially rewarded with the property and labor of the other for doing so.

3. Makes marriage into legalized prostitution, where the sex comes *during* the marriage and the money comes *after* marriage and the state and family court judge becomes the pimp and the family law attorneys become tax collectors for the pimp.

The above defects in the institution of marriage caused by the government “privilege” called state-issued marriage licenses, of course, are the natural result of violating God’s/Natural law on marriage found in the Bible, where Eph. 5:22-24 makes the *man*, and not the *government* or the *woman*, the sovereign in the context of families. This is what happens whenever mankind rebels against God’s authority by trying to improve on God’s design for the family: massive injustice. Remember, that God created man *first*, and out of man’s rib was created woman, which makes man the sovereign, and this conclusion is completely consistent with the concept of Natural Order we discussed earlier in section 4.1.

*“For a man indeed ought not to cover his head, since he is made in the image and glory of God; but woman is the glory of man. For man is not from woman, but woman from man. Nor was man created for the woman, but woman for the man.”*  
[1 Cor. 11:7-9, Bible, NKJV]

If you are going to arrogantly call this attitude chauvinistic, politically incorrect, or bigoted then you’re slapping God in the face and committing blasphemy because this is the way GOD designed the system and who are YOU to question that?

*“But indeed, O man, who are you to reply against God? Will the thing formed say to him who formed it, ‘Why have you made me like this?’ Does not the potter have power over the clay, from the same lump to make one vessel for honor and another for dishonor?”*  
[Romans 9:20-21, Bible, NKJV]

If you would like to learn more about this subject, we refer you to the following book:

*Sovereign Christian Marriage*, Form #06.009  
<http://sedm.org/ItemInfo/Ebooks/SovChristianMarriage/SovChristianMarriage.htm>

The government uses this very same concept of privilege-induced slavery in the “constructive contract” you in effect sign by becoming a “citizen” or availing yourself of a government benefit. Here is the phrase that one of our astute readers uses to describe it in his book *Social Security: Mark of the Beast*, Form #11.407, which is posted on our website for your reading pleasure (<http://famguardian.org/Publications/SocialSecurity/TOC.htm>):

*“Protection draws subjection.”*  
[Steven Miller]

*Protectio trahit subjectionem, subjectio projectionem.*  
*Protection draws to it subjection, subjection, protection. Co. Litt. 65.*  
[Bouvier’s Maxims of Law, 1856;  
SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviereMaxims.htm>]

In a sense, when you become a “citizen”, you “marry” the state in order to have its protection, and we’ll talk about the terms of this constructive “marriage contract” later in section 4.9. Below is a summary:

1. When you become a “citizen” by either being naturalized or by choosing a domicile within the jurisdiction of the government, you must profess allegiance.
  - 1.1. “Domicile” carries with it the concept of “allegiance”.

***“Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes. Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter. Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located.”***  
[Miller Brothers Co. v. Maryland, [347 U.S. 340](#) (1954) ]

*“This right to protect persons having a domicile, though not native-born or naturalized citizens, rests on the firm foundation of justice, and the claim to be protected is earned by considerations which the protecting power is not at liberty to disregard. **Such domiciled citizen pays the same price for his protection as native-born or naturalized citizens pay for theirs. He is under the bonds of allegiance to the country of his residence, and, if he breaks them, incurs the same penalties. He owes the same obedience to the civil laws.** His property is, in*

1 *the same way and to the same extent as theirs, liable to contribute to the support of the Government. In nearly*  
 2 *all respects, his and their condition as to the duties and burdens of Government are undistinguishable.”*  
 3 *[Fong Yue Ting v. United States, 149 U.S. 698 (1893)]*

4 1.2. Naturalization requires an oath of “allegiance”. See 8 U.S.C. §1448.

- 5 2. You marry the state by promising it “allegiance”. Spouses who marry each other take a similar oath to “love, honor, and  
 6 obey” each other, and thereby protect each other.

7 *“Allegiance and protection [by the government from harm] are, in this connection, reciprocal obligations. The*  
 8 *one is a compensation for the other; allegiance for protection and protection for allegiance.”*  
 9 *[Minor v. Happersett, 88 U.S. (21 Wall.) 162, 166-168 (1874)]*

- 10 3. Your passport is proof you are “married” to the state. See 22 U.S.C. §212

11 *“No passport shall be granted or issued to or verified for any other persons than those owing allegiance, whether*  
 12 *citizens or not, to the United States.”*  
 13 *[22 U.S.C. §212]*

- 14 4. After you have “married” the state, you assume a citizenship status as a “national”, which is simply someone who has  
 15 allegiance to the “state”.

16 [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > § 1101](#)  
 17 [§ 1101. Definitions](#)

18 (a) As used in this chapter—

19 (21) The term “national” means a person owing permanent allegiance to a state.

20 All forms of allegiance require the taking of oaths, and God says you can’t take oaths and that the reason is because you are  
 21 married to Him and not some pagan ruler or government. Those who take oaths to anything other than God become “friends  
 22 of the world” and enemies of God:

23 *“Do not fear, for you will not be ashamed; neither be disgraced, for you will not be put to shame; for you will*  
 24 *forget the shame of your youth, and will not remember the reproach of your widowhood anymore. **For your***  
 25 ***Maker is your husband, the Lord of hosts is His name; and your Redeemer is the Holy One of Israel; He is***  
 26 ***called the God of the whole earth**, for the Lord has called you like a woman forsaken and grieved in spirit, like*  
 27 *a youthful wife when you were refused,” says your God. “For a mere moment I have forsaken you, but with great*  
 28 *mercies I will gather you. With a little wrath I hid My face from you for a moment; but with everlasting kindness*  
 29 *I will have mercy on you,” says the Lord, your Redeemer.”*  
 30 *[Isaiah 54:4-8, Bible, NKJV]*  
 31

32 *“Again you have heard that it was said to those of old, ‘You shall not swear falsely, but shall perform your oaths*  
 33 *to the Lord.’*

34 *“But I say to you, **do not swear at all: neither by heaven, for it is God’s throne; 35 nor by the earth, for it is His***  
 35 ***footstool; nor by Jerusalem, for it is the city of the great King.***

36 *“Nor shall you swear by your head, because you cannot make one hair white or black.*

37 *“But let your ‘Yes’ be ‘Yes,’ and your ‘No,’ ‘No.’ For whatever is more than these is from the evil one.*  
 38 *[Matt. 5:33-37, Bible, NKJV]*  
 39

40 *“Adulterers and adulteresses! Do you not know that **friendship [allegiance toward] with the world [or the***  
 41 ***governments of the world] is enmity with God?** Whoever therefore wants to be a friend [“citizen”, “resident”,*  
 42 *“taxpayer”] of the world [or the governments of the world] makes himself an enemy of God.”*  
 43 *[James 4:4, Bible, NKJV]*

44 We have an article on our website entitled “The Citizenship Contract” by George Mercier that actually describes in detail the  
 45 terms of the citizenship marriage contract below:

46 <http://famguardian.org/PublishedAuthors/Indiv/MercierGeorge/InvContracts--TheCitizenshipContract.htm>

1 Here is the way the U.S. supreme Court describes this marriage contract:

2 *"There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies*  
 3 *an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the*  
 4 *persons associated becomes a member of the nation formed by the association. He owes it allegiance and is*  
 5 *entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a*  
 6 *compensation for the other; allegiance for protection and protection for allegiance."*  
 7 *[Minor v. Happersett, 88 U.S. (21 Wall.) 162, 166-168 (1874)]*

8 Like marriage licenses, signing the "citizenship contract" means you give up some of your rights, and as a matter of fact, the  
 9 government wants you to believe that you give up the same rights by becoming a citizen as you do by getting a marriage  
 10 license. When you marry the federal government by becoming a "U.S. citizen", you in effect are assimilated into the federal  
 11 corporation called the "United States" defined in 28 U.S.C. §3002(15)(A) and are classified by the courts as an officer of that  
 12 corporation in receipt of taxable privileges. You also then become completely subject to the jurisdiction of that corporation.  
 13 If you are a child of God, at the point when you married the state as a citizen, you united God with an idolatrous, mammon  
 14 state and sold yourself into legal slavery voluntarily, in direct violation of the Bible:

15 *"No one can serve two masters: for either he will hate the one, and love the other; or else he will hold to the one,*  
 16 *and despise the other. Ye cannot serve God and mammon."*  
 17 *[Matt. 6:24, Bible, NKJV]*

18 *"Do not be unequally yoked together with unbelievers. For what fellowship has righteousness with lawlessness?*  
 19 *And what communion has light with darkness?"*  
 20 *[2 Cor. 6:14, Bible, NKJV]*

21 As expected, God's law once again says that we should not become citizens of this world, and especially if it is dominated  
 22 by unbelievers:

23 *"For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ"*  
 24 *[Philippians 3:20]*

25 *"These all died in faith, not having received the promises, but having seen them afar off were assured of them,*  
 26 *embraced them and confessed that they were strangers and pilgrims on the earth."*  
 27 *[Hebrews 11:13]*

28 *"Beloved, I beg you as sojourners and pilgrims, abstain from fleshly lusts which war against the soul..."*  
 29 *[1Peter 2:1]*

30 *"Do you not know that friendship with the world is enmity with God? Whoever therefore wants to be a friend of*  
 31 *the world makes himself an enemy of God. "*  
 32 *[James 4:4]*

33 One of the reasons God doesn't want us to become citizens of this world is because when we do, we have violated the first  
 34 commandment and committed idolatry, by replacing God with an artificial god called government, who then provides  
 35 protection for us that we for one reason or another can't or won't trust or have faith in God to provide. This lack of faith then  
 36 becomes our downfall. The words of the Apostle Paul resolve why this is:

37 *"But he who doubts is condemned if he eats, because he does not eat from faith; for whatever is not from faith*  
 38 *in God] is sin."*  
 39 *[Rom. 14:23, Bible, NKJV]*

40 Is it moral or ethical for the government to try to manipulate our rights out of existence by replacing them with taxable and  
 41 regulatable "privileges" by procuring our consent and agreement? Here is what the U.S. Supreme Court says on this subject:

42 *"It would be a palpable incongruity to strike down an act of state legislation which, by words of express*  
 43 *divestment, seeks to strip the citizen of rights guaranteed by the federal Constitution, but to uphold an act by*  
 44 *which the same result is accomplished under the guise of a surrender of a right in exchange for a valuable*  
 45 *privilege which the state threatens otherwise to withhold. It is not necessary to challenge the proposition that, as*  
 46 *a general rule, the state, having power to deny a privilege altogether, may grant it upon such conditions as it sees*  
 47 *fit to impose. But the power of the state in that respect is not unlimited, and one of the limitations is that it may*  
 48 *not impose conditions which require the relinquishment of Constitutional rights. If the state may compel the*  
 49 *surrender of one constitutional right as a condition of its favor, it may, in like manner, compel a surrender of all.*  
 50 *It is inconceivable that guaranties embedded in the Constitution of the United States may thus be manipulated*  
 51 *out or existence."*



1 *[Frost v. Railroad Commission, 271 U.S. 583, 46 S.Ct. 605 (1926)]*

2 So the bottom line is that it is not permissible for a state to try to undermine your Constitutional rights by making privileges  
3 they offer contingent on surrendering Constitutional rights, but they do it anyway because we let them get away with it, and  
4 because they are very indirect about how they do it.

5 In a very real sense, the government has simply learned how to use propaganda to create fear and insecurity in the people,  
6 and then they invent vehicles to turn eliminating your fear into a profit center that requires you to become citizens and pay  
7 taxes to support. For instance, they use the Federal Reserve to create the Great Depression by contracting the money supply,  
8 and then they get these abused people worried and feeling insecure about retirement and security in the early 1930's, and then  
9 invent a new program called Social(ist) Security to help eliminate their fear and restore your sense of security. But remember,  
10 in the process of procuring the "privilege" to be free of anxiety about old age, you have surrendered sovereignty over your  
11 person and labor to the government, and they then have the moral authority to tax your wages and make you into a serf and  
12 a peon to pay off the federal debt accumulated to run that program.

13 *"The righteousness[and contentment] of the upright will deliver them, but the unfaithful will be caught by their*  
14 *lust [for security or government benefits]."*  
15 *[Prov. 11:6, Bible, NKJV]*

16 Another favorite trick of governments is to make something illegal and then turn it into a "privilege" that is taxed. This is  
17 how governments maximize their revenues. They often call the tax a "license fee", as if to imply that you never had the right  
18 to do that activity without a license. You will never hear a government official admit to it, but the government reasoning is  
19 that the tax amounts to a "bribe" or "tribute" to the government to get them to honor or respect the exercise of some right that  
20 is cleverly disguised as a taxable "privilege" and to enforce payment of the bribe to a corrupt officer in a court of law. Unless  
21 you know what your rights are, it will be very difficult to recognize this subtle form of usury. Here is what the courts have  
22 to say about this kind of despicable behavior by the government:

23 *"A right common in every citizen such as the right to own property or to engage in business of a character not*  
24 *requiring regulation CANNOT, however, be taxed as a special franchise by first prohibiting its exercise and*  
25 *then permitting its enjoyment upon the payment of a certain sum of money."*  
26 *[Stevens v. State, 2 Ark. 291, 35 Am. Dec. 72, Spring Val. Water Works v. Barber, 99 Cal. 36, 33 Pac. 735, 21*  
27 *L.R.A. 416. Note 57 L.R.A. 416]*

28 Clear thinking about our freedom and liberty demands that when faced with situations like this, we ask ourselves, where does  
29 the government derive its authority and "privileges"?. The answer is:

30 **..from the PEOPLE!**

31 The Declaration of Independence says so!:

32 *"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator*  
33 *with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure*  
34 *these rights, governments are instituted among men, deriving their just powers from the consent of the*  
35 *governed."*

36 Instead, we ought to charge government workers a tax for the "privilege" of having the authority and the "privilege" from the  
37 people to serve (not "govern", but SERVE) them, and the tax that government servants pay us for that privilege should be  
38 equal to whatever they charge us for the privileges they delegate back to us using the authority we gave them! We need to  
39 think clearly about this because it's very easy to get trapped in bad logic by deceitful lawyers and politicians who want to get  
40 into your bank account and enslave you with their unjust laws and extortion cleverly disguised as legitimate taxes. We should  
41 always remember who the public servants are and who the public is. We are the public and government employees are the  
42 servants! Start acting like the boss for once and tell the government what you expect out of them. The only reason the  
43 government continues to listen to us is because:

- 44 1. We vote our officials into office.
- 45 2. If we don't like the laws they pass, we can nullify them every time we sit down on a jury or a grand jury.
- 46 3. If the above two approaches don't keep their abuse of power in check, we can buy guns to protect ourselves from  
47 government abuse.

For instance, the government started issuing marriage licenses in about 1923 and charged people for the “privilege”. But then we have to ask ourselves what a license is. A license is permission from the state to perform an act which, without a license, would be illegal. Is it illegal to get married *without* the blessing of the state? Did Adam and Eve have a marriage license from God? Absolutely **NOT**. Marriage licenses, driver’s licenses, and professional licenses are a scam designed to increase control of the state over your life and turn you into a financial slave and serf to the government!

The IRS uses privilege-induced slavery to its advantage as well. For instance, it:

1. Sets the rate of withholding for a given income slightly higher than it needs to be so that Americans who paid tax will have to file to get their money back. In the process of filing, these unwitting citizens:
  - 1.1. Have to incriminate themselves on their tax returns.
  - 1.2. Forfeit most of the Constitutional rights, including the First (right to NOT communicate with your government), Fourth (seizure), and Fifth Amendment (self-incrimination) protections.
  - 1.3. Tell the IRS their employer, which later allows the IRS to serve the private employer illegally with a “Notice of Levy” and steal assets in violation of due process protections in the Constitution in the Fifth Amendment.
2. On the W-4 form, makes it a privilege just to hold onto your income. The regulations written by the Treasury illegally (and unconstitutionally) say that if a person does not submit a W-4 or submits an incorrect W-4, the employer (who really isn’t a statutory “employer” because it isn’t a federal employer who has statutory “employees” as defined in 26 C.F.R. §31.3401(c)) must withhold at the single zero rate. Thus, it becomes a “privilege” to just receive the money you earned *without* tax deducted! The only way you can preserve the “privilege” is to incriminate yourself by filling out the W-4, in violation of the Fifth Amendment.
3. The federal judiciary and the IRS will wickedly tell you that because of the Anti-Injunction Act found at 26 U.S.C. §7421, if you dispute the amount of tax you owe or you assert non-liability, you must pay the tax FIRST before you are permitted to file a lawsuit and subject your case to judicial review. In effect, *what Congress has done by legislation is forced you to bribe the government in order to have the privilege to sue them!* If you assert that you are a “nontaxpayer” and a person not liable for tax, the IRS will try to get your case dismissed because corrupt judges will assert “sovereign immunity”. See section 2.4.2 of the *Sovereignty Forms and Instructions Manual*, Form #10.005 for further details on this scam. For those of you who are Christians, this scam quite clearly violates the bible, which declares:

*“And you shall take no bribe, for a bribe blinds the discerning and perverts the words of the righteous.” [Exodus 23:8]*

4. Your state government will tell you that you MUST give them a valid Social Security Number in order for you to get a state driver’s license. They will do this in spite of the fact that traveling is a right and not a government privilege. In the words of the U.S. Supreme Court and lower courts:

*“The right to travel is part of the ‘liberty’ that a citizen cannot be deprived without due process of law.” [Kent v. Dulles, 357 U.S. 116 (1958); U.S. v. Laub, 385 U.S. 475 (1967)]*

*“The use of the highways for the purpose of travel and transportation is not a mere privilege, but a common and fundamental Right of which the public and the individual cannot be rightfully deprived.” [Chicago Motor Coach vs. Chicago, 169 N.E. 22; Ligare vs. Chicago, 28 N.E. 934; Boon vs. Clark, 214 SSW 607; 25 Am.Jur. (1st) Highways Sect.163]*

To give you just one more example of how privilege-induced slavery leads to government abuse, let’s look at licenses to practice law. The only rational basis for having any kind of professional license is *consumer protection*, but the legal profession has totally distorted and twisted this concept to benefit them, which amounts to a massive conflict of interest. For instance:

1. Only licensed attorneys can defend others in court. This prevents family members or friends or paralegals from providing low-cost legal assistance in court, and creates a greater marketplace and monopoly for legal services by attorneys. This also means that a lot more people go without legal representation, because they can’t afford to hire a lawyer to represent them. Is that justice, or is that simply the spread of oppression and injustice in the name of profit for the legal profession?
2. Even if the attorney is licensed to practice law from the socialist state, the court can revoke their right to defend anyone in a court of law. For instance:
  - 2.1. Look at what the court did to attorney Jeffrey Dickstein in *United States v. Collins*, 920 F.2d. 619, (10th Cir. 11/27/1990), which we showed in section 6.6.4.5. If you look at the ruling for this case, you will find that the court withdrew defendant Collins right to be represented by Attorney Dickstein, because they called attorney Dickstein

1 a “vexatious litigant”. He was therefore deprived of his choice of competent legal counsel, because the court viewed  
2 his counsel as “politically incorrect”.

3 2.2. Refer also to what the court did to attorney Oscar Stilley in section 6.11.1, as he defended Dr. Phil Roberts on tax  
4 charges. The court said, and we quote:

5 *“The practice of law, sir, is a privilege, especially in Federal Court. You’re close to losing that privilege in this*  
6 *court, Mr. Stilley.”*

7 3. Clients with attorneys are given favoritism by the court in the award of attorney fees against the other side. This leads  
8 attorneys to inflate their fees if they expect sanctions, in order to coerce the opposing side to settle. In most courts, pro  
9 per or pro se litigants are either not allowed or seldom are awarded attorney fees against the opposing side. Only litigants  
10 who have counsel can get attorney fee awards by the court. In effect, the courts treat the time and expense of pro per  
11 litigants in defending themselves as irrelevant and completely without value! That’s right.. if you as a pro per litigant  
12 keep track of your time diligently and bill for it at a rate less than an attorney in your motion for sanctions against the  
13 other side, the judge (who incidentally used to be a lawyer and probably still has lawyer golf buddies he wants to bring  
14 business to) will laugh you out of the courtroom! This has the effect of incentivizing people to have expensive legal  
15 counsel and incentivizes the lawyers to prolong the litigation and maximize their hourly rate to maximize their income.  
16 If you then ask a judge why they don’t award attorney fee sanctions to pro per litigants, he might get defensive and say:  
17 *“Pro per litigants are high maintenance, and make extra work for the court because they don’t know what they are*  
18 *doing.”* And yet these same courts and judges are the ones who earlier, as attorneys practicing law, intimidated and  
19 perpetuated the very ignorance on the part of their clients that made these people ignorant litigants as pro pers! All this  
20 rhetoric is just a smokescreen for the real agenda, which is maximizing business for and profits of those who practice  
21 law, and restricting the supply of qualified talent in order to keep the prices and the income of attorneys artificially high.

22 If we avail ourselves of a “privilege” granted by the state through operation of any statute that does not involve the exercise  
23 of a fundamental right, then we cannot have a constitutional grounds for redress of grievances against the statute:

24 *“Anyone who partakes of the benefits or privileges of a given statute, or anyone who even places himself into a*  
25 *position where he may avail himself of those benefits at will, cannot reach constitutional grounds to redress*  
26 *grievances in the courts against the given statute.”*  
27 *[Ashwander v. T.V.A., 297 U.S. 288, 346, 56 S.Ct. 466, 482, 80 L.Ed. 688 (1936)][underlines added]*

28 But if we are simply trying to exist, by working and receiving a paycheck, voting, serving on jury duty, and fulfilling our  
29 various civic and family duties, we cannot be taxed for the mere privilege of existing:

30 *“The individual, unlike the corporation, cannot be taxed for the mere privilege of existing. The corporation is*  
31 *an artificial entity which owes its existence and charter power to the State, but the individual’s right to live and*  
32 *own property are natural rights for the enjoyment of which an excise cannot be imposed.”*  
33 *[Redfield v. Fisher, 292 Oregon 814, 817]*

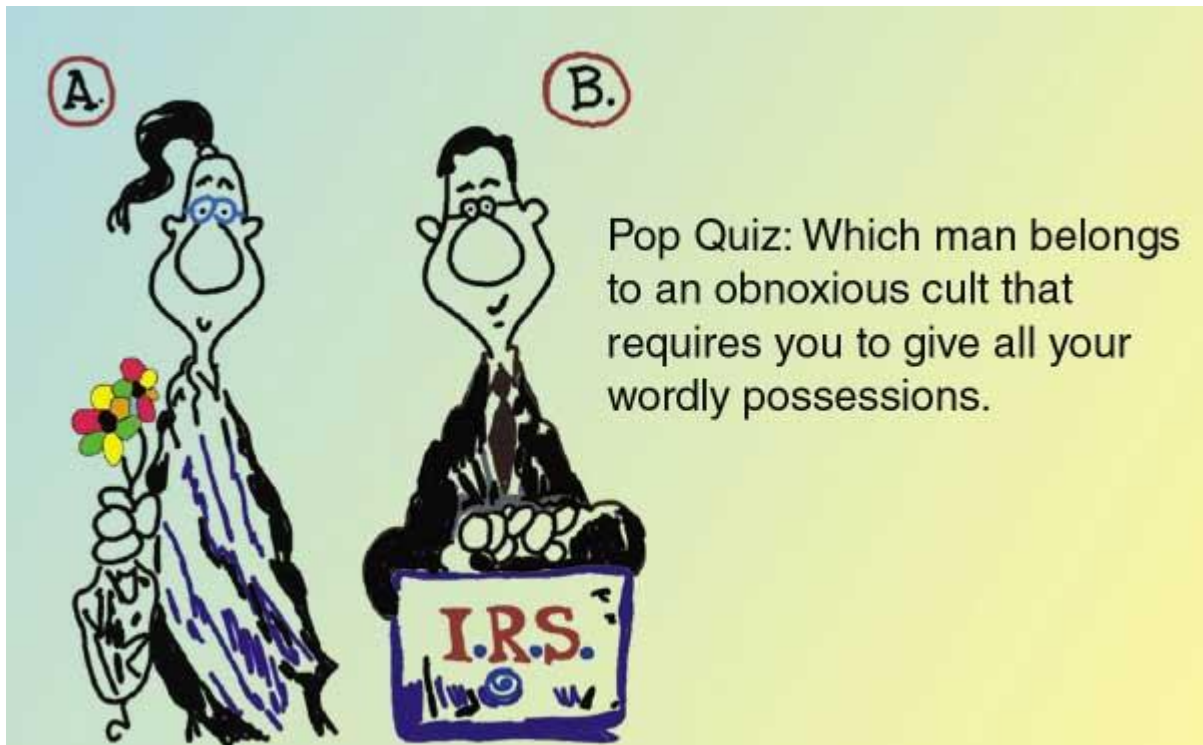
34 *“Legislature...cannot name something to be a taxable privilege unless it is first a privilege.” [Taxation West*  
35 *Key 43]...“The Right to receive income or earnings is a right belonging to every person and realization and*  
36 *receipt of income is therefore not a ‘privilege’, that can be taxed.”*  
37 *[Taxation West Key 933]-[Jack Cole Co. v. MacFarland, 337 S.W.2d. 453, Tenn.]*

38 If you would like a much more detailed treatment of the subject of franchises are abused illegally by governments to destroy  
39 the separation of powers that is the foundation of the United States Constitution beyond that described in this section, please  
40 read the following document:

*Government Instituted Slavery Using Franchises*, Form #05.030  
<http://sedm.org/Forms/FormIndex.htm>

#### 41 **4.4.13 Government has become idolatry and a false religion**

42 **Figure 4-4: Government Religion Cartoon**



"Tyranny is the inevitable consequence of rule from above, a point that the Founding Fathers understood well when they separated the powers of a small and restrained government.

"Liberty is a human achievement, the product of a 1,000-year struggle. We have taken too lightly our obligation to "earn it anew." Consequently, we are ceasing to possess 'that which thy fathers bequeathed thee.' Our legislative political order has become an administrative state in which 'We the People' are increasingly fearful of the government that we allegedly control.

"If Thomas Jefferson was right, we cannot get self-rule back without a revolution."  
[Jeff Bowman]

God, in Exodus 20:3, as part of the Ten Commandments, said:

"You shall have no other gods before Me."

Our life as Christians should revolve around putting God at the top of our priority list. That means supporting His causes with the first fruits of our labor and tithing to the church. Here's the scripture to back up this assertion:

"Honor the Lord with your possessions, and with the firstfruits of all your increase; so your barns will be filled with plenty, and your vats will overflow with new wine."  
[Prov. 3:9-10]

But how can we tithe to the church and put God first, if we illegally pay almost 50% of our income to all the following combined taxes before God even gets his first dime in out tithes?:

1. Federal income tax (25% of our income).
2. State income tax. (15% of our income)
3. Property tax. (5% of our income)
4. Sales tax. (2% of our income)
5. Estate (Death) taxes. (up to 100% of our income and our assets over a lifetime!)

Instead, the first fruits of our labor and almost 50% of our living income (and 100% of our assets when we die) go to the GOVERNMENT first in the form of income taxes, before we ever even see a dime of our own income, and we put way too much emphasis and reliance on the government to help us. In effect, we allow or permit or volunteer ourselves to become

1 government slaves and they become our masters and thus we lose our sovereignty and thereby make God of *secondary*  
 2 importance, presumably because we want a hand-out and government “security”. But listen to what God says about this type  
 3 of abomination:

4 *“Cursed is the one who trusts in man [and by implication, governments made up of men], who depends on*  
 5 *flesh for his strength and whose heart turns away from the Lord. He will be like a bush in the wastelands; he*  
 6 *will not see prosperity when it comes. He will dwell in the parched places of the desert, in a salt land where no*  
 7 *one lives. But blessed is the man who trusts in the Lord, whose confidence is in Him. He will be like a tree*  
 8 *planted by the water that sends out its roots by the stream. It does not fear when heat comes; its leaves are always*  
 9 *green. It has no worries in a year of drought and never fails to bear fruit.”*  
 10 *[Jeremiah 17:5-8, Bible, NIV]*

11 By surrendering our sovereignty and letting government become our god or our cult, we have committed idolatry: relying  
 12 more on government and man than we do on God or ourselves to meet our needs. Jesus Himself, however, specifically  
 13 warned us not to do this:

14 *“Away with you , Satan! For it is written, ‘You shall worship the Lord your God, and Him ONLY [NOT the*  
 15 *government!] you shall serve.’”*  
 16 *[Matt. 4:10, Bible, NKJV]*

17 This kind of pernicious evil violates Psalm 118:8-9, which says: *“It is better to trust in the Lord than to put confidence in*  
 18 *man. It is better to trust the Lord than to put confidence in princes.”* I translate “princes” to mean “government”. Likewise,  
 19 such idolatry also violates Psalm 146:3, which says: *“Put not your trust in princes, [nor] in the son of man, in whom [there*  
 20 *is] no help. “*

21 But can government REALLY be a religion from a genuine legal perspective and can we prove this in court? Absolutely!  
 22 Let’s look at the definition of “religion” from Black’s Law Dictionary to answer this question, and notice the highlighted  
 23 words:

24 *“Religion. Man’s relation to Divinity, to reverence, worship, obedience, and submission to mandates and*  
 25 *precepts of supernatural or superior beings. In its broadest sense includes all forms of belief in the existence of*  
 26 *superior beings exercising power over human beings by volition, imposing rules of conduct, with future*  
 27 *rewards and punishments. Bond uniting man to God, and a virtue whose purpose is to render God worship*  
 28 *due him as source of all being and principle of all government of things. *Nikulnikoff v. Archbishop, etc., of**  
 29 **Russian Orthodox Greek Catholic Church, 142 Misc. 894, 255 N.Y.S. 653, 663.”**  
 30 *[Black’s Law Dictionary, Sixth Edition, p. 1292]*

31 Now we will take the highlighted words from this definition of “religion” above and put them into a table and compare  
 32 worship of God on the left to worship of government on the right. The results are very surprising. The attributes in the left  
 33 column of the table below are listed in the same sequence presented in the above definition and have asterisks next to them.  
 34 Those attributes without asterisks provide additional means of comparison between worship of God and worship of  
 35 government (god with a little “g”).  
 36

Table 4-15: God's Religion v. Government's Religion (idolatry)

<i>Attributes of "religion"</i>	<i>Worship of God (Christianity: "God" with a Big "G")</i>	<i>Worship of Government (Idolatry: "god" with a little "g") Government="The Beast": Rev. 13:11-18</i>
<i>Lawgiver</i>	God (see Isaiah 33:22)	Legislature or democratic majority
<i>Law</i>	Bible	1. Constitution, statutes, and regulations (in a republic) 2. Whatever judge or ruler says (tyranny or oligarchy)
<i>Purpose of obedience to Law</i>	Protection (see Isaiah 54:11-17)	Protection
<i>Method of rendering "worship"</i>	1. Faith 2. Prayer 3. Fasting 4. Service to fellow man/family 5. Reverencing (respecting) God	1. Paying income taxes 2. Surrendering rights to judicial jurisdiction and government authority 3. Not questioning or challenging authority. 4. Dying in defense of (if serving in military).
<i>"Submission to mandates and precepts of"</i>	God	Man (The Beast/Satan)
<i>"Superior being"</i>	God	President/Congressmen/Mammon (the BEAST/Satan)
<i>What makes "superior beings" superior</i>	Agents of a sovereign God	Not subject to the <u>same</u> laws as everyone else (hypocrisy)
<i>Method of expressing "faith" in and obedience to "superior being"</i>	Trust, obedience, worship, church attendance	1. "Presumption" that government servants have the authority of law. 2. Dependency on and trust in socialistic government welfare programs
<i>"Exercising power"</i>	1. Church or clergy discipline, censure, or excommunication while alive. 2. Authority over your destiny after you die.	Jurisdiction within the territorial limits of the sovereign
<i>Source of power</i>	Love	Fear, insecurity
<i>"Rules of conduct"</i>	God's law (Bible or Natural Law)	Man's law (statutes)
<i>"Future rewards"</i>	Eternal life	Absence of IRS harassment for not paying taxes
<i>"Future punishment"</i>	1. Slavery to sin for those who disobey. 2. Eternal damnation	Harassment, oppression for those who challenge government authority
<i>"Bond uniting man" to "superior being"</i>	Love	Government- granted "Privileges", covetousness, limited liability (in the case of corporations)
<i>Source of "virtue"</i>	"God" and his worship	"Self" and "Vain Rulers" and their aggrandizement
<i>Object of belief/faith*</i>	Trust in God (see Psalm 118:8-9)	Trust in man/the flesh (see Jeremiah 17:5-8)
<i>Influence spread through</i>	Evangelizing	1. Fear, uncertainty, insecurity introduced through media and demagoguery. 2. Propaganda 3. Military and political warfare. 4. Bribing sheep into submission with government benefits derived from stolen/extorted tax money.
<i>Spokesperson</i>	Pope/prophet	Judge (witchdoctor)
<i>How spokespersons are appointed</i>	Ordained	Appointed by President/Governor

<i>Attributes of "religion"</i>	<i>Worship of God (Christianity: "God" with a Big "G")</i>	<i>Worship of Government (Idolatry: "god" with a little "g") Government="The Beast": Rev. 13:11-18</i>
<i>Representatives of spokesperson</i>	Priests	Lawyers (scumbag Pharisees)
<i>Attire of spokesperson</i>	Black Robe	Black robe
<i>Title of spokesperson</i>	"Pastor"	"Your honor"
<i>Disciples called</i>	Apostles (qty 12)	Grand Jury (qty 12) Petit Jury (qty 12)
<i>How representatives are appointed</i>	Ordained	Licensed by state Supreme Court
<i>Persons who violate laws are</i>	Sinners ( <u>G</u> od's law)	Criminals (man's/ <u>g</u> od's law)
<i>Submission</i>	"...knowing that a man is not justified by the works of the law but by faith in Jesus Christ, even we have believed in Christ Jesus, that we might be justified by faith in Christ and not by the works of the law; for by the works of the law no flesh shall be justified." (see Gal. 2:16)	"I am a criminal because no one can obey all of man's laws. There are too many of them!" (see section 5.15 entitled "The Government's REAL approach to tax law")
<i>Obedience</i>	"If you love me, keep my commandments" (see John 14:15)	Follow the law or we will throw you in jail and steal your property! (fear)
<i>Control by "superior being" imposed through</i>	Holy Spirit/conscience	Criminal punishment for violating law.
<i>Ultimate punishment exists in</i>	Hell	Jail
<i>Result of punishment is:</i>	Separation from God	Separation from Society (neo-god)
<i>Worship service</i>	Sunday service	Court (worship the judge/lawyers)
<i>Place of worship</i>	Church	Courthouse
<i>Language of worship service</i>	Latin (Roman Catholic church)	Latin (habeas corpus, malum prohibitum, ex post facto, etc)
<i>Method of removing evil from the world</i>	Exorcism	Court and/or jail
<i>Pleadings to the superior being (Sovereign) for help take the form of</i>	Prayer	Prayer (petitions to courts used to be called "prayers" and those that go in front of the Supreme Court are still called "prayers" in some cases).
<i>Source of truth</i>	God's law	Whatever the judge says
<i>Truth is</i>	Absolute and sovereign	Relative to whoever is in charge (and whatever corrupted politicians will let even more corrupted judges get away with before they get removed from office for misconduct)
<i>Method of supporting "superior being"</i>	Tithes (10%)	Taxes (50-100%)
<i>Power expanded by</i>	Evangelism	<ol style="list-style-type: none"> <li>1. Obfuscating law</li> <li>2. Attorney licensing</li> <li>3. Legal "terrorism" (excessive or unwarranted or expensive litigation)</li> <li>4. Unconstitutional or unlawful acts</li> <li>5. Lies, propaganda, and deceit</li> <li>6. Judges allowing juries to rule only on facts and not law of each case.</li> </ol>

1 Isn't that interesting? The other thing you MUST conclude after examining the above table is that if anyone in government  
2 is a "superior being" relative to any human in the society they govern, then the government unavoidably becomes an idol and

1 a god to be “worshipped” and submitted to as if the government or its servants individually were a religion. In the feudal  
2 system of British Common Law from which our legal system derives, they even call judges “Your Worship”:

3 *“worship 1. chiefly Brit: a person of importance—used as a title for various officials (as magistrates and some*  
4 *mayors) 2: reverence offered a divine being or supernatural power; also: an act of expressing such reverence*  
5 *3: a form of religious practice with its creed and ritual 4: extravagant respect or admiration for or devotion to*  
6 *an object of esteem <~ the dollar>.”*  
7 *[Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 1361]*

8 We started with a government of law and not of men but we ended up with the opposite because of our apathy and ignorance:

9 *“The government of the United States has been emphatically termed a government of laws, and not of men. It*  
10 *will certainly cease to deserve that high appellation, if the laws furnish no remedy for the violation of a vested*  
11 *legal right.”*  
12 *[Marbury v. Madison, 5 U.S. 137, 1 Cranch 137, 2 L.Ed. 60 (1803)]*

13 A government run by judges, instead of law is called a “kritarchy”. Such a government is described as a government of men  
14 and not of law. Since judges are also “public servants”, then a “kritarchy” also qualifies as a “dulocracy”:

15 *“Dulocracy. A government where servants and slaves have so much license and privilege that they domineer.”*  
16 *[Black’s Law Dictionary, Sixth Edition, p. 501]*

17 The book of Judges in the Bible shows what happens to a culture that trusts in man and the flesh and their own feelings rather  
18 than in God’s law for their sense of justice and morality. Below is an excerpt from our Bible introducing the Book of Judges  
19 to make the moral lessons contained in the book crystal clear:

20 *The Book of Judges stands in stark contrast to Joshua. In Joshua an obedient people conquered the land through*  
21 *trust in the power of God. In Judges, however, a disobedient and idolatrous people are defeated time and time*  
22 *again because of their rebellion against God.*

23 *In seven distinct cycles of sin to salvation, Judges shows how Israel had set aside God’s law and in its place*  
24 *substituted “what was right in his own eyes” (21:25). The recurring result of abandonment from God’s law is*  
25 *corruption from within and oppression from without. During the nearly four centuries spanned by this book,*  
26 *God raises up military champions to throw off the yoke of bondage and to restore the nation to pure worship. But*  
27 *all too soon the “sin cycle” begins again as the nation’s spiritual temperance grows steadily colder.*

28 ...

29 *The Book of Judges could also appropriately be titled “The Book of Failure.”*

30 *Deterioration (1:1-3:4). Judges begins with short-lived military successes after Joshua’s death, but quickly turns*  
31 *to the repeated failure of all the tribes to drive out their enemies. The people feel the lack of a unified central*  
32 *leader, but the primary reasons for their failure are a lack of faith in God and lack of obedience to Him (2:1-2).*  
33 *Compromise leads to conflict and chaos. Israel does not drive out the inhabitants (1:21, 27, 29, 30); instead of*  
34 *removing the moral cancer [IRS, Federal Reserve?] spread by the inhabitants of Canaan, they contract the*  
35 *disease. The Canaanite gods [money, sex, covetousness] literally become a snare to them (2:3). Judges 2:11-23*  
36 *is a microcosm of the pattern found in Judges 3-16.*

37 *Deliverance (3:5-16:31). In verses 3:5 through 16:31 of the Book of Judges, seven apostasies (fallings away*  
38 *from God) are described, seven servitudes, and seven deliverances. Each of the seven cycles has five steps: sin,*  
39 *servitude, supplication, salvation, and silence. These also can be described by the words rebellion, retribution,*  
40 *repentance, restoration, and rest. The seven cycles connect together as a descending spiral of sin (2:19). Israel*  
41 *vacillates between obedience and apostasy as the people continually fail to learn from their mistakes. Apostasy*  
42 *grows, but the rebellion is not continual. The times of rest and peace are longer than the times of bondage. The*  
43 *monotony of Israel’s sins can be contrasted with the creativity of God’s methods of deliverance.*

44 *Depravity (17:1-21:25). Judges 17:1 through 21:25 illustrate (1) religious apostasy (17 and 18) and (2) social*  
45 *and moral depravity (19-21) during the period of the judges. Chapters 19-21 contain one of the worst tales of*  
46 *degradation in the Bible. Judges closes with a key to understanding the period: “everyone did what was right*  
47 *in his own eyes” (21:25) [a.k.a. “what FEELS good”]. The people are not doing what is wrong in their own*  
48 *eyes, but what is “evil in the sight of the Lord” (2:11).*  
49 *[The Open Bible, New King James Version, Thomas Nelson Publishers, Copyright 1997, pp. 340-341]*



The hypocrisy and idolatry represented by a government of judges or of men rather than law not only violates the first and greatest Commandment in the Bible found in Exodus 20:3 and Matt. 22:37-38, but is also more importantly violates the First Amendment to the U.S. Constitution:

**First Amendment:**

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*

How do government servants make themselves or the government they are part of into a “superior being”? Here are just a few highly unethical and evil ways:

1. Writing laws that apply to everyone but them.
  2. Enforcing laws against everyone BUT themselves.
  3. Abuse official, judicial, or sovereign immunity to make themselves exempt from all laws EXCEPT those the government individually and expressly consents to while refusing the ability of the average American to do the same thing.
  4. Refusing to recognize or protect the First Amendment right of people NOT to be a CUSTOMER of the civil protection called a “citizen” or “resident” and to thereby be protect ONLY by the common law rather than the civil law. This makes government essentially into a criminal protection racket in which “taxes” are really nothing more than a bribe to get criminals in government to CIVILLY leave you alone. Since justice is the right to be left alone, it also produces INJUSTICE. Government are nothing more than a “body corporate” whose only product is “protection”. What other corporation can FORCE you to buy their product? A government founded to provide PROTECTION that won’t even protect you from ITSELF has no business collecting monies to protect you from anyone ELSE.
  5. Imputing to themselves more rights or methods of acquiring rights than the people themselves have. In other words, who are the object of PAGAN IDOL WORSHIP because they possess “supernatural” powers. By “supernatural”, we mean that which is superior to the “natural”, which is ordinary human beings.
  6. Printing (counterfeiting) unlimited amounts of money to fund their socialist takeover of America while putting everyone else into jail for doing the same thing. This is the main purpose of the corrupt Federal Reserve.
  7. Having a monopoly on anything, INCLUDING “protection”, and who turn that monopoly into a mechanism to force EVERYONE illegally to be treated as uncompensated public officers in exchange for the “privilege” of being able to even exist or earn a living to support oneself.
  8. Making judges, juries, or any decision maker into either federal benefit recipients or "taxpayers" in tax cases, thus making the judge and/or jury into criminals with a financial conflict of interest that makes it impossible to win against the government in any proceeding involving the violation of the tax or franchise codes.
  9. Abusing executive enforcement powers to "selectively enforce" against political enemies to protect their own self-interest rather than the interest of the average American.
  10. Lying with impunity in ALL of their publications and not being responsible for the accuracy of ANY of their government publications, and especially tax publications
  11. Forcing everyone who wants their help to sign under penalty of perjury with accurate and truthful information while not being EQUALLY accountable for doing the same when they communicate with the public.
  12. Enforcing laws outside their territory, thus abusing the legal system as an excuse to engage in acts of international LEGALIZED terrorism.
  13. Lying to or misleading a grand jury and not be held accountable for it because they would have to prosecute themselves if they did.
  14. Corrupt judges suppressing admission of evidence in court that would undermine their power or control over society. This is especially true in cases against wrongdoers in government.
  15. Corrupt judges making cases unpublished where the government was litigated against and lost, thus preventing them from being cited as precedent.
- Nonpublication.com  
<http://www.nonpublication.com/>
16. Corrupt judges threatening prosecuting attorneys with loss of licenses for corruption cases against themselves or anyone in government.
  17. Corrupt judges telling juries that they must rule in the case based on what the judge says is the law rather than based on a reading of the actual law. This substitutes the judge's will for what the law says, violates the separation of powers, and makes the judge in the judge, jury, and executioner and the people into SLAVES.
  18. Abuse the legal system to terrorize and persecute Americans for their political activities or to coerce them into giving up some right that the law entitles them to. Most Americans can't afford legal representation and government abuses this

vulnerability by litigating maliciously and endlessly against their enemies to terrorize them into submission and run up their legal bills. This makes their victims into a financial slave of an expensive attorney who is licensed by the same state he is litigating against, which imparts a conflict of interest that prejudices the rights of his client.

[TITLE 18](#) > [PART 1](#) > [CHAPTER 77](#) > Sec. 1589.  
Sec. 1589. - Forced labor

**Whoever knowingly provides or obtains the labor or services of a person -**

**(3) by means of the abuse or threatened abuse of law or the legal process.**

**shall be fined under this title or imprisoned not more than 20 years, or both.** *If death results from the violation of this section, or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or the attempt to commit aggravated sexual abuse, or an attempt to kill, the defendant shall be fined under this title or imprisoned for any term of years or life, or both*

By making itself a “superior being” relative to the people it governs and serves and using the color but not actual *force* of law to compel the people to pay homage to and “worship” and to serve it with their stolen labor (extorted through illegally enforced income taxes), Congress has mandated a religion, with all the many necessary characteristics found in the legal definition of “religion” indicated above, and this is clearly unconstitutional. The only way to guarantee the elimination of the conflict of law that results from putting government above the people is to:

1. Make God the sovereign over all of creation.
2. Make the people **servants to God** and His *fiduciary agents*.
3. Create government as a **servant to the People** and their fiduciary agent. Make the only source of government authority that of protecting the people from evil, injustice, and abuse.

There is no other rational conclusion one can reach based on the above analysis. There is simply no other way to solve this logical paradox of government becoming a religion in the process of making itself superior to the people or the “U.S. citizens”. The definition of “religion” earlier confirmed that God must be the origin of earthly government, when it said:

*“Bond uniting man to God, and a virtue whose purpose is to render God worship due him as source of all being and **principle of all government of things.**”*

One of our readers, Humberto Nunez, wrote a fascinating and funny article showing just how similar government and most religions really are:

**GOVERNMENT IS A PAGAN CULT AND WE'VE ALL BEEN DRINKING THE KOOL AID**

By: Humberto Nunez

*Government is a pagan cult. When you join the Armed Forces, the first thing they do is shave your head. Just like in many cults, where they shave your head. The Army also uses sleep deprivation in Boot Camp, just like many cults do, to brainwash their people.*

*Secret Service Agents are willing to “die for their beliefs” (in defense of The President: their cult leader).*

*Many men say that they would “die for their country”. This is a form of pagan Martyrdom for the pagan cult State.*

*Many today say that “religion has caused more war... “ and blah blah blah.*

*But the fact is that governments send out draft cards, not churches. Governments started WWI and WWII, not religion. In fact, during times of peace governments hate religion because religion is the governments’ #1 competition for allegiance, and during times of war, governments use religion for their own agenda.*

*Another similarity to cults: FBI Agents even dress similar to Mormons, and have the same type of haircuts. Many cults have a dress code of some kind, just like in the Army, and even in the Corporate world.*

*When you join the Moonies you would probably end up selling flowers for them, and the Moonies will keep all the profits from the work you do. When you work today, the pagan cult State takes your profits (in the form of*

income taxes), and they won't let you leave their cult (the State). If you attempt to not pay your taxes, you would be arrested and branded a criminal.

Now, I did a little research into the symptoms and signs of a cult and found these 5 Warning Signs: (to distinguish a cult from a 'normal' religion)

3. The organization is willing to place itself above the law; this is probably the most important characteristic.
4. The leadership dictates, (rather than suggests) important personal (as opposed to spiritual) details of followers' lives, such as whom to marry, what to study in college, etc.
5. The leader sets forth ethical guidelines members must follow but from which the leader is exempt.
6. The group is preparing to fight a literal, physical Armageddon against other human beings.
7. The leader regularly makes public assertions that he or she knows is false and/or the group has a policy of routinely deceiving outsiders.

Now, let's break these down one by one.

1. The organization is willing to place itself above the law; this is probably the most important characteristic.

Example: Death Penalty.

What is the purpose and intention behind State sponsored Death Penalty? The primary purpose and intention behind State sponsored Death Penalty is not to deter crime, nor is it to be tough on crime. To understand the purpose and intent behind this, we must study psychology, in particular, behavioral psychology: like in training a dog. To train a dog, one must use behavioral modification techniques. For example, the primary purpose and intention behind anti-smoking laws is to get you to obey the State. Before you can train a dog to kill, you must first train the dog to obey simple commands; like sit, and roll over. The same is true of recycling laws. Glass bottles are actually much safer for the environment than plastic bottles. The primary purpose and intention behind recycling laws is not to save the environment, it is a behavioral modification technique to get the people to obey the Government.

Now, back to State sponsored death penalty laws. The primary purpose and intention behind Death Penalty laws is to get people used to the idea that the State is above the law. It is illegal for people to kill and to murder. With State sponsored Death Penalty laws, the State is Above the Law.

There you have symptom #1:

1. The organization is willing to place itself above the law; this is probably the most important characteristic.
2. The leadership dictates, (rather than suggests) important personal (as opposed to spiritual) details of followers' lives, such as whom to marry, what to study in college, etc.

I can give a dozen examples of this behavioral modification ploy of cults. Recycling and anti-smoking laws were two examples I explained above. Dictating the behavior of Americans today is pervasive throughout our entire society.

3. The leader sets forth ethical guidelines members must follow but from which the leader is exempt.

We can see this today very clearly when it comes to violence. Many Americans today are forced to attend Anger Management Courses while at the same time the State uses violence (like in the Iraq War).

4. The group is preparing to fight a literal, physical Armageddon against other human beings.

Three words: War on Terrorism

5. The leader regularly makes public assertions that he or she knows is false and/or the group has a policy of routinely deceiving outsiders.

I don't think that last symptom (of a cult) needs further explanation.

Well there you have it; the Government has all of the 5 major signs/symptoms of being a cult.

For the philosophy behind The Nature of Government I recommend this read:

[http://www.apfn.org/apfn/nature\\_gov.htm](http://www.apfn.org/apfn/nature_gov.htm)

1 It is A MUST READ for all Americans and all freedom loving peoples of the world. It is so good that if I start  
 2 quoting from it, I'll just end up pasting the entire article here in my article. So I'll just leave it at that and say you  
 3 the reader here MUST READ IT.

4 Now, the atheist says "Show me God." I say, "Show me government." I do not believe in the existence of  
 5 government. Now hold your horses, I know that sounds silly at first, but let me explain.

6 Let's say you were on a ship full of people. Now the people in that ship went insane and started hallucinating,  
 7 thinking that you were an alien from another planet and that you must be killed. If those people on that ship killed  
 8 you, you would really be dead, literally. Just because of the reality of the consequences of that mass hallucination  
 9 (you being dead) does not prove that you were really an alien. It just proves that the people were suffering from  
 10 mass hallucination. So, just because the so-called 'government' can arrest you and put you in jail, that does not  
 11 prove the existence of government. It just proves mass hallucination.

12 Let's start again now:

13 The atheist says "Show me God." I say, "Show me government." Now don't tell me the White House. That is  
 14 not 'government'. That is a building. That's just as if I were to show an atheist a church (a building), that would  
 15 not prove the existence of God.

16 Ok now, you might show me a Police Officer in uniform, and offer proof on how he can actually arrest me, to  
 17 prove the existence of Government.

18 Well, I can show an atheist a priest in uniform, but that would not prove the existence of God. Even if Congress  
 19 gave priests the authority to arrest people on the streets that would still not prove the existence of God to an  
 20 atheist. Just like a cop in uniform does not prove the existence of government, it only proves that the people are  
 21 suffering from mass hallucination.

22 People today are obsessed with the laws of the pagan-cult State. The Constitution, the Bill of Rights, etc. etc,  
 23 people meditating day and night on the 'laws' of the pagan-cult State, as opposed to the Law of God. Thomas  
 24 Jefferson, Benjamin Franklin, these men have become cult figures. They have replaced Abraham, Isaac, Jacob,  
 25 Noah, Moses, as the men of God to be pondered on and studied.

#### 26 Sacrifice for Protection

27 In ancient times, people performed human sacrifice to their pagan false gods for 'Protection' from the gods. They  
 28 believed their gods also played the role of 'Provider' by performing human sacrifice for rain for their crops for  
 29 example.

30 Today, the U.S. Fed. Govt. is asking for "Sacrifice for Protection'. The State today is now saying that the people  
 31 must sacrifice their Freedoms and Liberties for 'Protection' from terrorism (demons, evil spirits, etc.) and that  
 32 the State will then 'Provide' them with safety.

33 This is metaphorically a form of human sacrifice. It is not a human sacrifice where you literally kill someone (like  
 34 in the Death Penalty), but it is a "human" sacrifice. I mean, the State is not asking the animals to sacrifice their  
 35 Freedoms and Liberties, it is asking us humans, so it is a "human" sacrifice as opposed to an 'animal' sacrifice  
 36 in that sense. Also, there is death involved; the death of our Freedoms and Liberty.

37 By the way, State sponsored Death Penalty is another form of human sacrifice for the pagan-cult State, and State  
 38 sponsored abortion is a form of child sacrifice for this pagan-cult State.

#### 39 Black Robes: Judges and Devil worshippers

40 Judges wear Black Robes just like Devil worshippers. The Judges' Desk is the Altar of Baal. They bring men tied  
 41 up in handcuffs before the altar (Judges' desk) and these men are for the human sacrifice and the entire court  
 42 proceeding is a satanic ritual.

43 Sounds crazy? Is it a coincidence that the 'language of the court' is Latin (ex: Habeas Corpus) just like the  
 44 'language of a Catholic Exorcism' is also in Latin? Lawyers speak Latin in the court room just like Priests use  
 45 Latin when performing exorcisms when you have a 'case' of full DEMONIC POSSESSION.

46 Also, the same type of 'respect' a Priest would expect from a visitor to his church is the same type of respect a  
 47 Judge expects in his court room. There's even a penalty for disobeying this 'respect'; it's called "Contempt of  
 48 Court".

49 Another psychological conditioning behavior modification technique being applied on the American Public is  
 50 this: Television shows like Judge Judy, Judge Joe, all these People's Courts television shows. The primary

intention and purpose behind these so-called Court Room Justice shows is to condition the public to get used to entering a court room with NO Trial by Jury. In not one of any of these types of shows do you ever see a Trial by Jury; that is not a mistake, it is intentional, and by design.

I can go on and on with this article and offer a million more details.

To conclude, if the U.S. Govt. plans to attack Iran, North Korea, etc. in the future. And if there is the possibility that this War on Terrorism might lead to WWII. Then, that is nothing but pagan-cult MASS SUICIDE. And the U.S. Govt. is a pagan cult, and WE'VE ALL BEEN DRINKING THE KOOL AID. [Does Jim Jones from Ghana ring a bell?]

Now, some readers of this article (especially neo-conservatives) would automatically brand me an Anarchist. I am not an Anarchist, what I am questioning is the role of government. According to the Founding Fathers of America, the role of government was to protect your Individual Rights. NOT TO TAKE THEM AWAY.

And finally, if the people will not serve God, they will end up serving and being slaves of government. I am sure many Christians would believe this, and even some followers of eastern philosophies; for this is a form of 'Bad Karma'.

And, if man will not serve God, then woman will not serve man. This is also a form of 'bad karma' [and it may also explain why the divorce rate is so high].

Another fascinating and funny article that helps to clarify just how God-like our government has become is as follows:

**The Ten Commandments of the U.S. Government, Family Guardian Fellowship**

I. I am the Lord of the Talmud, thou shalt have no Biblical God before me.

II. Thou shalt not make unto thee any but Satanic images: the witch, symbol of the city government and police department of Salem, Massachusetts; the five-pointed occult pentagram of Sirius, of the state religion of Egypt, emblem of the Department of Defense and our Armed Forces, and the badge of U.S. law enforcement at all levels; the pyramid of Pharaoh, capped by the all-Seeing Eye of Horus, emblazoned on the currency in the denomination of one shekel.

III. Thou shalt not take the name of thy god in vain: thou shalt not blaspheme the name Rabbi, Israeli, Zionism, "U.S. government", or any politician or agency.

IV. Remember the Wal Mart sale on the Sabbath Day, and keep it holy by spending. Seven days must thou labor, that thereby thou shalt spend ever more.

V. Honor thy son and thy daughter. Neither spank nor say no to them when they seek to consume the sex and violence that is dangled before them from every lawful venue. Thy daughter shalt dress like a cheap harlot from the age of eight onward, and thy son shall engage in bloody video games, likewise from his eighth year. All of these are legal and profitable, saith the Lord.

VI. Thou shalt not kill the molester of 150 children in his prison cell, and thou shalt condemn the convict who executes the molester, lest such justice be encouraged, and lest it be known that the convict had greater common sense and honor than a legion of our judges.

VII. Thou shalt commit adultery and televise and popularize it throughout the land, and broadcast it into Afghanistan and Iraq, that thereby the Muslims shall be vouchsafed a share in our democracy and freedom.

VIII. Thou shalt not steal from us, for we detest competition.

IX. Thou shalt indeed bear false witness, for by perjury our Law is established.

X. Covet thy neighbor's goods and thy neighbor's wife, for thereby doth our Order prosper.

I'll bet you never even dreamed that there were so many parallels between Christianity and government, did you? I'll bet you also never thought of government as a religion, but that is exactly what it has become. The idea of making government a religion or creating false idols for the people to worship is certainly not new. Here is an example from the bible, where "cities" are referred to as "gods". Notice this passage also criticizes evolutionists when it says "Saying to.. a stone 'you gave birth to me.'". Evolutionists believe that we literally descended from rocks that evolved from a primordial soup:

1 "As the thief is ashamed when he is found out,  
 2 So is the house of Israel ashamed;  
 3 They and their kings and their princes, and their priests and their prophets,  
 4 Saying to a tree, "You are my father,"  
 5 And to a stone, "You gave birth to me."  
 6 For they have turned their back to Me, and not their face.  
 7 But in the time of their trouble  
 8 They will say, "Arise and save us."  
 9 But where are your gods [governments] that you have made for yourselves?  
 10 Let them arise,  
 11 If they can save you in the time of your trouble;  
 12 For according to the number of your cities  
 13 Are your gods, O Judah."  
 14 [Jeremiah 2:26-28, Bible, NKJV]

15 Leaders know that if you can get people to worship false idols and thereby blaspheme God with their sin, then you can use  
 16 this idolatry to captivate and enslave them. For instance, in the Bible in 1 Kings Chapters 11 and 12, we learn that Solomon  
 17 disobeyed the Lord by marrying foreign wives and worshipping the idols of these foreign wives. When Solomon died, his  
 18 son Rehoboam hardened his heart against God and alienated his people. Then he fought a competitor named Jeroboam over  
 19 the spoils of his vast father's remnant kingdom (1 Kings 12). The weapon that Jeroboam used to compete with Rehoboam  
 20 was the creation of a false idol for the ten tribes of Israel that were under his leadership. This false idol consisted of two  
 21 calves of solid gold. The false idol distracted ten of the 12 tribes of Israel from wanting to reunite with the other two tribes  
 22 and worship the true God. To this day, the twelve tribes have never again been able to reunite, because they were divided by  
 23 idolatry toward false gods. Here is a description of how Jeroboam did it from 1 Kings 12:25-33:

24 Golden Calves at Bethel and Dan

25 <sup>25</sup> Then Jeroboam fortified Shechem in the hill country of Ephraim and lived there. From there he went out and  
 26 built up Peniel.  
 27 <sup>26</sup> Jeroboam thought to himself, "The kingdom will now likely revert to the house of David. <sup>27</sup> If these people  
 28 go up to offer sacrifices at the temple of the LORD in Jerusalem, they will again give their allegiance to their  
 29 lord, Rehoboam king of Judah. They will kill me and return to King Rehoboam."  
 30 <sup>28</sup> After seeking advice, the king made two golden calves. He said to the people, "It is too much for you to go  
 31 up to Jerusalem. Here are your gods, O Israel, who brought you up out of Egypt." <sup>29</sup> One he set up in Bethel,  
 32 and the other in Dan. <sup>30</sup> And this thing became a sin; the people went even as far as Dan to worship the one  
 33 there.  
 34 <sup>31</sup> Jeroboam built shrines on high places and appointed priests from all sorts of people, even though they were  
 35 not Levites. <sup>32</sup> He instituted a festival on the fifteenth day of the eighth month, like the festival held in Judah, and  
 36 offered sacrifices on the altar. This he did in Bethel, sacrificing to the calves he had made. And at Bethel he  
 37 also installed priests at the high places he had made. <sup>33</sup> On the fifteenth day of the eighth month, a month of his  
 38 own choosing, he offered sacrifices on the altar he had built at Bethel. So he instituted the festival for the  
 39 Israelites and went up to the altar to make offerings.  
 40 [1 Kings 12:25-33, Bible, NIV]

41 Similar to Jeroboam, our present government conquers the people by encouraging them to become distracted with false idols.  
 42 These false idols include:

- 43 1. **Government.** This translates into worship of and slavery to government through the income tax and an obsession  
 44 with petitioning government to protect people from discrimination or punishment for the consequences of their sins,  
 45 including homosexuality, dishonesty, and infidelity.
- 46 2. **Money.** They use this lust for money to divide and conquer and control families by getting them fighting over  
 47 money within their marriage. They encourage people to get marriage licenses they never needed in order to get  
 48 jurisdiction over the spouses and their assets, and then they make it so easy to get divorced that it becomes  
 49 economically attractive to marry people for their money. This means that people get married for all the wrong  
 50 reasons, and make themselves into slaves of the state in the process of using the state courts as a vehicle to plunder  
 51 their partner using community property laws.
- 52 3. **Sex.** A fixation with sex, homosexuality, fornication, and adultery. People who are obsessed with anything, and  
 53 especially sex, are far less likely to be informed about the law or vigilant about holding their government  
 54 accountable.
- 55 4. **Sports and television.** People who are hooked on Monday night football or the latest host soap or sitcom aren't  
 56 likely to be caught visiting the law library or reading the Bible as God says they should.
- 57 5. **Materialism.** This manifests itself in an obsession to acquire and keep "things".

6. **Sin.** In the past, the government outlawed gambling and lotteries. Now most states have actually institutionalized this kind of sin. The government holds lotteries and even advertises them. Indian reservations have become havens for legalized gambling.

Have you ever visited a doctor's office for minor surgery? What the doctor does is administer a local anesthetic to numb your senses in the area he will be cutting and operating on so you won't experience pain or feel what he is doing. The government does the same thing. Before they hook you up to "The Matrix" using their umbilical called the "income tax" to painfully suck you dry, they use a "local anesthetic" that numbs your senses and your discretion. This "local anesthetic" is the sin and hedonism and idolatry they try to get you addicted to and distracted with that they use to make you into a slave:

*"Most assuredly, I say to you, whoever commits sin is a slave of sin."  
[Jesus in John 8:34, Bible, NKJV]*

Once you are a slave to your sin, you are far less likely to give them any trouble about being a host organism for the federal parasite that sucks your life and your labor and your property dry. They supplement this local anesthetic called "sin" with a combination of cognitive dissonance, lies and propaganda, ignorance generated by the public fool (school) system, and an occasional media report about how they trashed a famous person to keep you in fear and immobilized to oppose their organized extortion and racketeering. This trains you never to trust or respect your own judgment well enough to even conceive of questioning authority or challenging their jurisdiction.

*"Surely oppression destroys a wise man's reason.  
And a [compelled] bribe [called income tax] debases the heart."  
[Ecclesiastes 7:7, Bible, NKJV]*

The concept of government as a religion especially applies to the field of taxation. The Internal Revenue Code is 9,500 pages of very fine print. We know because we have a personal copy and read it often. Our own former Treasury Secretary Paul O'Neill calls it, and I quote:

*"9,500 pages of gibberish."*

*[See this quote in a news article at: <http://famguardian.org/TaxFreedom/Evidence/OrgAndDuties/IRSExhibit-PaulONeill-IRSCo9500PgsOfGibberish.pdf>]*

How many people have taken the time to read the Internal Revenue Code in its entirety, and even among those very few people who have read it completely, how many believe that they fully and completely understand it well enough to swear under penalty of perjury that facts they reveal and statements they might make about their own personal tax liability would be completely consistent with it? If you don't meet these two criteria of having read it completely and often and having a full and accurate understanding about it that is truthful and consistent with its legislative intent, then any statement you make on a tax return that is based on your state of mind in that instance becomes simply a matter of usually misinformed or ignorant "belief". There's a good word for this condition of believing something without knowing all the facts. It is called "faith" and it is the foundation of all religions in the world!:

*"Now **faith is the substance of things hoped for, the evidence of things not seen.**"  
[Heb. 11:1, Bible, NKJV]*

Isn't "faith" based on a "belief" in something which you have not seen sufficient scientific evidence to prove? If you are like most Americans who have *never* read or even seen any part of the Internal Revenue Code, which is the only admissible "evidence" of your legal tax obligation, then any action you might take and any statement you might make regarding your tax "liability" under such circumstances could be rationally described only as an act of "faith" and "belief". Here's the legal definition of "faith":

*"**Faith.** Confidence; credit; reliance. Thus, an act may be said to be done 'on the faith' of certain representations.*

*"**Belief; credence; trust.** Thus, the Constitution provides that 'full faith and credit' shall be given to the judgments of each state in the courts of the others.*

*Purpose; intent; sincerity; state of knowledge or design. This is the meaning of the word in the phrase "good faith" and "bad faith". See Good faith."  
[Black's Law Dictionary, Sixth Edition, p. 599]*

1 Even when you hire an expensive professional to prepare your tax return, you still have all of the responsibility and liability  
 2 for the content and the accuracy of the return and if the IRS institutes a penalty for errors or omissions, isn't it you rather than  
 3 your tax preparer who has to pay the penalty? What exactly are you "trusting" (see the definition of "faith" above) when you  
 4 sign a tax return and state under penalty of perjury that it is truthful without even reading or knowing or understanding the  
 5 tax code? What you are in fact "trusting" is "man" or your "government". You are trusting what the IRS told you in its  
 6 publications, right? Or you're trusting an ignorant and greedy and unethical tax lawyer or a misinformed accountant to tell  
 7 you what your legal responsibilities are, aren't you? That is called trusting "man" because a man wrote those publications or  
 8 gave you the advice that you formed your "belief" from. The Bible says we shouldn't trust men or a "worthless" government,  
 9 and instead ought to trust only Him:

10 *"Cursed be he that confirmeth not all the words of this law [God's Law, not Caesar's law] to do them. And all*  
 11 *the people shall say, Amen."*  
 12 *[Deu 27:26, Bible, NKJV]*

13 *"Behold, the nations are as a drop in the bucket, and are counted as the small dust on the scales."*  
 14 *[Isaiah 40:15, Bible, NKJV]*

15 *"All nations before Him are as nothing, and they are counted by Him less than nothing and worthless."*  
 16 *[Isaiah 40:17, Bible, NKJV]*

17 *"Cursed is the one who trusts in man [or by implication man-made government], who depends on flesh for his*  
 18 *strength and whose heart turns away from the Lord. He will be like a bush in the wastelands; he will not see*  
 19 *prosperity when it comes. He will dwell in the parched places of the desert, in a salt land where no one lives.*  
 20 *But blessed is the man who trusts in the Lord, whose confidence is in Him. He will be like a tree planted by the*  
 21 *water that sends out its roots by the stream. It does not fear when heat comes; its leaves are always green. It has*  
 22 *no worries in a year of drought and never fails to bear fruit."*  
 23 *[Jeremiah 17:5-8, Bible, NIV]*

24 Now if our government had stuck to its original charter to be "a society of laws and not men", then we wouldn't be forced to  
 25 have to depend on "men" to know what our tax responsibilities are because we would be able to read the law ourselves  
 26 without consulting an "expert" and KNOW what we are supposed to do:

27 *"The government of the United States has been emphatically termed a government of laws, and not of men. It*  
 28 *will certainly cease to deserve that high appellation, if the laws furnish no remedy for the violation of a vested*  
 29 *legal right."*  
 30 *[Marbury v. Madison, 5 U.S. 137, 1 Cranch 137, 2 L.Ed. 60 (1803)]*

31 If our government had remained honorable and honest, the laws would be simple and clear and short. Read the earlier tax  
 32 laws: they are very short and easy to understand. These laws were KNOWABLE by the common man. The easiest way to  
 33 make the law respectable is to make it short and simple enough so that every person can read and understand it. When it  
 34 grows too large and/or too complicated to be knowable by every citizen, then at that point, we have transformed our society  
 35 from a society of laws to a society of men, which is the root and the foundation of tyranny and the very reason we rebelled  
 36 against English monarchs to form this country! That kind of corruption of our laws began starting in around 1913, shortly  
 37 after the Federal Reserve Act and the Sixteenth Amendment were passed. At that point, our government became a gigantic  
 38 parasite completely unrestrained by the Constitutional limits that had kept it under control. It became a socialist bureaucracy  
 39 bent on destroying our liberties and making itself into a false god.

40 The IRS publications are the only thing that most Americans have ever read that even comes close to claiming to represent  
 41 what is in the real tax code found in the Internal Revenue Code. Because most people can't afford a high-priced lawyer or  
 42 accountant who understands the tax code completely, and don't have the time to read the entire IRC or buy and read a  
 43 comprehensive and complete book on taxes, then Americans in effect are economically coerced into relying on and having a  
 44 "religious faith" in the IRS publications as their only source to understand what the tax code requires. Add to that the legal  
 45 ignorance perpetuated in them by our government schools and you have additional government duress. Worst yet, the federal  
 46 courts have said that none of these IRS publications are credible and that they "confer no rights". Read the article on our  
 47 website about this scam because it will blow your mind!:

48 <http://famguardian.org/Subjects/Taxes/Articles/IRSNotResponsible.htm>

49 Even the IRS says you can't rely on their own publications in their Internal Revenue Manual:



1 *"IRS Publications, issued by the National Office, explain the law in plain language for taxpayers and their*  
 2 *advisors... While a good source of general information, publications should not be cited to sustain a position."*

3 *[Internal Revenue Manual (I.R.M.), Section 4.10.7.2.8 (05-14-1999)]*

4 So once again, if you haven't personally read the entire Internal Revenue Code, don't understand it completely, or have  
 5 trusted the IRS publications, then your "faith" is ill-founded and in effect becomes "bad faith" because you are relying on a  
 6 completely unaccountable, criminal, and lawless organization called the IRS to define and fulfill your purported legal  
 7 responsibilities, and that can only be described as despicable, morally wrong, and biblically unsound:

8 *"**Bad faith.** The opposite of "good faith," generally implying or involving actual or constructive fraud, or a*  
 9 *design to mislead or deceive another, or a neglect or refusal to fulfill some duty or some contractual obligation,*  
 10 *not prompted by an honest mistake as to one's rights or duties, but by some interested or sinister motive. Term*  
 11 *"bad faith" is not simply bad judgment or negligence, but rather it implies the conscious doing of a wrong because*  
 12 *of dishonest purpose or moral obliquity; it is different from the negative idea of negligence in that it contemplates*  
 13 *a state of mind affirmatively operating with furtive design or ill will..."*

14 *[Black's Law Dictionary, Sixth Edition, p. 139]*

15 You are not alone in your compelled depravity and violation of God's law because most Americans, including us, are just  
 16 like you. But you have to trust "somebody" on this tax subject don't you, because if you don't file the government is going  
 17 to go after you and penalize you, aren't they? So you are compelled to have "faith" in something, right? You get to choose  
 18 what that "something" is, but the result is a compelled "faith" or "trust" in "something" because of demands the government  
 19 is making on you to satisfy your alleged tax responsibilities.

20 Now if the Constitution says in the First Amendment that "*Congress shall make no law respecting an establishment of*  
 21 *religion, or prohibiting the free exercise thereof*", and yet the IRS tells you under the "color of law" that you have to in effect  
 22 trust or have "religious faith" in "something" in order to satisfy their criminal extortion under the "color of law", then isn't  
 23 the government in effect "making a law respecting the establishment of a religion"? When corrupt judges make rulings on  
 24 tax issues that violate the Constitution and prejudice our sacred rights, aren't they making law? Isn't this kind of judicial  
 25 activism called "judge-made law" and isn't Congress' failure to discipline such tyrant judges the equivalent of allowing them  
 26 to write law that will then be used as precedent in the future? Isn't the object of that "religious faith" and "trust" that the  
 27 government compels us to have the fraudulent IRS Publications directly, and the IRS who prepares them indirectly? So in  
 28 effect, if the income tax is indeed an "enforced" or "compelled" tax, then the government has established "faith in the IRS"  
 29 as a religion by the operation of law. And then the federal courts of that same government have turned around and said that  
 30 even though the only basis for most people's beliefs is the IRS publications, they aren't trustworthy nor credible, and in fact,  
 31 you can be penalized for relying on what the IRS told you in them! So you are in effect being compelled to trust or have  
 32 "religious faith" in a lie, aren't you? But then out of the other side of that same hypocritical and criminal government's  
 33 mouth, the U.S. supreme Court says:

34 *"Courts, no more than the Constitutions, can intrude into the consciences of men or compel them to believe*  
 35 *contrary to their faith or think contrary to their convictions, but courts are competent to adjudge the acts men*  
 36 *do under the color of a constitutional right, such as that of freedom of speech or of the press or the free exercise*  
 37 *of religion and to determine whether the claimed right is limited by other recognized powers, equally precious to*  
 38 *mankind. So the mind and the spirit of man remain forever free, while his actions rest subject to necessary*  
 39 *accommodation to the competing needs of his fellows."*

40 *"If all expression of religion or opinion, however, were subject to the discretion of authority, our unfettered*  
 41 *dynamic thoughts or moral impulses might be made only colorless and sterile ideas. To give them life and*  
 42 *force, the Constitution protects their use. No difference of view as to the importance of the freedoms of press or*  
 43 *religion exist. They are "fundamental personal rights and liberties" *Schneider v. State*, 308 U.S. 147, 161, 60*  
 44 *S.Ct. 146, 150, 84 L.Ed. 155. To proscribe the dissemination of doctrines or arguments which do not transgress*  
 45 *military or moral limits is to destroy the principal bases of democracy, --knowledge and discussion. One man,*  
 46 *with views contrary to the rest of his compatriots, is entitled to the privilege of expressing his ideas by speech or*  
 47 *broadside to anyone willing to listen or to read. ...*

48 *"Ordinances absolutely prohibiting [or penalizing] the exercise of the right to disseminate information are, a*  
 49 *fortiori, invalid."*

50 *[Jones v. City of Opelika, 316 U.S. 584, 62 S.Ct. 1231 (1942), Emphasis added]*

51 And when we raise the issue in court that the payment of federal income taxes violates our religious beliefs as documented  
 52 here, then the courts frequently say that our arguments are "frivolous". See section 4.18 later and *U.S. v. Lee*, 455 U.S. 252  
 53 (1982) for further confirmation of how the government essentially labels our religious beliefs as being frivolous in the process

of enforcing their “love for your money” in the courts. That too is a government action to create a religion, because all of the arguments here are based on the law and words right out of the mouths of the government’s own judges and lawyers. Indirectly, they are saying that their own words are frivolous! That’s religion and idolatry, and the object of worship is the almighty dollar. The result of them calling our claims “frivolous” is a maximization of federal revenues and personal retirement benefits of federal judges through illegal and unconstitutional extortion. That too violates Christian beliefs, which say that “covetousness” is idolatry, which is the religious worship of idols:

“Therefore put to death your members which are on the earth: fornication, uncleanness, passion, evil desire, and covetousness, which is idolatry.”  
[Colossians 3:5, Bible, NKJV]

“Behold, to obey [God and His Law] is better than sacrifice, and to heed than the fat of rams. For rebellion is as the sin of witchcraft, and stubbornness is an iniquity and idolatry. Because you have rejected the word of the Lord, He also has rejected you from being king [or sovereign over government].”  
[1 Sam. 15:22-28, Bible, NKJV]

The implication of the above scripture is that when public *servants* in the government violate God’s law, they cease to be part of the government and are acting as *private individuals* absent the authority of law. They are no longer the sovereigns who are serving the public they are there to protect. Instead they are serving *themselves* mainly and thereby violating the fiduciary relationship they have as part of the public trust and federal corporation known as the “United States government” (see section 2.1 earlier for details). Christians are supposed to disobey such unlawful and immoral actions, including those of courts.

“We ought to obey God rather than men.”  
[Acts 5:27-29, Bible, NKJV]

So we have a paradox, folks. Either Subtitle A income taxes are *mandatory* and *enforced* and “religious faith in the IRS” has become the new religion, or the taxes are instead entirely “voluntary” donations and therefore do not conflict with religious views or the First Amendment. We can’t have it both ways, but the government’s fraudulent way of calling them *mandatory* conflicts with so many aspects of our Constitution that we may as well throw the whole Bill of Rights in the toilet and tell everyone the truth: which is that all their freedoms are suspended to pay for the extravagant debts of an out-of-control government and everyone is an economic slave and a serf to the government.

In our time, government has not only become a religion, it has also become an *anti-religion* intent on driving Christianity out of public life so that its only competitor (God) can be eliminated and it can continue to grow in power without resistance and graduate to that of a totalitarian communist state. Christianity, it turns out, is the *only* competitor to government at the moment for the worship of the people, and the one thing that most minority groups focused on rights (homosexuals, women’s liberation, abortion, etc) have in common is a hate for Christianity, because Christianity is the only check on their corruption and hedonism. Christianity is the salt, the preservative, and the immune system for our society, and when you want to overtake society with sin and disease and death, the first thing you have to attack is its immune system.

The kind of idolatrous thinking that accepts the income tax as legal therefore leads to socialism ultimately, and turns the government into a tyrannical police state that robs citizens of their assets and puts them to use for the alleged “common good.” It is a product of mobocracy masquerading as democracy, where less privileged or poorer groups use their voting power to compel the government to plunder the assets of wealthier people for their personal benefit. This is the central approach the demagogues (I mean democrats) use: buy votes with money extorted from hard-working citizens. The Supreme Court agreed precisely with these conclusions below in the case of *Loan Association v. Topeka*, 20 Wall. 655 (1874):

“To lay with one hand the power of government on the property of the citizen, and with the other to bestow it on favored individuals.. is none the less robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.”

The only way a socialist state can justify its existence is to assert that the government knows better how to take care of you than you do, and past experience, especially with the Soviet Union, proves that approach *doesn’t work!* Forcing you to have “faith” in the government is a violation of the First Amendment by establishing government as a “religion”. Worship of government as a religion is the essence of socialism. Socialism has never worked throughout all of history, because the corruption of men at the highest levels who are in charge of the public funds always leads to usury, abuse, evil, and tyrannical oppression of the people they are supposed to serve.

1 *“Remember the word that I said to you , ‘A servant is not greater than his master.’ If they persecuted Me, they*  
 2 *will also persecute you. If they kept My word, they will keep yours also. But all these things they will do to you*  
 3 *for My name’s sake, because they do not know Him who sent Me.”*  
 4 *[Jesus speaking in the Bible, John 15:20-21]*

5 Our own country was formed by Christian patriots more than 200 years ago because they rejected this very thing happening  
 6 to us! They founded the first country whose legal system was based entirely on Natural Law and Natural Order, which we  
 7 further explain in sections 3.4 and 4.1.

8 Socialism also makes us into unwitting slaves of the government. Would anyone argue that we don't already have a police  
 9 state, where the Gestapo are the tyrants at the IRS, and fear of the IRS is what keeps us paying our "tribute to the king" in the  
 10 form of income taxes? Would anyone argue that we are not a country full of cowards when it comes to facing our oppressors?  
 11 Realistically speaking: How long can cowards remain free and sovereign? Remember that the original American colonies  
 12 waged an entire violent war of independence and risked everything they had to fight against Britain when their taxes to Britain  
 13 were only 7%? Now some of us are paying 50% of our income in taxes without even flinching or whimpering or fighting.  
 14 We're a bunch of wimps if you ask me!

15 The point is that it's much more difficult to put God first with federal income taxes because out of the remaining 50% of our  
 16 income left after we pay taxes, we have to feed our families and pay our bills. Is it any wonder then that less than 1% of  
 17 Christians tithe 10% of their income to the church as the Bible requires in Malachi 3:8-10? They can't afford to because they  
 18 are being taxed/raped and financially enslaved by the government illegally! And then the IRS compels churches to shut up  
 19 about this kind of abuse by taking away their 501(c)(3) tax-exempt status if they speak up!

20 But if you didn't have to pay income taxes and the IRS would honor your right to do so legally (why does the IRS call it  
 21 "voluntary compliance" if we can't choose not to pay?), wouldn't you give MUCH more to God and put God first? I certainly  
 22 would! Therefore, implementing the advice found in this document will, in the long run, result in equipping you with the  
 23 income you need to be more generous to your local church and to the noble causes and preservation of American liberties  
 24 and freedoms that we all believe in.

25 **HOWEVER:** *If your intent is to take the money you saved in taxes as a result of following the guidance*  
 26 *in this document and spend it on your own selfish desires and not on the church (whatever church you*  
 27 *belong to) or helping others, then you are violating the copyright on this document and acting illegally.*  
 28 *We demand that you destroy this book and **NOT** read or use this document because we would submit*  
 29 *that you are a less than honorable steward over the gracious gifts that God (whatever God you believe*  
 30 *in) has bestowed upon you and deserve to have your income taken away by the tyrants at the IRS.*  
 31 *Selfishness and deceit are their own best avengers, and we should rightly reap what we sow. Anything*  
 32 *less would be to promote anarchy, hypocrisy, injustice, and oppression in our society. Recall that it was*  
 33 *selfishness and vanity on the part of government employees which created the problems so clearly*  
 34 *documented in this book to begin with. You can't cure selfishness with more selfishness, and you will*  
 35 *be maligning the tax honesty movement and other noble patriots by abusing these materials for your*  
 36 *own selfish gain and associating yourself with them in so doing.*

37 The above comment is based on the following scriptures:

38 *“A man with an evil eye hastens after riches, and does not consider that poverty will come upon him.”*  
 39 *[Prov. 28:22, Bible, NKJV]*

40 *“Do not lay up for yourselves treasures on earth, where moth and rust destroy and where thieves [the IRS and*  
 41 *the government] break in and steal; but lay up for yourselves treasures in heaven, where neither moth nor rust*  
 42 *destroys and where thieves do not break in and steal. For where your treasure is, there your heart will be also.”*  
 43 *[Matt. 6:19-21, Bible, NKJV]*

44 Now some of you, in fear, might say that we need to obey the government and not make any noise. When should a Christian  
 45 disobey the civil government? (Rom. 13:7; Acts 5:27-29) When a civil government refuses people the liberty to worship and  
 46 obey God freely or violates God’s law, it has lost its mandate of authority from God. Then the Christian should feel justified

1 and maybe even compelled in disobeying. How are we to worship God freely? With the first fruits of our labor and our  
 2 income!

3 Ben Franklin , who incidentally was one of the attendees at the Constitutional Convention, believed that when a government  
 4 began to be tyrannical, it was the right and even the DUTY of the citizens to rebel against that government. Here is what he  
 5 said:

6 *"Resistance to tyrants is obedience to God."*

7 The Christian, however, is called to bear with his government whenever possible, but there must be a limit to that forbearance.

8 *"Those who stand for nothing will fall for anything."*  
 9 *[Alex Hamilton]*

10 Jesus did not call for revolution against Rome, even though it was an oppressive conqueror of Israel. On the other hand, the  
 11 apostles refused to obey a government order not to preach and teach in Jesus' name (Acts 5:27-29). On that occasion, one of  
 12 Jesus' apostles said:

13 *"We ought to obey God rather than men."*

14 Whenever the civil government forbids the practice of things that God has commanded us to do, or tells us to do things He  
 15 has commanded us not to do, then we are on solid ground in disobeying the government. Blind obedience to government is  
 16 never right or biblically sound. However difficult or costly it may be, we all must reserve the right to say no to things that  
 17 we consider oppressive or immoral or sinful. If we don't and we make government our unquestioned god, here is the future  
 18 that awaits us:<sup>125</sup>

19 *The 23rd Psalm (A present-day Lamentation)*

20 *The politician is my shepherd...I am in want;*  
 21 *He maketh me to lie down on park benches,*  
 22 *He leadeth me beside still factories;*  
 23 *He disturbeth my soul.*  
 24 *Yea, thou I walk through the valley of the shadow of depression and recession,*  
 25 *I anticipate no recovery, for he is with me.*  
 26 *He prepareth a reduction in my salary in the presence of my enemies;*  
 27 *He anointeth my small income with great losses;*  
 28 *My expenses runneth over.*  
 29 *Surely unemployment and poverty shall follow me all the days of my life,*  
 30 *And I shall dwell in a mortgaged house forever.*

#### 31 **4.4.14 Socialism is Incompatible with Christianity**

32 *"The American people will never knowingly adopt socialism. But, under the name of "liberalism", they will adopt*  
 33 *every fragment of the socialist program, until one day America will be a socialist nation, without knowing how it*  
 34 *happened."*  
 35 *[Norman Thomas, for many years the U.S. Socialist Party presidential candidate ]*

36 *"We cannot expect the Americans to jump from Capitalism to Communism, but we can assist their elected leaders*  
 37 *in giving Americans small doses of Socialism, until they suddenly awake to find they have Communism."*  
 38 *[Nikita Krushev, Premiere of the former Soviet Union, 3-1/2 months before his first visit to the United States. ]*

39 *"But why, you might ask, should the richest people in the world promote a socialistic system? The answer appears*  
 40 *to be that under socialism the state owns everything, and these people intend, quite simply, to own the state. It is*  
 41 *the neatest and completest way of bagging the lot!"*  
 42 *[W.D. Chalmers in "The Conspiracy Of Truth" ]*

43 *"Socialism is not in the least what it pretends to be. It is not the pioneer of a better and finer world, but the spoiler*  
 44 *of what thousands of years of civilization have created. It does not build, it destroys. For destruction is the essence*  
 45 *of it. It produces nothing, it only consumes what the social order based on private ownership in the means of*  
 46 *production has created."*  
 47 *[Ludwig von Mises ("Socialism", 1922)]*

<sup>125</sup> A parody of the Bible, Psalm 23. Submitted by Pastor Wayne Teel and authored by Bob Phillips in his book *The Best of the Good Clean Jokes*.

1           *"Freedom is the Right to Choose, the Right to create for oneself the alternatives of Choice. Without the possibility*  
 2 *of Choice, and the exercise of Choice, a man is not a man but a member, an instrument, a thing [of a larger*  
 3 *collective]."*  
 4 *[Thomas Jefferson]*

5 The Supreme Court ruled in the case of *Helvering v. Davis*, [301 U.S. 619](#) (1937) and *Flemming v. Nestor*, [363 U.S. 603](#)  
 6 (1960), that Social Security (and by implication all other government social programs!) are **NOT** insurance and are **NOT** a  
 7 contract. The government isn't obligated to pay you back anything, much less even the amount of money you put into any  
 8 social (or should we say socialist?) program (see section 2.9.1 for further details on this). Because Social Security is therefore  
 9 not insurance and not a trust fund, then what should Christians view it as? It is theft, plain and simple!

10 Social Security is socialism. Socialism is theft. Theft is a sin. There was never a promise to pay benefits. Rights can only  
 11 come from responsibilities. You won't understand this yet, but those who accept public benefits cannot have rights. The  
 12 Supreme Court agreed precisely with these conclusions below:

13           *"To lay with one hand the power of government on the property of the citizen, and with the other to bestow it on*  
 14 *favoured individuals.. is none the less robbery because it is done under the forms of law and is called taxation.*  
 15 *This is not legislation. It is a decree under legislative forms."*  
 16 *[Loan Association v. Topeka, 20 Wall. 655 (1874):]*

18           *"A tax, in the general understanding of the term and as used in the constitution, signifies an exaction for the*  
 19 *support of the government. The word has never thought to connote the expropriation of money from one group*  
 20 *for the benefit of another."*  
 21 *[U.S. v. Butler, 297 U.S. 1 (1936)]*

23           *"A statutory provision which is not a legitimate police regulation cannot be made such by being placed in the*  
 24 *same act with a police regulation, or by being enacted under a title that declares a purpose which would be a*  
 25 *proper object for the exercise of that power.*

26           *"It being self-evident that, unless all things are held in common, some persons must have more property than*  
 27 *others, it is from the nature of things impossible to uphold freedom of contract and the right of private property*  
 28 *without at the same time recognizing as legitimate those inequalities of fortune that are the necessary result of*  
 29 *the exercise of those rights.*

30           *"The Fourteenth Amendment recognizes "liberty" and "property" as coexistent human rights, and debars the*  
 31 *states from any unwarranted interference with either.*

32           *"Since a state may not strike down the rights of liberty or property directly, it may not do so indirectly, as by*  
 33 *declaring in effect that the public good requires the removal of those inequalities that are but the normal and*  
 34 *inevitable result of the exercise of those rights, and then invoking the police power in order to remove the*  
 35 *inequalities, without other object in view.*

36           *"The Fourteenth Amendment debars the states from striking down personal liberty or property rights or*  
 37 *materially restricting their normal exercise excepting so far as may be incidentally necessary for the*  
 38 *accomplishment of some other and paramount object, and one that concerns the public welfare. The mere*  
 39 *restriction of liberty or of property rights cannot, of itself, be denominated "public welfare" and treated as a*  
 40 *legitimate object of the police power, for such restriction is the very thing that is inhibited by the Amendment. "*  
 41 *[Coppage v. Kansas, 236 U.S. 1 (1915)]*

42 The reason why the Supreme Court ruled the way it did above is because:

43           *"Democracy is a form of government that cannot long survive, for as soon as the people learn that they have a*  
 44 *voice in the fiscal policies of the government, they will move to vote for themselves all the money in the treasury,*  
 45 *and bankrupt the nation".*  
 46 *[Karl Marx, 1848 author of "The Communist Manifesto"]*

47 What protects us as Americans from the above excesses of democracy and mobocracy is the mandate imposed in Article 4,  
 48 Section 4 of the U.S. Constitution to provide a Republican Government, which by implication is based on individual rather  
 49 than collective sovereignty and rights as you will find out later in section 4.7:

50           *"The United States shall guarantee to every State in this Union a Republican Form of Government..."*

1 The U.S. Supreme Court in the landmark case of *Pollock v. Farmers' Loan and Trust*, [157 U.S. 429](#) (1895), which outlawed  
 2 income taxes legislated by Congress, said the following regarding what happens when the government becomes a Robinhood  
 3 and tries to promote equality of result rather than equality of opportunity. We end up with class warfare, in society done  
 4 using the force of law and a mobocracy mentality:

5 *"The present assault upon capital is but the beginning. It will be but the stepping stone to others larger and  
 6 more sweeping, until our political contest will become war of the poor against the rich; a war of growing  
 7 intensity and bitterness.*

8 ...

9 *The legislation, in the discrimination it makes, is class legislation. Whenever a distinction is made in the burdens  
 10 a law imposes or in the benefits it confers on any citizens by reason of their birth, or wealth, or religion, it is class  
 11 legislation, and leads inevitably to oppression and abuses, and to general unrest and disturbance in society."*

12 Federal funds are not available to ordinary persons. Only indigents can qualify to receive federal benefits. It is highly unlikely  
 13 that you ever qualified for a Social Security Card. [Section 205\(c\)\(2\)\(B\)\(i\) of the Social Security Act](#) allows government to  
 14 assign Social Security Numbers to applicants for benefits financed with government funds. Unless you need federal benefits,  
 15 Social Security Cards are not available to you. You cannot qualify for a number. That's right! SOCIAL SECURITY  
 16 NUMBERS ARE NOT AVAILABLE TO THOSE WHO CAN PROVIDE FOR THEMSELVES. If you can still provide  
 17 for yourself, or if your family or church or state can support you, it would be fraud to apply for federal benefits.

18 Let me repeat this essential fact is several ways, until you understand: The application for an SS Card (the [SSA Form SS-5](#))  
 19 is a form limited to a very specific purpose. It is only for indigents who need federal funds. People who can provide for  
 20 themselves cannot be indigent. Social Security Cards cannot be issued to anyone until they apply for federal benefits. The  
 21 government cannot know who is destitute; they must wait for applicants desperate enough to apply for federal funds. It must  
 22 be voluntary. Social Security has no trust fund; it is solely a handout. It is limited to government wards. Only socialists can  
 23 qualify for a card. ONLY THOSE WHO CANNOT SUPPORT THEMSELVES AND ARE WILLING TO ACCEPT  
 24 SOCIALISM AND WILLING TO SWEAR SO WITH A PERJURY OATH ON A PERMANENT IRREVOCABLE  
 25 RECORD, CAN QUALIFY TO RECEIVE A SOCIAL SECURITY NUMBER.

26 To remain constitutional, only wards of the government can receive benefits. This is a vow of poverty. You exchanged your  
 27 rights to all future wages for the false promise of future benefits. You did so voluntarily. I'll discuss labor rights and poverty  
 28 vows and taxable wages in other chapters.

29 According to the legal definition of "Tacit Procuration", you grant them the power of attorney if you expect them to provide  
 30 for you. You asked them to provide for you - To steal for you. Government does not and cannot create wealth, it must tax in  
 31 order to give. Government cannot provide benefits unless it takes them from someone else. Socialism is theft of your  
 32 neighbor's money. Your new master will take money from your neighbors, against their will, and over their objections. These  
 33 civil servants will eventually resort to the force of guns, on your behalf, to seize property from any neighbor who stubbornly  
 34 and repeatedly refuses to hand over whatever is demanded. It is theft. They call it distraint. It is not insurance. Proverbs 1:10-  
 35 19 gives us advice about those who entrap the innocent to fill their house with plunder.

36 In Matt 20:25-27 and Mark 10:42-43 and Luke 22:25-27 Jesus tells us to not have dominion over others, but to serve.  
 37 CHRISTIANS SERVE. CHRISTIANS DON'T LORD over those who are not under them. Not by force, not by vote, not by  
 38 hiring a servant and then delegating to the servant an authority to steal - an authority that you don't have. Again: Christians  
 39 don't have dominion over their neighbors. You cannot tax your neighbors to fund your retirement, and that's exactly what  
 40 you are doing by collecting a Social Security Check, because the government isn't paying back the money you put in. As a  
 41 matter of fact, it pays back many times the value of the money you put in and doesn't maintain a trust balance at all.  
 42 Everything it takes in is paid right back out to beneficiaries!

43 Since there is no trust fund (nor can there be one) - Only by the deepest commitment to covetousness can you force others to  
 44 pay for your retirement (or pay your doctor bills, or pay to educate your children). You are coveting your neighbors' goods.  
 45 You are forcing your dominion over those who are not subject to your authority, contrary to Christ's command.

46 Conversely, if your bank account and property can be seized to pay for your neighbor's retirement (or doctor bills or tuition),  
 47 then you must have somehow lost your right to keep `your' property or money. What do you suppose that you signed to waive  
 48 any right to keep `your' property?

1 Have you become surety for the debts of a stranger? The security in Social Security is social. Look up "social insurance" in  
 2 a law dictionary. You have become surety for your neighbor. Proverbs 11:15 "He that is surety for a stranger shall smart for  
 3 it: and he that hateth suretyship is sure." Also: Proverbs 17:18

4 Only wards of the government (card carrying socialists) can receive the benefits of National Socialism.

5 SS is not a trust fund or insurance, it is an excise tax on the benefits of a limited citizenship (including the government granted  
 6 privilege of earning wages). This tax revenue goes into the general fund. Authority for this taxation comes from the Buck  
 7 Act, not the Internal Revenue Code. It is presumed, but not required, that congress will appropriate funds each year for  
 8 maintenance of the government wards. The Supreme Court ruled in 1980 that Social Security benefits are not based on a  
 9 fixed contract and therefore can change or be eliminated at any time. *Fleming v. Nestor*, 80 S.Ct. 1367.

10 In the 1891 naturalization case of Mr. Sauer, Title 81 Federal Reporter page 358 the court held that Mr. Sauer, although an  
 11 industrious, law abiding man, could not become a citizen because he claimed to be a Socialist. Socialists could not become  
 12 citizens. And they still cannot. I have another chapter that cites every court case where people were forced to get Social  
 13 Security numbers. Every case is a welfare applicant. Social Security Numbers are only for socialists. Socialists cannot have  
 14 rights. Read Appendix C of *Social Security: Mark of the Beast*  
 15 (<http://famguardian.org/Publications/SocialSecurity/TOC.htm>) and prove to yourself that they have changed their citizenship  
 16 and are not protected by the first eight amendments to your Constitution (Hague case) and do not have the right to a trial by  
 17 jury (Colegate case). If you want to lose your birthright just fill out a form claiming socialist benefits. If you think you still  
 18 have a right to a trial by jury, read Appendix F of Mark of the Beast.

19 A Christian cannot be a socialist. Christians are not to associate with freeloaders, according to 2nd Thessalonians 3:6-14:

20 2nd Thessalonians 3:6 (NIV): In the name of the Lord Jesus Christ, we command you, brothers, to keep away from every  
 21 brother who is idle and does not live according to the teaching you received from us.

22 3:7 For you yourselves know how you ought to follow our example. We were not idle when we were with you,

23 3:8 nor did we eat anyone's food without paying for it. On the contrary, we worked night and day, laboring and toiling so that  
 24 we would not be a burden to any of you.

25 3:9 We did this, not because we do not have the right to such help, but in order to make ourselves a model for you to follow.

26 3:10 For even when we were with you, we gave you this rule: "If a man will not work, he shall not eat." I want to interject a  
 27 note here: this isn't a snobbish threat to starve the poor, it is a fundamental Biblical principle. In the same sentence where  
 28 God condemned us to die, he condemned us to work for food. That's right! To acknowledge socialism is to deny God's  
 29 authority. Genesis 3:19 (KJV): "In the sweat of thy face shalt thou eat bread, till thou return unto the ground; for out of  
 30 it wast thou taken: for dust thou art, and unto dust shalt thou return." The socialists that want you to provide not only  
 31 their food but also health care, deny God's authority to sentence us to hardships.

32 3:11 We hear that some among you are idle. They are not busy; they are busybodies.

33 3:12 Such people we command and urge in the Lord Jesus Christ to settle down and earn the bread they eat.

34 3:13 And as for you, brothers, never tire of doing what is right.

35 3:14 If anyone does not obey our instruction in this letter, take special note of him. Do not associate with him, in order that  
 36 he may feel ashamed."

37 That the freeloader may feel ashamed. I've been told that I am too sarcastic just because I quote the Bible.

38 Do not confuse voluntary charity with forced socialism. Christians are often in need of charity, yet cannot accept socialism.

39 *"We have rights, as individuals, to give as much of our own money as we please to charity; but as members of*  
 40 *Congress we have no right so to appropriate a dollar of public money."*  
 41 [David Crockett, Congressman 1827-35]

42 Does the Bible support the notion that socialism can provide for Christians? Let's take a closer look:

- 43 • 1st Thessalonians 2:9 (NIV): " Surely you remember, brothers, our toil and hardship; we worked night and day in  
 44 order not to be a burden to anyone ..."
- 45 • 1st Thessalonians 4:11-12 "work with your hands...so that you will not be dependent on anybody."

- 1 • 1st Corinthians 4:11 (NIV): "To this very hour we go hungry and thirsty, we are in rags, we are brutally treated, we  
2 are homeless." [note: they were homeless but they were not freeloaders. Even Christ was homeless, Matt 8:20, Luke  
3 9:58.]
- 4 • Proverbs 10:26: (NKJV) "As vinegar to the teeth and smoke to the eyes, so is the lazy man to those who send him."
- 5 • Proverbs 20:4: (NKJV): "The lazy man will not plow because of winter; he will beg during harvest and have  
6 nothing."
- 7 • Proverbs 21:25 (KJV): "The desire of the slothful killeth him; for his hands refuse to labour."
- 8 • Ephesians 4:28 (NIV): "He who has been stealing must steal no longer, but must work, doing something useful with  
9 his own hands, that he may have something to share with those in need."
- 10 • Acts 14:22 (NIV) ..."We must go through many hardships to enter the kingdom of God," [You will understand this  
11 after you study the topic of citizenship]
- 12 • Luke 19:26 (NIV): "He replied, 'I tell you that to everyone who has, more will be given, but as for the one who has  
13 nothing, even what he has will be taken away.'"
- 14 • 2nd Corinthians 11:9 (NIV) "And when I was with you and needed something, I was not a burden to anyone,... I  
15 have kept myself from being a burden to you in any way, and will continue to do so."
- 16 • 2nd Corinthians 7:2 (NIV) "... we have exploited no one. "
- 17 • Jesus is quoted in Matthew 25:29-30 (KJV) "For unto every one that hath shall be given, and he shall have  
18 abundance: but from him that hath not shall be taken away even that which he hath. And cast ye the unprofitable  
19 servant into outer darkness: there shall be weeping and gnashing of teeth."
- 20 • Proverbs 13:4 (NIV) "The sluggard craves and gets nothing, but the desires of the diligent are fully satisfied."
- 21 • Proverbs 20:4 (KJV) "The sluggard will not plow by reason of the cold; therefore shall he beg in harvest, and have  
22 nothing."

23 If a Christian cannot be a socialist, then a Christian cannot have an ID card available only to socialists. Theodore Roosevelt:

24 *"The first requisite of a citizen in this Republic of ours, is that he shall be able and willing to pull his own weight."*

25 As further proof that socialists have never had rights, in Appendix C of *Social Security: Mark of the Beast* read where the  
26 Articles of Confederation extended the rights of citizenship to inhabitants with the exceptions of paupers and vagabonds and  
27 fugitives. A vagrant is not a vagabond. Even Christ was homeless (Matt 8:20, Luke 9:58). A vagabond is a homeless  
28 freeloader. A pauper is a person who must be supported at public expense. Social Security partakers are supported at public  
29 expense, therefore cannot have the rights of citizens any more than a fugitive would have.

30 The English word "stigma" comes from the Greek and, in English, means a mark of shame or a brand of disgrace. The third  
31 six in 666 is the Greek *stigma* (666= *chi-xi-stigma*). The mark is not necessarily a tattoo or implant. Do you have a permanent  
32 mark of shame?

33 Conclusions so far: There is no Social Security trust fund, there is no insurance, and there is no pension. It is plunder. It is  
34 pure orthodox socialism. Socialists are not and cannot become citizens. Socialists cannot have rights. Never could, still  
35 can't. Christians cannot be socialists. Christians cannot have socialist ID. Did your government school teach you this?

### 36 **PUBLIC EDUCATION**

37 Karl Marx wrote the *Communist Manifesto* in 1848. Public schools is the 10th plank. As I said earlier: Those who accept  
38 public benefits cannot have rights. Rights can only come from responsibilities. You have no right to force others to pay your  
39 Children's tuition. Hillary Clinton's village will raise the children of those who forfeit their rights to their own children. Even  
40 the U.S. Supreme Court in *Meyer v. Nebraska*, [262 U.S. 390](#) (1923), concluded

41 *"it is the natural duty of the parent to give his children education suitable to their station in life..."*

42 The U.S. Supreme Court in *Plyler v. Doe*, [457 U.S. 202](#) (1982), concluded,

- 43 • "...education is not a fundamental right..."
- 44 • "the Fourteenth Amendment's protection extends to anyone, citizen or stranger, who is subject to the laws of a  
45 State..."



1 US Congressman in the 1840's Robert Dale Owen, later known as the father of American socialism, believed that the Christian  
2 faith hindered man's evolution. An Owen associate wrote:

3 *"The great object was to get rid of Christianity and to convert our churches into halls of science... the plan was  
4 not to make open attacks upon religion - although we might belabor the clergy and bring them into contempt  
5 where we could ... but to establish a system of state - we said national - schools... from which all religion would  
6 be excluded and to which all parents were to be compelled by law to send their children."*

7 These views influenced John Dewey at the Columbia Teacher's College, and by 1900 a socialist system of compulsory  
8 schools, which exclude religion, became a reality.

## 9 SUMMARY

10 The seven-headed scarlet beast is a socialist confederation of beast powers that raised up from the sea. The sea symbolizes  
11 multitudes of people (Rev 17:5). Seas of people (democracies) demand socialist benefits. These people received not the love  
12 of the truth that they might be saved. They want to be taken care of, but not by God. They won't accept the responsibility to  
13 take care of themselves, or suffer God's trials. They fabricated a counterfeit image of God [the government] to provide for  
14 them and protect them. They get their rights from their god that they created. This is without a doubt idolatry and the new  
15 god is government. Here is the way one of our readers described it:

16 *"The people want 'Zeus' and 'Gods'/'gods' --- paganism!  
17 They' got PAY-GUN-ISM!!!"*  
18 [/http://www.bayith-yhvh.org/index.Segmented-1.htm.html/](http://www.bayith-yhvh.org/index.Segmented-1.htm.html)

19 They expect you to worship their counterfeit image of God. In their courts, your rights come from the god they created.

20 *"Accustomed to trampling on the rights of others, you have lost the genius of your own independence and become  
21 the fit subjects of the first cunning tyrant who rises among you."  
22 [Abraham Lincoln, September 11, 1858]*

23 If you want to learn more about the subject of this section, we refer you to a document entitled: *Social Security: Mark of the*  
24 *Beast*, which you can freely download and read at:

25 <http://famguardian.org/Publications/SocialSecurity/TOC.htm>

### 26 4.4.15 All Governments are Corporations

27 According to the U.S. Supreme Court, all governments are corporations:

28 *"Corporations are also of all grades, and made for varied objects; **all governments are corporations, created by**  
29 **usage and common consent, or grants and charters which create a body politic for prescribed purposes; but**  
30 **whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise of**  
31 **power, they are all governed by the same rules of law, as to the construction and the obligation of the**  
32 **instrument by which the incorporation is made. One universal rule of law protects persons and property.** It is  
33 a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all  
34 persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst.  
35 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing  
36 of protection as other persons, and their corporate property secured by the same laws which protect that of  
37 individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law, is a  
38 principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal  
39 government, by the amendments to the constitution."  
40 [Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, [36 U.S. 420](#) (1837)]*

41 The above quote from the U.S. Supreme Court is further confirmed by the United States Code:

42 *United States Code*  
43 *TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE*  
44 *PART VI - PARTICULAR PROCEEDINGS*  
45 *CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE*  
46 *SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS*  
47 *Sec. 3002. Definitions*

(15) **"United States" means -**

(A) **a Federal corporation;**

(B) *an agency, department, commission, board, or other entity of the United States; or*

(C) *an instrumentality of the United States.*

The fact that all governments are corporations and that the United States government is a federal corporation means that their authority is limited by their corporate charter. In the case of our federal government, that corporate charter is the Constitution of the United States of America. Any attempt to violate the corporate charter amounts to an assault on the liberties of the body politic that granted the charter, which is us as the Sovereigns, who are "We the People".

Our federal government has obviously violated its corporate charter and thereby wreaked havoc on our society. The following Declaration was written by an enlightened legal researcher, Dessie Andrews, as a way to show not only how the legal profession has corrupted our system of government, but how we can put it back inside the box that its corporate charter was supposed to keep it in. She proposes that we should convene a Third Continental Congress which should resolve to pass the following Declaration, which would dissolve the criminal government of the United States because it has violated its charter. We believe she is onto something and we urge you to read this important work. If you would like to contact her, send an email to: [dessieandrews@earthlink.net](mailto:dessieandrews@earthlink.net):

*The unanimous Declaration of Independence of the fifty united States of America,*

*When in the Course of human events, it becomes necessary for one nation of Sovereigns to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.*

*We hold these truths to be self-evident, that all men and women 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. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness, Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of Government. The history of the present regime and all those regimes leading up to this time, from the very foundation and grant of the limited delegation of authority in the contract known as the United States Constitution is a history of repeated injuries and usurpation, all having in direct object the establishment of an absolute Tyranny over these States and their People. To prove this, let Facts be submitted to an august body of advisors to Congress.*

*A government functions as a corporation. Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary—having neither actuality nor substance – is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that no government, as well as any law, agency, aspect, court, etc., can concern itself with anything other than corporate artificial persons and the contracts between them.*

*A corporation, to remain in business, must abide by its corporate charter and can assume no more power than those granted it by its creators. The present corporation, the "government" of the United States, or United States of America, has long ago burst its corporate bonds and assumed control of its Grantors. This can no longer be tolerated and must end. The trustees of this sacred trust have run amok.*

*They have laid war and emergency powers over this land in order to create chaos and subject the People to military rule.*

*They have divested the People of their freeholds in order to steal their electoral rights in exchange for voting franchises. The Reconstruction Acts.*

*They have systematically and with great patience stolen the birthright of every American and state Citizen and replaced it with a yoke of duties and obligations to the created creature.*

*They have codified the Law and overlaid it with codes and statutes. The Revised Statutes of the United States in 1878.*

1 They have not enacted law, as Constitutionally mandated, since 1879, but rather, have initiated  
2 "public policy".

3 They have created a "government" outside the Charter and pretend to fill the offices which have  
4 remained vacant since 1871. In so doing, they ended the separation of powers guaranteed to the  
5 People, ending any responsibilities assumed under the mantle of the office of officer and became one  
6 body of employees. The Civil Service Act of 1883.

7 They have legislated away the Peoples' Circuit courts. The Judiciary Act of 1911.

8 They have created a central bank in defiance of the Framers' express wishes and orders. Federal  
9 Reserve Act of 1913

10 They have abolished the several States and State Citizens with the passage of the 17<sup>th</sup> Amendment in  
11 1913.

12 They have given the substance of every state Citizen to a private corporation, the Federal Reserve,  
13 with the Glass-Steagall Act of 1933.

14 They have stolen the assets, energy, property and futures of every state Citizen and pledged them to  
15 foreign corporations.

16 They have openly declared the People to be enemies of the State.

17 They have initiated policies in violation of the takings clause in their Corporate charter, in order to  
18 fund social programs and redistribute wealth.

19 They have undermined the educational process in the several States and created a slave force with the  
20 uneducated.

21 They have snatched the children from their natural parents through the use of the doctrine of parents  
22 patriae.

23 They, by their charter, being confined to the ten mile square area known as Washington DC, have  
24 created agencies to justify their intrusion upon and into the several States

25 They have eliminated the People's courts and a duly elected Congress and left the People with no  
26 redress of grievances.

27 They have instituted Roman civil law on the land under the guise of Corporate courts.

28 They have implemented a Bar Association to still the voice of the People in their Corporate courts.

29 They have tricked the People into invisible contracts with guile and deceit and without full disclosure,  
30 into exchanging their Sovereign standing for that of a Corporate employee status.

31 They hold the People in slavery with their presumptions, their courts and their police powers.

32 They have waged war and committed unspeakable atrocities in my name on innocent peoples and  
33 nations, without declaring war.

34 They have obstructed the Administration of Justice, by refusing to Assent to Laws for establishing  
35 Judiciary powers, instead they sit in administrative, corporate courts.

36 They have made Judges dependent on their will alone, for the tenure of their offices and the amount  
37 and payment of their salaries.

38 They have erected a multitude of New Offices, and sent hither swarms of employees, masquerading as  
39 Officers to harass our people and eat out their substance.

40 They have kept among us, in times of peace, Standing Armies without the consent of the legislatures,  
41 by declaring constant and chronic emergencies.

1 They have affected to render the Military independent of and superior to the Civil powers.  
 2 They have combined with others to subject us to a jurisdiction foreign to our constitution, and  
 3 unacknowledged by our laws; giving their Assent to their Acts of pretended Legislation.

4 For quartering large bodies of armed troops among us.

5 For protecting them, by a mock Trial or investigation, from punishment for any Murders or other  
 6 atrocities they should commit on the Inhabitants of the several States.

7 For imposing Taxes on us without our Consent..

8 For depriving us of the benefits of Trial by Jury.

9 For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the  
 10 Forms of our Governments.

11 For suspending our own Legislatures, and declaring themselves invested with power to legislate for  
 12 us in all cases whatsoever.

13 They have abdicated Government here, by declaring us out of their Protection and waging War against  
 14 us.

15 They have brought the law of the seas onto the land, bringing with it its system of taxes, fines and  
 16 penalties, thus destroying the lives of our people.

17 They are, at this time, transporting large Armies to complete the works of death, desolation and  
 18 tyranny, already begun with circumstances of Cruelty and perfidy scarcely paralleled in the most  
 19 barbarous ages, and totally unworthy of the leaders of a civilized nation.

20 They have bankrupted the United States corporation too many times to count, have initiated  
 21 Reorganization after Reorganization, each time being more onerous to the People and each time  
 22 divesting them of more rights and replacing them with government issued privileges and benefits.

23 They have created worthless military scrip, removed all backing of substance of any currency and  
 24 forced the People to trade with worthless scrip and credit, thereby stealing the substance of the People  
 25 and eroding their worth with inflation.

26 In every stage of these Oppressions We have Petitioned for Redress in the most humble terms. Our repeated  
 27 Petitions have been answered only by repeated injury. A Government Pretender whose character is thus marked  
 28 by every act which may define a Tyrant, is unfit to be the holder of the sacred trust of a free people.

29 The actors conspiring under color of law to undermine the integrity and substance of the People, have  
 30 accomplished these acts by counterfeiting the Seals of States and Offices, to deceive the People.

31 For these reasons and more, I, one of the descendants of the declarers of the Declaration of Independence of  
 32 1776 do solemnly Publish and Declare, That the People of the several States are, and of Right ought to be, FREE  
 33 AND INDEPENDENT PEOPLE OF THE SEVERAL STATES; that they are absolved from all Allegiance to the  
 34 corporate United States of America, that they no longer have a republican, representative form of government.  
 35 That the employees of the United States of America long ago exceeded their trust which was granted to them by  
 36 the People with limited delegation of powers. That, as Creators of the Corporation known as the United States  
 37 of America, we hereby disband and dissolve the corporate charter which was granted in trust.

38 That I, the undersigned, was endowed with unalienable rights from my Creator. That I rely on the Protection of  
 39 divine Providence, and with this compact, pledge to my fellow men and women my Life, my Fortune and my  
 40 sacred Honor.

#### 41 **4.4.16 How public servants eliminate or avoid or hide the requirement for “consent” to become “Masters”**

42 "Good intentions will always be pleaded for every assumption of authority. It is hardly too strong to say that the  
 43 Constitution was made to guard the people against the dangers of good intentions. There are men in all ages  
 44 who mean to govern well, but they mean to govern. They promise to be good masters, but they mean to be  
 45 masters."  
 46 [Noah Webster]

47 Earlier in section 4.4.1, we showed how all just government authority derives from the “consent” of the governed, starting  
 48 with the Declaration of Independence on down. The implication of this requirement of law is that all good governments and

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the public servants working within them should always remind us that they need our consent to do anything and they must explicitly ask for our consent *in writing* before they accomplish anything on our behalf. That consent must come in all of the following coinciding forms:

1. There must be a positive law statute which our elected representatives passed and therefore consented to authorizing absolutely everything they are doing for us.
2. There must be a regulation published in the Federal register or the state register that implements the statute and which:
  - 2.1. Gives due notice to the public that their rights may be adversely affected by enforcing the new law.
  - 2.2. Gives an opportunity for public comment and review to discern legislative intent and the proper enforcement of the law.
  - 2.3. Reconciles the broad language of the statute against the requirements of the Bill of Rights.
3. There must be a delegation of authority for the specific government agent who is implementing the regulations and the statutes within the agency in question. Anything not explicitly in the delegation of authority order may not be accomplished.
4. If the statute and implementing regulation creates a privilege that we have to volunteer for in order to receive, there must be a form signed by us and received by the government which shows that we elected to voluntarily participate in the privilege and pay the corresponding tax. If we wish to qualify the conditions under which we consent to the program, the application for the program must also have an attachment containing additional provisions that we place upon our participation, so as to completely define the extent of our “consent”. The government application should also explicitly and completely define the specific rights we are giving up in order to procure the government privilege.

The above requirements effectively put government servants inside of a box which they cannot legally go outside of without being personally liable for a tort, which is an involuntary violation of rights to life, liberty, or property. The minute our public servants *stop* asking for our consent, our signature, and our permission and stop reading and obeying the regulations and delegation of authority orders that limit their authority whenever they are dealing with us is the point at which they are trying to become masters and tyrants and make us into slaves. Jesus warned us this was going to happen when he said:

*“Remember the word that I said to you, “A [public] servant is not greater than his master [the American People].” If they persecuted Me, they will also persecute you [because you emphasize this relationship]. If they kept My word [God’s Law], they will keep yours [the Constitution] also.”*  
*[Jesus in John 15:20, Bible, NKJV]*

**Positive law** is essentially an agreement, a contract, a delegation of authority, and a promise by the government, in effect, to only do what we, the Sovereigns and their Master, consented explicitly to allow them to do, and to respect our sacred God-given rights while they are doing it.

*“No legislative act [of the SERVANT] contrary to the Constitution [delegation of authority from the MASTER] can be valid. To deny this would be to affirm that the deputy [public SERVANT] is greater than his principal [the sovereign American People]; that the servant is above the master; that the representatives of the people are superior to the [SOVEREIGN] people [as individuals]; that men, acting by virtue of [delegated] powers may do not only what their [delegated] powers do not authorize, but what they forbid...[text omitted] It is not otherwise to be supposed that the Constitution could intend to enable the representatives of the people to substitute their will to that of their constituents. It is far more rational to suppose, that the courts were designed to be an intermediate body between the people and the legislature, in order, among other things, to keep the latter within the limits assigned to their authority. The interpretation of the laws is the proper and peculiar province of the courts. A Constitution is, in fact, and must be regarded by judges, as fundamental law [a DELEGATION OF AUTHORITY FROM THE MASTER TO THE SERVANT]. If there should happen to be an irreconcilable variance between the two, the Constitution is to be preferred to the statute.”*  
*[Alexander Hamilton, Federalist Paper # 78]*

As concerned Americans who want to preserve our liberties and freedoms, we must be ever-vigilant and watchful when our government steps outside the boundaries of the law by ignoring the requirement for consent in all the forms listed above. We must ensure that specific challenges to our sovereignty and authority by defiant public dis-servants are met with an appropriate and timely response which emphasizes in no uncertain terms “who is boss”. Parents frequently must do the same thing with their children. The Bible says we should not spare the rod for our children or our servants, because it is the only way we will ever stay free and have peace at home.

*“But if that servant says in his heart ‘My master is delaying his coming,’ and begins to beat the male and female servants, and to eat and drink and be drunk, **the master** of that servant will come on a day when he is not looking for him, and at an hour when he is not aware, and **will cut him in two and appoint him his portion with the***

***unbelievers. And that servant who knew his master's will, and did not prepare himself or do according to his will, shall be beaten with many stripes."***

*[Luke 12:45-47, Bible, NKJV]*

*"He who spares his rod [of discipline] hates his son, But he who loves him disciplines him promptly."*

*[Prov. 13:24, Bible, NKJV]*

In a free society with a free press, open defiance by public servants of the Constitution, the law, and their delegation of authority and open violations of our rights are more difficult to get away with than in totalitarian or communist countries where the press is state controlled. Therefore, the means of defiance must be much more subtle and made to look simply like an "accident", or a product of "bureaucracy" or mismanagement or inefficiency, rather than what it really is: Open, rebellious, willful defiance of the law and violation of our rights. Because people will rebel against sudden changes, public servants intent on seizing and usurping power from their master, the People, are very aware of the fact that they must take baby steps to make any headway in the struggle for control. Here is how one of our readers wisely describes it:

*"The devil always works in baby steps. If you put a frog in hot water, he will immediately jump out. But if you put him in cool water and then gradually raise the temperature over tens or even hundreds of years, then you can boil the frog alive and he won't even know how it happened."*

This section will therefore focus on how to recognize very subtle and insidious but prevalent techniques that our public dis-servants commonly use to sidestep the requirement for consent and usurp authority to transform themselves from servants to masters. We already covered the more obvious and blatant means of effecting tyranny earlier in section 2.8. This section and its subsections will focus on much more subtle, devious, and insidious techniques at rebellion by our public servants. Once we are trained to recognize these techniques, we will be better equipped to meet them with an appropriate response that protects our rights and liberties and reminds them "who's boss". We have traced the history of many of the insidious corrupting steps taken by public dis-servants since the beginning of our country within Chapter 6 of this book. That chapter makes very interesting reading for history buffs and also provides powerful confirmation of the techniques documented in succeeding subsections.

#### **4.4.16.1 Rigging government forms to create false presumptions and prejudice our rights**

By far the most common method to hide or eliminate consent from the governance process is the insidious rigging of government forms to create false presumptions in the reader and thereby prejudice out rights. This method involves:

1. Constricting the choices offered on a government form to only those outcomes that the government wants and removing all others, even though there are other more desirable and valid legal choices.
2. Using labels that are incorrect to identify the party filling out the form in some way, such as "taxpayer", or "resident", or "citizen".
3. Modifying the perjury statement at the end of the form to create false presumptions about our residency.

The above techniques most commonly appear on the following types of forms:

1. Jury summons.
2. Voter registration.
3. Tax returns.
4. Withholding forms
5. Driver's license applications.

In an effort to prevent prejudicing our rights, we have downloaded most of the above types of forms and modified them electronically to remove false or misleading labels and to restore the missing choices from the forms. You can view the tax-related modified forms on our website below. The modified versions of the forms appear in the column entitled "Amended form". The page also describes the changes that have been made to the forms to remove false presumptions or restricted choices:

<http://famguardian.org/TaxFreedom/Forms/IRS/IRSFormsPubs.htm>

#### **4.4.16.2 Misrepresenting the law in government publications**

1 Tyrants focus on propaganda as a major way to expand their power and influence. Propaganda is a very efficient means of  
 2 political control because it is inexpensive and does not require the use of guns or force or a military. Such propaganda is  
 3 implemented by three chief methods:

- 4 1. Government ownership or control or regulation of the media and press, including television stations and newspapers.
- 5 2. Eliminating private education and forcing children to be educated in government-run public schools. Teaching evolution  
 6 instead of creationism to take the focus off God and religion, and to make Government a replacement for God and an  
 7 idol to young minds. This breeds an atheistic society that is hostile to God.
- 8 3. Misrepresenting what the laws say in government publications.

9 The media and the public education system, once they are put under government control or regulation, are then used as a  
 10 vehicle to deceive and brainwash the people to believe lies that expand government power and control further. This very  
 11 technique, in fact, is part of the original Communist Manifesto written by Karl Marx, which calls for:

12 ***Sixth Plank:** Centralization of the means of communications and transportation in the hands of the State. (read*  
 13 *DOT, FAA, FCC etc...)*

14 ***Tenth Plank:** Free education for all children in public schools. Abolition of Children's factory labor in its present*  
 15 *form. Combination of education with industrial production.*

16 We will focus the remainder of this section on the third approach used to implement propaganda, which is that of  
 17 misrepresenting what the law says in government publications. The surest way to know whether the laws are being  
 18 misrepresented in government publications is to:

- 19 1. Examine whether the people in government who are doing the misrepresentation are being held personally accountable  
 20 by our legal system for their actions to deceive the people.
- 21 2. Pose pointed questions to the author of the deceiving publication that will help expose the deception. If the government  
 22 responds with either silence (the Fifth Amendment response), gives a personal opinion instead of citing relevant law, or  
 23 further tries to confuse or mislead the questioner, then one can safely conclude that the government knows what they are  
 24 doing is wrong and is trying to cover it up.

25 The First Amendment to the Constitution of the United States is designed to ensure an accountable government. The Right  
 26 to Petition clause of the First Amendment, in particular, demands that the government answer the petitions of the people for  
 27 redress of grievances, including petitions that include questions or inquiries about government improprieties. In practice, our  
 28 government ignores the First Amendment Petition for Redress clause repeatedly. This violation of our Constitution by  
 29 specific public dis-servants and the refusal of the federal courts to hold specific IRS employees accountable for the content  
 30 of IRS publications are the main influences that propagate and expand willful constructive fraud and deceit that permeates  
 31 government tax publications. The fraud and deceit, in turn, are what maintains the high level of "voluntary compliance"  
 32 currently existing.

33 Within government publications, the main method for fraud and deceit is to use "words of art" without clarifying that the  
 34 words used are clearly different from common understanding. We pointed this out earlier in section 3.9.1, when we analyzed  
 35 various words of art commonly found in the Internal Revenue Code. The key "words of art" were described in that section,  
 36 and the most important ones are :

- 37 1. "employee"
- 38 2. "employer"
- 39 3. "income"
- 40 4. "taxpayer"
- 41 5. "State"
- 42 6. "United States"
- 43 7. "trade or business"
- 44 8. "nonresident alien"

45 We also discussed earlier in section 3.16 how both the IRS' own Internal Revenue Manual and the courts refuse to hold the  
 46 IRS accountable for the content of their publication. The section below from the IRM below clearly establishes that you  
 47 can't rely on anything on an IRS form or publication:

1 Internal Revenue Manual (I.R.M.), Section 4.10.7.2.8 (05-14-1999)  
2 IRS Publications

3 IRS Publications, issued by the Headquarters Office, explain the law in plain language for taxpayers and their  
4 advisors. They typically highlight changes in the law, provide examples illustrating Service positions, and  
5 include worksheets. Publications are nonbinding on the Service and do not necessarily cover all positions for a  
6 given issue. While a good source of general information, publications should not be cited to sustain a position.

7 Consequently, you can't trust anything the IRS puts out on a government form or a publication, and the courts have even said  
8 you can be penalized for relying on IRS advice! See the article below:

*Federal Courts and the IRS' Own IRM Say the IRS is NOT RESPONSIBLE for Its Actions or Its Words or For Following  
Its Own Written Procedures!*, Family Guardian Fellowship  
<http://famguardian.org/Subjects/Taxes/Articles/IRSNotResponsible.htm>

9 Is it any wonder that the author of the publications is not identified and that the lies and deception contained in IRS  
10 publications continues? Can you also see that if the IRS did tell the whole truth in their publications about the use of their  
11 "words of art", that almost no one would participate in the federal donation program deceitfully called a "tax"? This deception  
12 and hypocrisy is unconscionable and must be righted. It can only be fixed by holding the IRS and their employees just as  
13 liable for false statements in their publications as Americans are held liable for what they put on government tax forms. If  
14 their publications are wrong or misleading, then the author should go to jail. All IRS publications must also be signed under  
15 penalty of perjury by the IRS commissioner, just like the IRS tries to force us to do on our tax forms.

#### 16 4.4.16.3 Automation

17 Bureaucrats just love automation because it gives them a convenient excuse to blame the lack of their "ability" to satisfy the  
18 requirement to procure your consent upon an impersonal computer that they have no control over and no one person is  
19 responsible for. The most common place this happens is:

- 20 1. Mandating the use of Socialist Security Numbers. The Socialist Security Administration, for instance, said in a signed  
21 letter we received from them that there is no requirement to either have or use a Socialist Security Number, which implies  
22 that its use is "voluntary" and "consensual". On the other hand, most government agencies when you call them up, they  
23 will tell you that you HAVE to provide a Socialist Security Number in order for them to be "able" to help you or to  
24 process your "application" and that their computer won't work without it. If you tell them that they do not have your  
25 consent to use a Socialist Security Number to process your application, they will tell you that they have to deny you  
26 some privilege or benefit, as though them doing anything for you is a privilege and not a right.
- 27 2. In many cases you may want to protect your rights by providing an attachment to staple to your paper government  
28 application that qualifies and defines the extent of your "consent". We have tried this several times and they have told  
29 us that they don't keep attachments, and in fact shred not only your attachment but also the original paper application  
30 after they enter only the relevant data into the computer. If you ask them if they scan in the application or the attachment  
31 before shredding, they will say no. This is destroying evidence! This is also a violation of the First Amendment, which  
32 guarantees us a right of free speech and to define how we communicate with our government. When you complain about  
33 it, they will typically say they do this to promote "efficiency". When you ask them if they have a field to enter important  
34 notes on their terminal screen, they will say none is provided.
- 35 3. When a government dis-servant has violated the requirement for consent in the methods above and you call to complain  
36 and find a person accountable for the problem, your public servants will knowingly use automation to avoid personal  
37 accountability. Most large federal agencies have a "voicemail jail" front end to their phone support so that it is virtually  
38 impossible to get through to a specific person to complain or to talk to the last person who helped you. When you login  
39 to their website, you will also find that there is no way to find the identify or contact information of a specific person or  
40 their specific job function. This discourages personal responsibility by specific government servants, which in turn  
41 encourages abuse and tyranny. Bureaucrats just love this approach, because then they can say they must be doing what  
42 Americans want because they never hear any complaints! The IRS support line, for instance, is an example of that. It  
43 takes almost two hours on hold waiting to get help, when they talk to you they are trained to be rude if you bring up the  
44 law, they won't give you their full name or direct phone number, and it is virtually impossible to talk to the same person  
45 who was handling your case on the last call. This is no accident: it is a defect in customer service deliberately engineered  
46 to frustrate, exasperate, and alienate you so that you will just pay up and go away.
- 47 4. When the government maintains records about you, they will frequently choose to code the information and then not  
48 publish the meaning of the codes, so that even if you do obtain a copy of the record, it is meaningless without the "code



book”. This is the technique used both by the IRS and many state taxing authorities. The IRS’ electronic information about “taxpayers” is called the “Individual Master File” and it took us nearly a year to figure out how the codes work and then design a program to decode the content of the files. About ten days before we released the program to do the decoding called the Master File Decoder, the IRS launched an investigation of us and called us in for an audit, presumably to prevent the program from getting into the hands of the American Public.

When you complain about any of the above violations of the requirement for consent, government dis-servants will frequently say “We are just ‘clerks’ and are not empowered to change the system”, and then they will give you an address to write to, knowing that most people don’t like to write and that letters can more easily be ignored and forgotten than live phone calls. If you then write the appropriate party to complain, your letter will either be ignored or they will send you a flattering form letter that doesn’t deal substantially with any of your concerns, and in effect, blow you off and never deal with the problem. All the while, they can use the following additional standard excuses with innocent impunity, such as:

1. “Please write your Congressman if you don’t like it.”
2. “We can’t give you the benefit until you give us your Social Security Number.”
3. “Why don’t you talk to someone who cares?”
4. “We’re too busy around here to deal with your personal concerns. Can’t you see how many people there are in line behind you?”

This kind of evasion of responsibility and violation of rights and privacy using computers as the means is the similar to the kind of evasion practiced by the U.S. Congress, in fact, in the context of tax collection. When our country was founded, taxation without representation was the biggest cause for the revolution. After we won the revolution and separated from Great Britain, our new federal government put the representation and taxation function in the same place: The House of Representatives, which is part of the Legislative Branch. The House of Representatives was meant to represent the people while the Senate represented the states. As long as the “purse”, which is the responsibility and authority to collect taxes, remained under the control of the People in the House of Representatives, we had “taxation with representation”. When the exigencies of the Civil War happened in the 1860’s, the first thing the IRS did was try to move the tax collection function to the Executive Branch, thus separating the representation from the taxation function. Déjà vu all over again! The “Bureau of Internal Revenue” (BIR) was put into the Executive Branch instead of the Legislative Branch, and was assigned the responsibility to collect taxes to pay for the Civil War. When the people complained, they complained bitterly about “taxation without representation”, and about the injustice and violation of the Constitution that was being wrought by this expediency. Instead of Congress taking responsibility for the monster they created, they blamed it on the excesses and abuses of the BIR and the Executive Branch! They turned the rogue organization they created into the whipping boy for all of the complaints and told constituents that they had no control over the Executive Branch because of the separation of powers! In fact, they were violating the Constitution and the Separation of Powers Doctrine by trying to delegate the tax collection function to the Executive Branch and they should have been impeached! No sovereign power of any branch of government can be delegated to another branch.

#### 4.4.16.4 Concealing the real identities of government wrongdoers

In the former Soviet Union, the government terrorized the citizens using a secret police force called the KGB. They made everyone into informants to the KGB by offering rewards to people who would snitch on their “comrades”. The government, in such a scenario, becomes a terrorist organization. The secrecy surrounding the KGB was the main source of government terror because its activities were kept secret and the government-controlled press did not report on their activities. The fear that the terrorism is intended to produce comes mainly from ignorance about who or what we are up against.

Secrecy, however, is anathema to a free society and an accountable government. Wherever there is secrecy in government, there is sure to be tyranny, corruption, and abuse of power. Consequently, those governments that are knowingly engaged in illegal or criminal activities will implement security measures to keep the identity of the perpetrators of the crimes and terrorism secret. This helps maintain the deception and illusion that we have a “voluntary tax system”, as the U.S. Supreme Court said in *Flora v. United States*, but at the same time, generates enough fear and anxiety in Americans to keep them involuntarily paying anyway. Can it reasonably or truthfully be said that any choice or decision we make in the presence of any kind of illegal duress and the fear it produces is voluntary or consensual? Absolutely NOT! Black’s Law Dictionary, Sixth Edition, says the following under the definition of the word “consent” on p. 305:

*“Consent is implied in every agreement. It is an act unclouded by fraud, duress, or sometimes even mistake.”*  
*[Black’s Law Dictionary, Sixth Edition, p. 305]*

1 Is an enforcement act that is not specifically authorized by an implementing regulation published in the federal register an  
 2 act of duress? You bet it is! If that act hurts someone, and more importantly, if it produces fear in all the “sheep” who  
 3 observed it, then it is an act of illegal duress and terrorism. If the fear produced by the illegal act causes someone to comply  
 4 with the wishes of the IRS when no law obligates them to, then their act is no longer consensual, but simply a response to  
 5 illegal government terrorism, racketeering, and extortion.

6 Have you ever tried to find a publication or a government website that identifies everyone who works at the IRS by name  
 7 and gives their mailing address, phone number, and email address? We’ll give you a clue: There is no such thing! We have  
 8 spent days searching for this type of information at the law library and the public library and on the Internet and have found  
 9 nothing. We even called them and they said they don’t make that kind of information public. We also wrote them a freedom  
 10 of information act request to provide the information and they refused to comply. Does this cause you some concern? We  
 11 hope so! The IRS is unlike any other government organization because of the secrecy it maintains about the identity of its  
 12 employees, and perhaps that’s because they aren’t even part of the U.S. government! They have no lawful authority to even  
 13 exist either within the Constitution or under Title 31 of the U.S. Code. The IRS even readily admits that they are not an  
 14 agency of the federal government! See:

15 <http://famguardian.org/Subjects/Taxes/Evidence/USGovDeniesIRS/USGovDeniesIRS.htm>

16 The IRS is, instead, a rogue private organization of financial terrorists involved in racketeering, what Irwin Schiff calls “The  
 17 Federal Mafia”, that is extorting vast sums of money from the American people under the “color of law” but without the  
 18 authority of law. For confirmation of this fact, look at the 1939 edition of the Internal Revenue Code (still active today and  
 19 never repealed) and look at the code section dealing with the duties of IRS “Revenue Agents”:

20 *53 State 489*

21 *Revenue Act of 1939, 53 Stat. 489*

22 *Chapter 43: Internal Revenue Agents*

23 *Section 4000 Appointment*

24 *The Commissioner may, whenever in his judgment the necessities of the service so require, employ competent*  
 25 *agents, who shall be known and designated as internal revenue agents, and, except as provided for in this title,*  
 26 *no general or special agent or inspector of the Treasury Department in connection with internal revenue, by*  
 27 *whatever designation he may be known, shall be appointed, commissioned, or employed.*

28 “Competent agents”? What a joke! If they were “competent”, then they would:

- 29 1. Know and follow the law and be fired if they didn’t.
- 30 2. Work as an “employee” for a specific Congressman in the House of Representatives who was *personally* accountable  
 31 for their actions. “Taxation and representation” must coincide to preserve the original intent of the Constitution.

32 You can read the above statute yourself on our website at:

33 <http://famguardian.org/CDs/LawCD/Federal/RevenueActs/Revenue%20Act%20of%201939.pdf>

34 If “Revenue Agents” are not “appointed, commissioned, or employed”, then what exactly are they? I’ll tell you what they  
 35 are: They are independent consultants who operate on commission. They get a commission from the property they *steal*  
 36 from the American People, and their stolen “loot” comes from the Department of Agriculture. See the following response to  
 37 a Freedom of Information Act request proving that IRS agents are paid by the Department of Agriculture:

38 <http://famguardian.org/TaxFreedom/Evidence/OrgAndDuties/USDA Pays IRS.pdf>

39 Why would the Congress NOT want to make Revenue Agents “appointed, commissioned, or employed”? Well, if they are  
 40 effectively STEALING property from the American people and if they are not connected in any way with the federal  
 41 government directly, have no statutory authority to exist under Title 26, and are not statutory “employees”, then the President  
 42 of the United States and all of his appointees in the Executive Branch *cannot* then be held personally liable for the acts and  
 43 abuses of these thieves. What politician in his right mind would want to jeopardize his career by being held accountable for  
 44 a mafia extortion ring whose only job is to steal money from people absent any legal authority?  
 45

1 Because IRS supervisors know they are involved in criminal terrorism, extortion, and racketeering, they have taken great  
2 pains to conceal the identity of their employees as follows:

- 3 1. When you call their 800 support number, the agent who answers will only give you his first name and an employee  
4 number. If you specifically ask him for his full legal name, he will refuse to provide it and cannot cite the legal or  
5 delegated authority that authorizes him to do this.
- 6 2. If you do a Freedom of Information Act request on the identity of a specific IRS employee and provide the employee  
7 number, the IRS will refuse to disclose it, even if you can prove with evidence that the employee was acting illegally and  
8 wrongfully.
- 9 3. There is no information about either the IRS organization chart or the identity of specific IRS employees anywhere on  
10 either the Department of the Treasury or the IRS websites.
- 11 4. When you go to an IRS due process meeting and ask for identification of the employees present, they will present an IRS  
12 badge that contains a “pseudo name” which is not the real name of the employee. If you ask them for some other form  
13 of ID to confirm the accuracy of the IRS Pocket Commission they presented as we did, IRS employees will refuse to  
14 provide it. The only reasonable explanation for this is that the Pocket Commissions issued by the IRS are fraudulent.
- 15 5. You can visit the law library or any public library and spend days looking for any information about the identity of  
16 anyone in the IRS below the upper management level, and you will not find anything. The closest thing we found was  
17 the Congressional Quarterly, which only publishes information about the identity of a handful of IRS upper management  
18 types.
- 19 6. Collection notices coming from the IRS that might adversely affect your rights to property are conspicuously missing  
20 signatures and the identity of the sender. There is frequently no phone number to call or person to write, and if the letter  
21 has a signature, it is the signature of a fictitious person who doesn’t even exist. If you write a response to the collection  
22 letter and direct it to the signer of the letter, it is frequently either ignored entirely or is sent back with a statement saying  
23 that the employee doesn’t exist!
- 24 7. They will not put their last names or employee numbers in clear view on their name badges so you don’t even know who  
25 you are talking to.
- 26 8. When you call the information number and ask the legal identity of a specific number or his or her contact information  
27 and to connect you to them, they will refuse to comply.
- 28 9. When you visit the federal government building, and especially the IRS floor of the building, you will notice that there  
29 are not directories of people who work there and all doors have cipher locks so you can’t go inside and try to find  
30 someone. Their “customer service desk” will have two-inch thick bullet proof glass. Do you think they would need that  
31 kind of security if they really were conscientiously performing the *only* legitimate function of government in defending,  
32 protecting, and respecting our Constitutional rights? The laws and their whole work environment are designed to protect  
33 them from their “customers” and the people they work for! They may use the excuse that they are trying to prevent  
34 terrorism, but who are the real terrorists? THEM! Yes indeed, they are trying to protect from terrorists, and in their  
35 mind, any American who demands an accountable government that obeys the Constitution is a terrorist. We have a  
36 government pamphlet from the FBI that clearly says that people who promote the Constitution are terrorist! You can  
37 view this pamphlet at:  
38 <http://famguardian.org/Subjects/LawAndGovt/LegalEthics/ConstDefenderTerorsts.pdf>
- 39 10. If you go to the IRS website and download any of their publications relating to tax scams or enforcement, notice that  
40 neither the agency nor any specific individual is identified as the author. For instance, the IRS publishes a short  
41 propaganda pamphlet called “The Truth About Frivolous Tax Arguments” at:  
42 [http://famguardian.org/PublishedAuthors/Govt/IRS/friv\\_tax.pdf](http://famguardian.org/PublishedAuthors/Govt/IRS/friv_tax.pdf)

43  
44 The most interesting thing about this pamphlet is not the inflammatory and accusatory and presumptuous rhetoric, but  
45 the fact that it is posted on the IRS website and no author is specifically identified. DO you think that people in the  
46 government who claim to be speaking “The Truth”, as they call it, ought to be held accountable for their statements?  
47 How can you have a reasonable basis for belief if they aren’t identified and held accountable? For instance, at a court  
48 trial, witnesses must identify themselves and swear under oath that they will tell “the truth, the whole truth, and nothing  
49 but the truth”. There is not such affirmation at the end of the document, no IRS seal, and no author identified. This isn’t  
50 truth: its’ government sponsored propaganda!

51 Below is the text from a real deposition of an IRS agent in a tax trial showing how IRS agents disguise their identities  
52 deliberately to protect them from the legal consequences of their criminal behavior:

53 A. Well, there have been several revenue officers that have worked this case, not just me.

54 Q. Who are the other ones?

1 A. There was another revenue officer that worked it prior to it being assigned to me. I don't recall his name  
2 right off the top of my head, but I know it was a male revenue officer.

3 Q. Is he still there at the IRS?

4 A. Yes, he is.

5 Q. You don't remember his name?

6 A. Well, to be quite frank with you, he changed his name over a course of time. So I'm not sure which name  
7 he was using at that time.

8 Q. What's his new and old name?

9 A. His old name was John Tucker and his new name is John Otto.

10 Q. Why did he change his name?

11 A. That was something that the Internal Revenue Service gave the employees the option to do so because  
12 taxpayers would file liens against employees, they would file judgments against employees, record them in the  
13 courthouses where they lived, and it would make it difficult for the revenue officer to sell their home or, you know,  
14 transfer property or whatever the case might be. In other words, it would encumber their own personal property.

15 And so the Internal Revenue Service gave us an option to use what we call pseudonyms that would  
16 protect the employees from taxpayers harassing us in that particular manner.

17 Q. So it's not a legal name change, it's just --

18 A. It's for Internal Revenue Service's purposes.

19 Q. Have you ever used another name?

20 A. Yes, I have.

21 Q. What other names have you used?

22 THE WITNESS: Do I have to answer that?

23 MR. SHILLING: Are you talking work name?

24 THE WITNESS: Are you talking work name or are you talking about my legal name?

25 Q. (BY MR. DROUGHT:) I'm talking about both. Are there any other names that you have ever gone by?

26 A. Yes. I have my maiden name and I have my married name that I use.

27 Q. And your maiden name is what?

28 THE WITNESS: Do I have to answer?

29 MR. SHILLING: Well, at this point she is operating under the pseudonym. Let's go off the record for a  
30 second.

31 (Off record 10:53 a.m. to 10:55 a.m.)

32 MR. SHILLING: You can give any other name. Do you have any other pseudonyms that you used?

33 THE WITNESS: No. I have only used Frances Jordan.

34 Q. (BY MR. DROUGHT:) How long have you used that name?

35 A. Approximately 10 years.

36 Q. So 1994 about?

37 A. That's a good ballpark. The service made that available to employees for one very specific reason. At  
38 that particular time, there was a lot of -- you know, Oklahoma City, you know, that was in reference to those  
39 individuals that were killed in that. So that became a concern that the employees have some type of protection.

40 A coworker that I sat next to received a letter at her home address from a taxpayer, and she had two  
41 small children, and her fear was that the taxpayer may do something to her home or to her children, and so she  
42 inquired about using a pseudonym, and I inquired about using one at the same time because we need to protect  
43 our families and our children from any harassing taxpayers.

44 Q. What about judges that send people to prison?

45 A. Sir, I can only tell you that the service made that option available to the employees.

46 Q. What about policeman that arrest people?

47 A. Sir, I can tell you -- I'm not a police officer. I'm not a judge. I'm only a revenue officer with the Internal  
48 Revenue Service. That option was made available to us because of the type of job that we have. We have to take  
49 people's money, we have to take people's property, and sometimes people become very distraught when that  
50 happens. So consequently they -- they do do things to our families and to our homes, and we need to protect  
51 ourselves as much as we can.

52 Q. Okay. What names have you gone by besides Frances Jordan?

53 A. While I worked for the Internal Revenue Service?

54 Q. Yes.

55 A. I'm going to -- like Mr. Shilling said, I'm going to not answer that question at this time until we discuss it  
56 with the judge to see whether or not he prefers -- that he allows me to use my pseudonym or if he makes me use  
57 my real name.

58 MR. DROUGHT: We are asking for her to give us those names, and we will agree to keep them  
59 confidential and used only for the purpose of this lawsuit, but I think it's relevant and it likely could lead to  
60 something relevant, and I don't want to have to go in front of the judge and spend these people's money. We are  
61 asking that she give us the names now so I can ask her about them now and not have to come back and re-depose  
62 her.

63 Do the above observations disturb you? They should! We are living in a police state and the IRS is a Gestapo organization  
64 of secret police operatives who maintain "voluntary compliance" through financial terrorism. It's terrorism because they:

- 65 • Cannot demonstrate the authority of a specific statute AND implementing regulations AND delegation of authority  
66 order authorizing their act of enforcement. 50 U.S.C. §841, in fact, says any public servant who refuses to  
67 acknowledge and respect the Constitutional or lawful limits on their authority is a "communist"!

- 1 • Won't reveal their identities or allow themselves to be held personally liable and accountable to the public for their
- 2 illegal and fraudulent acts and statements.
- 3 • Are allowed to institute illegal abuses of our rights completely anonymously and without having to accept personal
- 4 responsibility for the abuses.

5 On the other hand, how long do you think the lies, the propaganda, and the willful and illegal abuses of our rights by would  
6 continue if the following reforms were instituted and enforced upon the IRS:

- 7 1. Every Revenue Agent who interacts with the public had to reveal their true, full legal identity and contact information,  
8 including their Social Security Number. After all, if they can ask you for it, then you should be able to do the same thing.  
9 Equal protection of the laws requires it.
- 10 2. Use of "Pseudo names" on IRS Pocket Commissions was discontinued.
- 11 3. The identities of every IRS employee down to the lowest level was published on the IRS website.
- 12 4. Every piece of correspondence from the IRS had to be signed under penalty of perjury as required by 26 U.S.C. §6065  
13 and the complete contact information and real legal name of the originator or responsible person must be identified on  
14 the correspondence.

15 The answer is that the abuses would stop IMMEDIATELY. Secrecy and the fear it produces is the only thing that keeps this  
16 house of cards standing, folks!

#### 17 **4.4.16.5 Making it difficult, inconvenient, or costly to obtain information about illegal government activities**

18 Criminals, whether they are violating the Constitution or enacted statutory law, don't want evidence about their misdeeds  
19 exposed. A crime is simply any act that harms someone and was not done to them with their consent. The Freedom of  
20 Information Act and the Privacy Act are both designed to maintain an accountable government that serves the people by  
21 ensuring that people can always find out what their government is up to. Information about what the government is doing  
22 can then be used to prosecute specific public servants who violated the requirement for consent and your rights. Government  
23 agencies typically maintain "Public relations" offices, and also a full-time legal staff called the "disclosure group" to deal  
24 with requests for information that come in from the Public because of these laws. These disclosure litigation lawyers have  
25 the specific and sole function of filtering and obscuring and obfuscating information that is provided to the public about the  
26 activities and employees of the agency they work for. The main purpose for doing the filtering is to protect from prosecution  
27 wrongdoers within the agency. Disclosure litigation lawyers know that Fifth Amendment guarantees only biological people  
28 the right to not incriminate themselves, but corporations are not covered by the Fifth Amendment. The U.S. Code identifies  
29 the U.S. Government as a federal corporation in 28 U.S.C. §3002(15)(A), and so the silver tongued devils have to devise  
30 more devious means to conceal the truth. They are paid to lie and conceal and deceive the public without actually "looking"  
31 like they are doing so. They are "poker players" for the government.

32 When you send in a Privacy Act Request or Freedom of Information Act request, as we have many times, that focuses on  
33 some very incriminating evidence that could be used against the government, the response usually falls into one of the  
34 following four categories:

- 35 1. The government will say the information is exempt from disclosure and cite the exemptions found in 5 U.S.C.  
36 §552a(k).
- 37 2. The government will only provide a subset of the requested information and not explain why they omitted certain key  
38 information.
- 39 3. The government will provide the information requested, but redact the incriminating parts. For instance, they will  
40 black out the incriminating information and/or remove key pages.
- 41 4. If the government is involved in an enforcement action and the information you requested under the Privacy Act or  
42 Freedom Of Information Act could stop or interfere with the action because it exposes improprieties, they will try to  
43 drag their feet and delay providing the information until they have the result they want. For instance, if you send in a  
44 Privacy Act request for information about your tax liability, they will delay the response until after the period of appeal  
45 or response is over. That way , you can't respond or defend yourself against their illegal actions in a timely fashion.

46 In the process of decoding the Individual Master Files of several people, we have found that the IRS very carefully conceals  
47 information that would be useful in understanding what the IRS knows about a person. They use complicated, computerized  
48 codes in their records for which no information is presently available about what they mean. They used to make a manual  
49 called IRS Document 6209 available on their website for use in decoding IMF's, but it was taken down in 2003 so that no

public information about decoding is available now. A number of people have sent Freedom of Information Act Requests to the IRS requesting a copy of IRS Document 6209 and the IRS has responded by providing a very incomplete and virtually useless version of the original manual, with key chapters removed and most of the rest of the remaining information blacked out. They are obviously obstructing justice by preventing evidence of their wrongdoing from getting in the hands of the public. Some people who have requested this document under the Freedom of Information Act from the IRS, got the unbelievable response below:

*“We are sorry, but under the war on terrorism, the information you requested is not available for release because it would jeopardize the security of the United States government.”*

What the heck does the meaning of the codes in a persons’ IRS records have to do with the war on terrorism? The war on terror is being used as an excuse to make our own government into a terrorist organization! The needs of the public and the need for an accountable government that obeys the Constitution far outweigh such lame excuses by the IRS that have the effect of obstructing justice and protecting wrongdoers in the IRS. Such criminal acts of concealment are also illegal under the following statutes:

- [18 U.S.C. §3](#): Accessory after the fact
- [18 U.S.C. §4](#): Mispriison of felony
- [18 U.S.C. Chapter 73](#): Obstruction of justice
- [18 U.S.C. §241](#): Conspiracy against rights under

Since the IRS Document 6209 is effectively no longer available through the Freedom Of Information Act, then if a person wanted a full and complete and uncensored version of the document from the government they would then have to file a disclosure lawsuit against the government for not complying with the provisions of the Freedom of Information Act. Lawsuits, lawyers, and litigation are costly, inconvenient, and demanding and therefore beyond the reach and affordability of the average busy American. Consequently, the government wins in its effort to block from public disclosure key information about its own wrongdoing. The result is that by bending the rules slightly, they in effect make it so costly, inconvenient, exasperating, and complicated to have an accountable and law-abiding government that few people will attempt to overcome the illegal barrier they have created. The few that do overcome this barrier then have to worry about finding an attorney who is brave enough to get his license to practice law pulled by the government he is litigating against for prosecuting such government wrongdoers. The system we have now is very devious and prejudicial and needs to be reformed.

#### **4.4.16.6 Ignoring correspondence and/or forcing all complaints through an unresponsive legal support staff that exasperates and terrorizes “customers”**

When your rights have been violated because a government agency or employee has tried to do something without your explicit, informed consent, then the clerk at the government agency who instituted the wrong will further obstruct redress of grievances as follows:

1. They will tell you that they can’t give you information about their supervisor to lodge a complaint, and this is especially true if you did not get their full legal name because they refused to give it to you.
2. They will say that this is an issue or problem that you must contact the “legal department” or “public affairs department” about. Then they will tell you that those organizations do not take direct calls and insist that everything must be in writing. They will not explain why, but the implications are obvious: They want to prevent spilling the beans and prevent further contact with themselves or their supervisors so they cannot be prosecuted for wrongdoing.
3. Then when you write the address the clerk gave you, most often the legal department will ignore it entirely or respond with a lame form letter that answers questions you never asked and doesn’t directly address any of the major issues you raised. This leaves you with no further recourse but to litigate, and they do it this way on purpose because they know most people won’t litigate and can’t afford the time or expense to do so. Checkmate. The government got what it wanted: a violation of your rights without legal or material consequence for the violation.

Those Americans who are familiar with the above process and the abuses it results in and who are more familiar with legal procedure can still use the above process to their advantage with a procedure we call the Notary Certificate of Default Method (NCDM), whereby the correspondence sent to the legal department establishes what you expect, provides exhaustive evidence of government wrongdoing, formats the complaint as what is called an “Admissions” in the legal field, gives the government a specific time period to respond, and states that failure to respond constitutes an affirmative admission to every question. They then send in their complaint to the legal department or “Taxpayer Advocate” via certified mail with a proof of mailing,

1 which then develops legal evidence of what was sent and when it was sent. This approach gives them admissible evidence  
 2 they can use in court to litigate against the government. You can read more about the Notary Certificate of Default Method  
 3 in the *Tax Fraud Prevention Manual*, Form #06.008, section 3.4.4.5.

#### 4 4.4.16.7 **Deliberately dumbing down and propagandizing government support personnel who have to implement** 5 **the law**

6 To quote former Treasury Secretary Paul O'Neil on the subject of the Internal Revenue Code, which he says is...:

7 "9,500 pages of gibberish."

8 [SOURCE: <http://famguardian.org/TaxFreedom/Evidence/OrgAndDuties/IRSExhibit-PaulONeill-IRSCode9500PgsOfGibberish.pdf>]

10 Add to this the following:

- 11 1. 22,000 pages of Treasury and IRS regulations that implement the Internal Revenue Code
- 12 2. 70,000 employees at the IRS
- 13 3. A very high turnover rate among revenue agents, and the need to constantly educate new recruits.
- 14 4. An overworked support force.
- 15 5. Contracting key functions of the IRS out to independent third party debt collectors.
- 16 6. A very unpleasant job to do that most people detest.

17 ...and you have a recipe for disaster, abuse, and tyranny and a total disregard of the requirement for consent and respect of  
 18 the rights of sovereign Americans everywhere. Several studies have been done on the hazards of this government bureaucracy  
 19 by the Government Accountability Office, which show that IRS advice on their telephone support line was wrong over 80%  
 20 of the time! IRS supervisors who design the training curricula for new employees have also made a concerted effort to "dumb  
 21 down" revenue agents to increase "voluntary compliance". For instance, during the We the People Truth in Taxation Hearing  
 22 held in Washington D.C. on February 27-28, 2002, a former IRS Collection Agent brought his IRS Revenue Agent training  
 23 materials to the hearing and proved using the materials that Revenue Agents are not properly warned that there is no law  
 24 authorizes them to do Substitute For Return (SFR) assessments upon anything BUT a business or corporation located in the  
 25 federal zone which consents to taxation, and that SFR's against biological people are illegal and violate 26 U.S.C. §6020(b)  
 26 and Internal Revenue Manual (I.R.M.), Section 5.1.11.6.10. See the questions and evidence for yourself on our website at:

27 <http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section%2013.htm>

28 Do you think that an IRS Revenue Agent who meets all the following criteria is going to be "properly equipped" to follow  
 29 the lawful limits on his authority, respect your rights, and help you make an informed choice based only on consent? What  
 30 a joke! Most IRS employees:

- 31 1. Are never taught from the law books or taught about the law. Instead, are only taught about internal procedures  
 32 developed by people who don't read the tax code. And if they do start reading the law and asking questions of their  
 33 supervisors, as former IRS Criminal Investigator Joe Banister did, then they are asked to resign or fired if they won't  
 34 resign.
- 35 2. Rely mainly upon the IRS publications for information about what to do and are not told to read the law, in spite of the  
 36 fact that the IRS Internal Revenue Manual in section 4.10.7.2.8 says that IRS Publications should not be used to form  
 37 an opinion about what the tax code requires.
- 38 3. Are wrong 80% of the time about the only subject they are paid to know.
- 39 4. Don't stay at the job longer than about two years because of the very high turnover in the organization.
- 40 5. Are despised and feared by the public for what they do, mainly because they do not honor the restrictions placed on  
 41 them by the law itself.
- 42 6. Have deceptive IRS formal classroom training materials that deliberately omit mention about doing Substitute For  
 43 Return (SFR) assessments upon natural persons, even though it is not authorized by the law in 26 U.S.C. §6020(b).

44 In the legal realm, ignorance of the law is no excuse. Therefore, if anyone at the government agency can or should be held  
 45 responsible for acts that violate the law and our rights, it should be the ignorant and deliberately misinformed clerk or  
 46 employee who committed the act. However, the managers of these employees should also be culpable, because they  
 47 deliberately developed the training and mentorship curricula of their subordinates so as to maximize the likelihood that

employees would violate the laws and prejudice the rights of Americans in order to encourage “voluntary compliance” with what the agency wants, but which the law does not require. These devious managers will most often respond to accusations of culpability by trying to maintain a defense called “plausible deniability”, in which they deny responsibility for the illegal actions of their employees because they will falsely claim that they did not know about the problem. Notifying these wayward government employees personally via certified mail and posting all such correspondences on a public website for use in litigation against the government can be very helpful in fighting this kind of underhanded approach. This is the approach of Larken Rose, who has been keeping a database of all government employees at the IRS who have been notified that employees are mis-enforcing the law and yet refused to take action to remedy the wrong, concealed the fact that they were notified of the wrong, and continued to claim “plausible deniability”. This has gotten him on the bad side of the IRS to the point where they decided to raid his house and confiscate his computers, and then plant false evidence of kiddie porn on them and have him prosecuted for it violation of kiddie porn laws. Your government servants are wicked and these abuses must be stopped!

If you would like to know more about the subject of “plausible deniability” in the context of the IRS, refer to:

*Tax Fraud Prevention Manual*, Form #06.008, Section 2.4.2  
<https://sedm.org/ItemInfo/Ebooks/TaxFraudPrevMan/TaxFraudPrevMan.htm>

#### 4.4.16.8 Creating or blaming a scapegoat beyond their control

As we point out later in section 6.5.1, our republic was created out of the need for taxation WITH representation. England was levying heavy taxes without giving us any representation in their Parliament, and we didn’t like it and revolted. The original Constitutional Republican model created by the founders solved this problem by giving the sovereign People in the House of Representatives the dual responsibility of both Representing us AND Collecting legitimate taxes while also limiting the term of office of these representatives to two years. This ensured that:

- The sovereign People controlled the purse of government so that it would not get out of control.
- If our tax-collecting representatives got too greedy, we could throw the bastards out immediately.
- There would be no blame-shifting between the tax collectors and our representatives, because they would be one and the same.

This scheme kept our representatives in the House who controlled the purse strings on a very short leash and prevented government from getting too big or out of control. The very first Revenue Act of 1789 found in the Statutes at Large at 1 Stat. 24-49 created the office of Collector of Revenue and imposed the very first official federal tax of our new Constitutional Republic *only* upon imports. This tax was called a “duty” or “impost”, or “excise”. It placed collectors at every port district and made them accountable to Congress. This type of a taxing structure remained intact until the Civil War began in 1860.

However, our system of Taxation WITH Representation was eventually corrupted, primarily by separating the Taxation and Representation functions from each other. With the start of the Civil War and as an emergency measure in the Revenue Act of 1862, the Congress through legislation shifted the tax collection to a newly created “Bureau of Internal Revenue” (BIR), which was part of the Executive Branch and came under the Department of Treasury, which was in the Executive Branch. At that point, we lost the direct relationship between Taxation and Representation because the functions were separated across two departments. All of the evils in our present tax system trace back to the corruption that occurred at that point because:

1. Specific collection agents in the IRS are not put under a member of the House of Representatives and apportioned, as all federal tax collections require in Article 1, Section 9, Clause 4 and Article 1, Section 2, Clause 3. This means that they are not supervised by someone who we directly control in the House.
2. Congress has a convenient “whipping boy” they created to do the tax collection function. This whipping boy is conveniently in another branch of government that they can claim they have no direct control over. This causes endless finger-pointing and eliminates all accountability on either end of the Taxation or Representation equation.
3. Those in IRS cannot be held directly accountable because most are federal employees who are hard to fire and not elected so they are not accountable to the people.

Even today, this devious tactic of separating responsibility from authority for government abuses among multiple branches is very frequently used as the only real justification for what would otherwise be flagrant disregard for the rights of the people by the government. For instance, if the government is abusing people’s rights in a way that gets negative media attention, the most common justification you will hear is that the bureaucracy has gotten too big, is out of control, and is not accountable directly to the people. The Executive branch will usually be the culprit, and no one in the Legislative Branch will want to



1 take responsibility to pass a law to fix it. Or worst yet, the Legislative Branch will pass a “dead law”, which is a statute meant  
 2 to appease the public but for which the Executive Branch positively refuses to write implementing regulations to enforce.  
 3 This is what happened with the campaign finance reforms in the 2001. Sound familiar? The more layers of bureaucracy  
 4 there are, the more effective this system of blame-shifting becomes. With more layers, public servants can just conveniently  
 5 excuse themselves by saying “It takes forever to get X to do anything so it’s unlikely that we will be able to help you with  
 6 your problem.”

7 To give you an example of how the IRS abuses this technique to their advantage, look at how they respond to Privacy Act  
 8 requests for Assessment documents. The Privacy Act requires them to respond with the documents requested within 20 days.  
 9 After several people began using the Privacy Act to demand assessment documents, and since the IRS was not doing legal  
 10 assessments and wanted to hide the fact from the public, the IRS changed their Internal Revenue Manual in 2000 to essentially  
 11 delay and interfere with responding. In Internal Revenue Manual section 11.3.13.9.4, the IRS basically tells its Disclosure  
 12 Officers essentially to bounce a person’s Privacy Act Request for assessment documents all over its many hundreds of  
 13 disclosure offices until the person gets frustrated and essentially gives up. Read this dastardly section yourself at:

14 [https://www.irs.gov/irm/part11/irm\\_11-003-013](https://www.irs.gov/irm/part11/irm_11-003-013)

#### 15 **4.4.16.9 Terrorizing and threatening, rather than helping, the ignorant**

16 Another famous techniques of criminals working in public service is to terrorize the ignorant. This technique is usually only  
 17 used when the financial stakes are high and a person is taking custody of a large sum of money that the government wants to  
 18 steal a part of. Here is how it works:

- 19 1. Before the distribution can be made, a notice is sent to the affected party stating the conditions under which the  
 20 distribution can be made without incurring tax liability.
- 21 2. If the party wants to take the distribution without tax withholding as prescribed in 26 U.S.C. §3406, they are told that  
 22 they *must* sign a statement under penalty of perjury that they meet the conditions required for not being “liable” for  
 23 federal income taxes. They will be told that if it is not under penalty of perjury, then they cannot get their money or  
 24 property back.
- 25 3. The statement the party must sign will contain a dire warning that if they are wrong in signing the form, they are  
 26 committing perjury and that they will violate 18 U.S.C. §1001, which carries with it a fine and jail time up to five years!
- 27 4. In the meantime, the clerks processing the paperwork in the government, when consulted, will tell the submitter that:  
 28 4.1. We can’t provide legal advice.  
 29 4.2. We refuse to sign any statement under penalty of perjury which might help you to determine whether you meet the  
 30 criteria for not being taxable.  
 31 4.3. You are on your own and need to seek expensive legal counsel if you want assistance.
- 32 5. If you ask the clerks the phone contact information for the legal department to resolve your issue with the government  
 33 agency, they will tell you:  
 34 5.1. We can’t give it out  
 35 5.2. It only works internally and you can’t use it.  
 36 5.3. Calls are not authorized to the legal department. All inquiries must be in writing. Then when you write the legal  
 37 department of the agency, they will completely ignore your request and you will have no way to call them and do  
 38 follow-up to ensure that they respond.
- 39 6. The party will therefore be left with only two options:  
 40 6.1. Pay the withholding tax.  
 41 6.2. Hire an expensive legal counsel to “advise” you and then pay something approaching the cost of the withholding  
 42 tax to a government-licensed attorney who has a conflict of interest. The government-licensed attorney will tell  
 43 you that you have to pay the tax even if there is no law that requires this, because if he doesn’t, the government will  
 44 pull his license. Now you paid close to DOUBLE the withholding tax after everything is said and done, because  
 45 you have to pay an expensive attorney AND the withholding tax.

46 To give you one example of how the above tactic is used, consider the situation of a public servant who has just left federal  
 47 employment voluntarily or was terminated. At that point, he usually has a large retirement nest egg in Federal Thrift Savings  
 48 Plan (TSP) that he wants to take into his or her custody while also avoiding the need to pay any income tax as a consequence  
 49 of the distribution. Lawyers in the District of Columbia who are running the Thrift Savings Plan (TSP) have devised a way  
 50 to basically browbeat people into paying withholding taxes on direct retirement distributions using the above technique. Here  
 51 is how it works:

1. Federal government workers who leave federal service and who want to withdraw their retirement savings must submit the TSP-70 form to the Thrift Savings Program. You can view this form at: <http://tsp.gov/forms/index.html>
2. Most separating federal government employees inhabit the states of the Union:
  - 2.1. Are “nationals” under 8 U.S.C. §1101(a)(21).
  - 2.2. Are not “citizens” under 8 U.S.C. §1401.
  - 2.3. Are “nonresident aliens” under 26 U.S.C. §7701(b)(1)(B) IN THE CONTEXT OF THE OFFICIAL DUTIES ONLY.
  - 2.4. Are “non-resident non-persons” in the context of their PRIVATE property and PRIVATE affairs. As we explain later in this chapter and throughout chapter 5 later.
3. TSP Publication OC-96-21 describes the procedures to be used for “nonresident aliens” who are not engaged in a “trade or business” to withdraw their entire retirement free of the 20% withholding mandated by 26 U.S.C. §3406. Here is what section 3 of that pamphlet says:

**3. How much tax will be withheld on payments from the TSP?**

*The amount withheld depends upon your status, as described below. Participant. **If you are a nonresident alien, your payment will not be subject to withholding for U.S. income taxes. (See Question 2.)** If you are a U.S. citizen or a resident alien, your payment will be subject to withholding for U.S. income taxes. If you are a U.S. citizen or resident alien when you separate, you will receive from your employing agency the tax notice “Important Tax Information About Payments From Your TSP Account,” which explains the withholding rules that apply to your various withdrawal options.*

*[Federal Thrift Savings Plan, Pamphlet OC-96-21, <http://tsp.gov/forms/index.html>]*

Later on in that same pamphlet above, here is what they say about the requirement for a statement under penalty of perjury attesting that you are a “nonresident alien” with no income from within the federal “United States”:

**2. Will the TSP withhold U.S. taxes from my payments?**

*This depends on whether the payment you receive is subject to U.S. income tax. If the money you receive is subject to U.S. income tax, then it is subject to withholding. In general, the only persons who do not owe U.S. taxes are nonresident alien participants and nonresident alien beneficiaries of nonresident alien participants. The TSP will not withhold any U.S. taxes if you fit into either category and you submit the certification described below. However, if you do not submit the certification to the TSP, the TSP must withhold 30% of your payment for Federal income taxes.*

**Certification.** *To verify that no tax withholding is required on a payment you are receiving as a participant, the TSP asks that you certify under penalty of perjury that you are a nonresident alien whose contributions to the TSP were based on income earned outside the [federal] United States. If you are receiving a payment as a beneficiary, you must certify that you are a nonresident alien and that the deceased participant was also a nonresident alien whose contributions to the TSP were based on income earned outside the United States. (Certification forms are attached to this tax notice.)*

*[Federal Thrift Savings Plan, Pamphlet OC-96-21, <http://tsp.gov/forms/index.html>]*

4. The certification form for indicating that you are a “nonresident alien” who earned all income outside the “United States[\*\*]” is contained at the end of the above pamphlet. Here is the warning it contains in the perjury statement at the end:

**Warning:** *Any intentional false statement in this certification or willful misrepresentation concerning it is a violation of the law that is punishable by a fine of as much as \$10,000 or imprisonment for as long as 5 years, or both (18 U.S.C. 1001).*

5. The critical issue in the above pamphlet, of course, is their “presumed” and ambiguous definition of “United States”, which we will find out later in section 4.5.3 means the *federal* United States or “federal zone”, which is the District of Columbia Only within Subtitle A of the Internal Revenue Code as indicated by 26 U.S.C. §7701(a)(9) and (a)(10). If you call the Thrift Savings Program (TSP) coordinator and ask him some very pointed questions about the definition of “United States” upon which the above pamphlet relies and the code section or regulation where it is found, you will get the run-around. If you ask for the corporate counsel phone number, they refuse to give it to you and tell you to ask in writing. If you write them, they will ignore you because they don’t want the truth to get out in black and white. If you were to corner one of these people after they left federal service and ask them for honest answers, they would probably tell you that their supervisor threatened them if they leaked out what is meant by “United States” to callers or if they put anything in writing. They are obviously holding the truth hostage for 20 pieces of silver. They will positively refuse to

1 give you anything in writing that will help clarify the meaning of “United States” as used in the pamphlet, because they  
 2 want to make it very risky and confrontational for you to keep your hard-earned money. They will refuse to take any  
 3 responsibility whatsoever to help you follow the law, and they will conveniently claim ignorance of the law, even though  
 4 ignorance of the law is no excuse, according the courts.

5 Note in the above the hypocrisy evident in the situation and the resulting violation of equal protection of the laws mandated  
 6 by the Fourteenth Amendment, Section 1:

- 7 1. You are being compelled to take a risk of spending five years in jail by signing something under penalty of perjury that  
 8 they can falsely accuse you is fraudulent and wrong. All you have to do is look at them the wrong way and they will try  
 9 to sick a mafia police state on you. At the same time, there is absolutely no one in government who is or can be required  
 10 to take the equivalent risk by signing a determination about the meaning of “United States” in their own misleading  
 11 publication.
- 12 2. Publication OC-96-21 starts off with a disclaimer of liability and advice to consult an attorney, and yet it is impossible  
 13 for you to have the same kind of disclaimer if you sign their form at the end of the pamphlet.
- 14 3. They refuse to put anything in writing that they say or do and require EVERYTHING you do with them to be in writing  
 15 and signed under penalty of perjury. If you do a Privacy Act request for their internal documents relating to your case  
 16 to hold them accountable, they will refuse to provide them because they want to protect their coworkers from liability.  
 17 This is hypocrisy.
- 18 4. All risk is thereby transferred to you and avoided by your public dis-servants. Consequently, there is no way to ensure  
 19 that they do their job by genuinely helping you, even though that is the ONLY reason they even have a job to begin with.

20 In effect, what our public dis-servants are doing above is using ignorance, fear, deliberate ambiguity of law and publications,  
 21 and intimidation as weapons to terrorize “nontaxpayers” into paying extortion money to the government. They have made  
 22 every option available to you EXCEPT bribing the government into a risky endeavor, knowing full well that most people will  
 23 try to avoid risk. They will not help citizens defend their property, which is the ONLY legitimate function of government.  
 24 Based on the above, the only thing these thieves will help anyone do is bribe the government with money that isn’t owed and  
 25 to do so under the influence of constructive fraud, malfeasance, and breach of fiduciary duty on the part of the public dis-  
 26 servant. The presence of such constructive fraud makes it impossible to give informed, voluntary consent in the situation,  
 27 and therefore makes it impossible to willfully make a false statement. However, it is common for federal judges to aid and  
 28 abet in the persecution and terrorism of honest Americans who submit the above OC-96-21 form in order to perpetuate the  
 29 federal mafia and keep the stolen loot flowing that funds their fat federal retirement checks.

#### 30 **4.4.17 Why good government demands more than just “obeying the law”**

31 We should all teach our own children that legal, law-abiding behavior is desirable. However, in a civilized society, simply  
 32 “obeying the law” and doing nothing more is minimal behavior and poor citizenship. Civilization cannot long endure if our  
 33 conduct is merely "legal." The Apostle Paul alluded to this when he said:

34 *“All things are lawful for me, but all things are not helpful. All things are lawful for me, but I will not be brought*  
 35 *under the power of any.”*  
 36 *[1 Cor. 6:12, Bible, NKJV]*

37 For civilization to endure and expand personal liberty and happiness, human relations must be characterized by respect,  
 38 courtesy, good manners, ethics, and morality - none of which are required by law. The reason they can’t be required by law  
 39 is because:

40 *“You can’t legislate morality.”*

41 With former President Bill Clinton, "I didn't break any laws" has become the hissing cackle of false humility and hypocritical  
 42 vanity displayed by the puff adder politician in the White House and his "Sit Up! Bark!" democrat emulators in the halls of  
 43 Congress. He is a walking, talking contradiction of everything worthy of teaching our children about self-government. If  
 44 everyone did nothing more for the benefit of our society than emulate his despicable behavior, then what kind of country do  
 45 you think we would have? What we would end up with is a banana-republic where “the end justifies the means”, and we  
 46 would certainly no longer deserve the kind of respect and envy that many throughout the rest of the world bestow upon this  
 47 country.

"I didn't break any laws" is nothing to brag about. Our ancestors were individuals and families of character as with most of the American people who do not measure their daily choices by what is merely legal. They have lived their moment-by-moment lives by respect for individuals, standards of ethics, and principles of boundary that transcend mere law. They believed this was normal and average civilized conduct. When they come of age, our children and our Children's children will agree.

The former actor in the White House is, by repeated acts of misconduct, challenging the statistical laws of probability and the Creator's sow-reap Laws of Certainty. Lying and cheating, and getting away with it, appears to be successful. But, like a speeder on the highway, "Success breeds failure." He will get caught or crash - or both! Count on it.

The day is soon coming when Clinton's former supporters will, by hindsight, speak his name as a curse. Many of us would have preferred foresight. Remember the words of former President George Bush before he lost the election to Clinton? "President Clinton has no character?" He was definitely right, in hindsight, now wasn't he? But, after all, foresight has a prerequisite. It is called "making choices by principle."

Any civilization, if it is to endure, expand, and prosper, must be based on "making choices by principle", rather than simply "complying with the law". The foundation of making choices by principle rather than law is morality and ethics. Morality and ethics are summed up in one word: wisdom. The chief source of all wisdom is God:

*"The fear of [respect and obedience towards] the Lord is the beginning of wisdom, and the knowledge of the Holy One is understanding, for by me your days will be multiplied, and years of life will be added to you."*  
[Prov. 9:10-11, Bible, NKJV]

Therefore, belief and trust in God over and above the vanity of man is the chief source of "making choices by principle" in our society. Any effort by our corrupted courts to eliminate religion from the media or public life or schools is an effort to remove "principle", and by implication, morality and ethics and wisdom, from the decision-making process. Even the Supreme Court agrees:

*"The American people have always regarded education and acquisition of knowledge as matters of supreme importance which should be diligently promoted. The Ordinance of 1787 declares: 'Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.'"*  
[Meyer v. State of Nebraska, 262 U.S. 390 (1923)]

When you eliminate God and religion from society, then you end up with a society without a conscience, which is exactly what our country would be like if everyone were like former President Clinton and his Democrat imitators.

## 4.5 Separation of Powers

The following subsection will deal with what the U.S. Supreme Court calls the "separation of powers". That separation of powers was created and put there primarily for the protection of PRIVATE rights we covered earlier. For a more detailed coverage of the subject, see:

[Government Conspiracy to Destroy the Separation of Powers](http://sedm.org/Forms/FormIndex.htm), Form #05.023  
<http://sedm.org/Forms/FormIndex.htm>

### 4.5.1 The Three Definitions of "United States"

Most of us are completely unaware that the term "United States" has several distinct and separate legal meanings and that it is up to us to know and understand these differences, to use them appropriately, and to clarify exactly which one we mean whenever we sign any government or financial form (including voter registration, tax documents, etc). If we do not, we could unknowingly, unwillingly and involuntarily be creating false presumptions that cause us to surrender our Constitutional rights and our sovereignty. The fact is, most of us have unwittingly been doing just that for most, if not all, of our lives. Much of this misunderstanding and legal ignorance has been deliberately "manufactured" by our corrupted government in the public school system. It is a fact that our public dis-servants want docile sheep who are easy to govern, not "high maintenance" sovereigns capable of critical and independent thinking and who demand their rights. We have become so casual in our use of the term "United States" that it is no longer understood, even within the legal profession, that there are actually three different legal meanings to the term. In fact, the legal profession has contributed to this confusion over this term by removing

1 its definitions from all legal dictionaries currently in print that we have looked at. See section 6.10.1 later for details on this  
2 scam.

3 Most of us have grown up thinking the term United States indicates and includes all 50 states of the Union. This is true in  
4 the context of the U.S. Constitution but it is not true in all contexts. As you will see, this is the third meaning assigned to the  
5 term “United States” by the United States Supreme Court. But, usually when we (Joe six pack) use the term United States we  
6 actually think we are saying the united States, as we are generally thinking of the several states or the union of States. There  
7 are times when you could be mistaken and as you will come to realize, this could be a very costly assumption.

8 First, it should be noticed that the term United States is a noun. In fact, it is the proper name and title “We the people...” gave  
9 to the corporate entity (non-living thing) of the federal (central) government created by the Constitution. This in turn  
10 describes where the “United States” federal corporation was to be housed as the Seat of the Government - In the District of  
11 Columbia, not to exceed a ten mile square.

12 *Constitution*  
13 *Article 1, Section 8, Clause 17*

14 *To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as*  
15 *may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the*  
16 *United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the*  
17 *State in which the Same shall be for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful*  
18 *Buildings;—And [underlines added]*

19 Below is how the united States supreme Court addressed the question of the meaning of the term “United States” (see Black’s  
20 Law Dictionary) in the famous case of *Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945). The Court ruled that the term  
21 United States has three uses:

22 *"The term 'United States' may be used in any one of several senses. It may be merely the name of a sovereign*  
23 *occupying the position analogous to that of other sovereigns in the family of nations. It may designate the*  
24 *territory over which the sovereignty of the United States extends, or it may be the collective name of the states*  
25 *which are united by and under the Constitution."*  
26 *[[Hooven & Allison Co. v. Evatt, 324 U.S. 652 \(1945\)](#)]*

27 We will now break the above definition into its three contexts and show what each means.  
28

Table 4-16: Meanings assigned to "United States" by the U.S. Supreme Court in *Hooven & Allison v. Evatt*

#	U.S. Supreme Court Definition of "United States" in <i>Hooven</i>	Context in which usually used	Referred to in this article as	Interpretation
1	"It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations."	International law	"United States**"	"These <u>united States</u> ," when traveling abroad, you come under the jurisdiction of the President through his agents in the U.S. State Department, where "U.S." refers to the sovereign society. You are a "Citizen of the United States" like someone is a Citizen of France, or England. We abbreviate this version of "United States" with a single asterisk after its name: "United States*" throughout this article.
2	"It may designate the territory over which the sovereignty of the United States extends, or"	Federal law Federal forms	"United States**"	"The United States (the District of Columbia, possessions and territories)". Here Congress has exclusive legislative jurisdiction. In this sense, the term "United States" is a singular noun. You are a person residing in the District of Columbia, one of its Territories or Federal areas (enclaves). Hence, even a person living in the one of the sovereign States could still be a member of the Federal area and therefore a "citizen of the United States." This is the definition used in most "Acts of Congress" and federal statutes. We abbreviate this version of "United States" with a two asterisks after its name: "United States**" throughout this article. This definition is also synonymous with the "United States" corporation found in 28 U.S.C. §3002(15)(A).
3	"...as the collective name for the states which are united by and under the Constitution."	Constitution of the United States	"United States***"	"The <u>several States</u> which is the <u>united States of America</u> ." Referring to the <u>50 sovereign States</u> , which are united under the <u>Constitution of the United States of America</u> . The federal areas within these states are not included in this definition because the <u>Congress does not</u> have exclusive legislative authority over any of the <u>50 sovereign States within the Union of States</u> . Rights are retained by the <u>States</u> in the 9th and 10th Amendments, and you are a " <u>Citizen of these united States</u> ." This is the definition used in the Constitution for the United States of America. We abbreviate this version of "United States" with a three asterisks after its name: "United States***" throughout this article.

The U.S. Supreme Court helped to clarify which of the three definitions above is the one used in the U.S. Constitution, when it said the following. Note they are implying the THIRD definition above and not the other two:

*"The earliest case is that of Hepburn v. Ellzey, 2 Cranch, 445, 2 L.Ed. 332, in which this court held that, under that clause of the Constitution limiting the jurisdiction of the courts of the United States to controversies between citizens of different states, a citizen of the District of Columbia could not maintain an action in the circuit court of the United States. It was argued that the word 'state,' in that connection, was used simply to denote a distinct political society. 'But,' said the Chief Justice, 'as the act of Congress obviously used the word 'state' in reference to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is a state in the sense of that instrument. The result of that examination is a conviction that the members of the American confederacy only are the states contemplated in the Constitution . . . and excludes from the term the signification attached to it by writers on the law of nations.' This case was followed in *Barney v. Baltimore*, 6 Wall. 280, 18 L.Ed. 825, and quite recently in *Hooe v. Jamieson*, 166 U.S. 395, 41 L.Ed. 1049, 17 Sup.Ct.Rep. 596. The same rule was applied to citizens of territories in *New Orleans v. Winter*, 1 Wheat. 91, 4 L.Ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it was said that 'neither of them is a state in the sense in which that term is used in the Constitution.' In *Scott v. Jones*, 5 How. 343, 12 L.Ed. 181, and in *Miners' Bank v. Iowa ex rel. District Prosecuting Attorney*, 12 How. 1, 13 L.Ed. 867, it was held that under the judiciary act, permitting writs of error to the supreme court of a state in cases where the validity of a state statute is drawn in question, an act of a territorial legislature was not within the contemplation of Congress."*  
[Downes v. Bidwell, 182 U.S. 244 (1901)]

The Supreme Court further clarified that the Constitution implies the third definition above, which is the United States\*\*\* when they said the following. Notice that they say "not part of the United States within the meaning of the Constitution" and that the word "the" implies only ONE rather than multiple meanings:

*"As the only judicial power vested in Congress is to create courts whose judges shall hold their offices during good behavior, it necessarily follows that, if Congress authorizes the creation of courts and the appointment of judges for limited time, it must act independently of the Constitution upon territory which is not part of the United States within the meaning of the Constitution."*  
[O'Donoghue v. United States, 289 U.S. 516, 53 S.Ct. 740 (1933)]

1 Another important distinction needs to be made. Definition 3 above refers to the confederation of states under the constitution,  
 2 but this country is *not* a “nation”, in the sense of international law. This very important point was made clear by the U.S.  
 3 Supreme Court in 1794 in the case of *Chisholm v. Georgia*, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793), when it said:

4 *This is a case of uncommon magnitude. One of the parties to it is a State; certainly respectable, claiming to be*  
 5 *sovereign. The question to be determined is, whether this State, so respectable, and whose claim soars so high,*  
 6 *is amenable to the jurisdiction of the Supreme Court of the United States? This question, important in itself,*  
 7 *will depend on others, more important still; and, may, perhaps, be ultimately resolved into one, no less radical*  
 8 *than this 'do the people of the United States form a Nation?'*

9 *A cause so conspicuous and interesting, should be carefully and accurately viewed from every possible point of*  
 10 *sight. I shall examine it; 1st. By the principles of general jurisprudence. 2nd. By the laws and practice of*  
 11 *particular States and Kingdoms. **From the law of nations little or no***  
 12 ***illustration of this subject can be expected. By that law the***  
 13 ***several States and Governments spread over our globe, are***  
 14 ***considered as forming a society, not a NATION.** It has only been by a very*  
 15 *few comprehensive minds, such as those of Elizabeth and the Fourth Henry, that this last great idea has been*  
 16 *even contemplated. 3rdly, and chiefly, I shall examine the important question before us, by the Constitution of the*  
 17 *United States, and the legitimate result of that valuable instrument.*  
 18 [*Chisholm v. Georgia, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793)*]

19 Black’s Law Dictionary further clarifies the distinction between a nation and a society by clarifying the differences between  
 20 a **national** government and a **federal** government, and keep in mind that our government is called “federal government”:

21 **“NATIONAL GOVERNMENT.** *The government of a whole nation, as distinguished from that of a local or*  
 22 *territorial division of the nation, and also as distinguished from that of a league or confederation.*

23 *“A national government is a government of the people of a single state or nation, united as a community by what*  
 24 *is termed the “social compact,” and possessing complete and perfect supremacy over persons and things, so far*  
 25 *as they can be made the lawful objects of civil government. A federal government is distinguished from a*  
 26 *national government by its being the government of a community of independent and sovereign states, united*  
 27 *by compact.” Piqua Branch Bank v. Knoup, 6 Ohio.St. 393”*  
 28 [*Black’s Law Dictionary, Revised Fourth Edition, 1968, p. 1176*]

29 So the “United States\*\*\*” the country is a “society” and a “sovereignty” but not a “nation” under the law of nations, by the  
 30 Supreme Court’s own admission. Because the supreme Court has ruled on this matter, it is now incumbent upon each of us  
 31 to always remember it and to apply it in all of our dealings with the Federal Government. If not, we lose our individual  
 32 Sovereignty by default and the Federal Government assumes jurisdiction over us. So, while a sovereign American will want  
 33 to be the third type of Citizen and on occasion the first, he would never want to be the second. A person who is a “citizen”  
 34 of the second is called a statutory “U.S. citizen” under 8 U.S.C. §1401, and he is treated in law as occupying a place not  
 35 protected by the Bill of Rights, which is the first ten amendments of the United States Constitution. Below is how the U.S.  
 36 Supreme Court described this “other” United States, which we call the “federal zone”:

37 *“The idea prevails with some, indeed it has found expression in arguments at the bar, that **we have in this country***  
 38 ***substantially two national governments; one to be maintained under the Constitution, with all of its***  
 39 ***restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising***  
 40 ***such powers [of absolutism] as other nations of the earth are accustomed to.. I take leave to say that, if the***  
 41 ***principles thus announced should ever receive the sanction of a majority of this court, a radical and***  
 42 ***mischievous change in our system of government will result. We will, in that event, pass from the era of***  
 43 ***constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism.. It***  
 44 ***will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds***  
 45 ***lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full***  
 46 ***authority to prevent all violation of the principles of the Constitution.**”*  
 47 [*Downes v. Bidwell, 182 U.S. 244 (1901)*]

48 Let us pause at this point to discuss WHAT exactly is a “nation” in the context of our country historically. As the U.S.  
 49 Supreme Court ruled, “the word citizen is understood as conveying the idea of membership of a nation, and nothing more.”  
 50 *Minor v. Happersett*, 88 U.S. 162 (1874). Merriam-Webster dictionary defines a nation as: “a community of people composed  
 51 of one or more nationalities and possessing a more or less defined territory and government” Going by this definition, our  
 52 country contains 52 nations: each of the 50 states of the Union, the U.S.\*\*\*, and the U.S.\*\*; where the government for the  
 53 U.S.\*\*\* would be the central government under the restriction of the constitution and with finite enumerated delegated powers

(the federal government of the USA) and the government of the U.S.\*\* would be the central government with exclusive legislative jurisdiction (plenary power) and no constitutional limitations (the national government of the federal zone). Also, from a historical perspective, under the Articles of Confederation (a confederation form of central government) and before the District of Columbia was incorporated, the only nations in our country were the sovereign states. In adapting the Constitution in 1787, the form of the central government changed to a federal form of government and the collective states of the Union, the USA, became a nation. In incorporating the District of Columbia, the federal zone became a nation of its own, with Congress now wearing two different hats: the national government for the federal zone and the federal government for the USA.

The second definition of “United States\*\*” above is also a federal corporation. This corporation was formed in 1871. It is described in [28 U.S.C. §3002\(15\)\(A\)](#):

[TITLE 28 > PART VI > CHAPTER 176 > SUBCHAPTER A > Sec. 3002.](#)  
 TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE  
 PART VI - PARTICULAR PROCEEDINGS  
 CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE  
 SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS

[Sec. 3002. Definitions](#)

(15) “United States” means -

(A) a Federal corporation;

(B) an agency, department, commission, board, or other entity of the United States; or

(C) an instrumentality of the United States.

The U.S. Supreme Court, in fact, has admitted that all governments are corporations when it said:

*“Corporations are also of all grades, and made for varied objects; **all governments are corporations, created by usage and common consent, or grants and charters which create a body politic for prescribed purposes; but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise of power, they are all governed by the same rules of law, as to the construction and the obligation of the instrument by which the incorporation is made [the Constitution is the corporate charter].** One universal rule of law protects persons and property. It is a fundamental principle of the common law of England, that the term freemen of the kingdom, includes ‘all persons,’ ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing of protection as other persons, and their corporate property secured by the same laws which protect that of individuals. 2 Inst. 46-7. ‘No man shall be taken,’ ‘no man shall be disseised,’ without due process of law, is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal government, by the amendments to the constitution.”*  
*[Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, 36 U.S. 420 (1837)]*

If we are acting as a federal statutory “employee”, then we are representing the “United States\*\* federal corporation”. That corporation is a statutory “U.S. citizen” under [8 U.S.C. §1401](#) which is completely subject to all federal law. [Federal Rule of Civil Procedure 17\(b\)](#) says that when we are representing that corporation as “officers” or statutory “employees”, we therefore become statutory “U.S. citizens” completely subject to federal territorial law:

*“A corporation is a citizen, **resident**, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only.”*  
*[19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003)]*

Yet on every government (any level) document we sign (e.g. Social Security, Marriage License, Voter Registration, Driver’s License, BATF 4473, etc.) they either require you to be a “citizen of the United States” or they ask “are you a resident of Illinois?”. They are in effect asking you to assume or presume the second definition, the “United States\*\*”, when you fill out the form, but they don’t want to tell you this because then you would realize they are asking you to lie on a government form. They in effect are asking you if you wish to act in the official capacity of a public statutory “employee” and public officer of the federal corporation. The form you are filling out therefore is serving the dual capacity of a federal job application and an application for benefits. The reason this must be so, is that they are not allowed to pay “benefits” to private citizens and can only lawfully pay them to public statutory “employees”. Any other approach makes the government into a thief. See the article below for details on this scam:

[Why Your Government is Either a Thief or You are a “Public Officer” for Income Tax Purposes](#), Form #05.008  
<http://sedm.org/Forms/FormIndex.htm>



1 If you accept their false presumption, or you answer “Yes” to the question of whether you are a “citizen of the United States”  
 2 or a “U.S. citizen” on a federal or state form, usually under penalty of perjury, then you have committed perjury under penalty  
 3 of perjury and also voluntarily placed yourself under their jurisdiction as a public official/”employee” and are therefore  
 4 subject to Federal & State Codes and Regulations (Statutes). The Social Security Number they ask for on the form, in fact,  
 5 is prima facie evidence that you are a federal statutory “employee”, in fact. Look at the proof for yourself:

Resignation of Compelled Social Security Trustee, Form #06.002  
<http://sedm.org/Forms/FormIndex.htm>

6 Most laws passed by government are, in effect, law only for government. They are private law or contract law that act as the  
 7 equivalent of a government employment agreement. We the People, as the Sovereigns, are not subject to it unless we sign  
 8 an employment agreement that can take many different forms: W-4, SS-5, 1040, etc. The W-4 is a federal election form and  
 9 you are the only voter. They are asking you if you want to elect yourself into “public office”, and if you say “yes”, then you  
 10 got the job and a cage is reserved for you on the federal plantation:

11 *“The restrictions that the Constitution places upon the government in its capacity as lawmaker, i.e., as the*  
 12 *regulator of private conduct, are not the same as the restrictions that it places upon the government in its capacity*  
 13 *as employer. We have recognized this in many contexts, with respect to many different constitutional guarantees.*  
 14 *Private citizens perhaps cannot be prevented from wearing long hair, but policemen can. Kelley v. Johnson, 425*  
 15 *U.S. 238, 247 (1976). Private citizens cannot have their property searched without probable cause, but in many*  
 16 *circumstances government employees can. O'Connor v. Ortega, 480 U.S. 709, 723 (1987) (plurality opinion); id.,*  
 17 *at 732 (SCALIA, J., concurring in judgment). Private citizens cannot be punished for refusing to provide the*  
 18 *government information that may incriminate them, but government employees can be dismissed when the*  
 19 *incriminating information that they refuse to provide relates to the performance of their job. Gardner v.*  
 20 *Broderick, [497 U.S. 62, 95] 392 U.S. 273, 277-278 (1968). With regard to freedom of speech in particular:*  
 21 *Private citizens cannot be punished for speech of merely private concern, but government employees can be fired*  
 22 *for that reason. Connick v. Myers, 461 U.S. 138, 147 (1983). Private citizens cannot be punished for partisan*  
 23 *political activity, but federal and state employees can be dismissed and otherwise punished for that reason. Public*  
 24 *Workers v. Mitchell, 330 U.S. 75, 101 (1947); Civil Service Comm'n v. Letter Carriers, 413 U.S. 548, 556 (1973);*  
 25 *Broadrick v. Oklahoma, 413 U.S. 601, 616-617 (1973).”*  
 26 *[Rutan v. Republican Party of Illinois, 497 U.S. 62 (1990)]*

27 By making you into a public official or statutory “employee”, they are destroying the separation of powers that is the main  
 28 purpose of the Constitution and which was put there to protect your rights.

29 *“To the contrary, **the Constitution divides authority between federal and state governments for the protection***  
 30 *of individuals. State sovereignty is not just an end in itself: “Rather, federalism secures to citizens the liberties*  
 31 *that derive from the diffusion of sovereign power.” Coleman v. Thompson, 501 U.S. 722, 759 (1991)*  
 32 *(BLACKMUN, J., dissenting). “Just as the separation and independence of the coordinate branches of the Federal*  
 33 *Government serve to prevent the accumulation of excessive power in any one branch, a healthy balance of power*  
 34 *between the States and the Federal Government will reduce the risk of tyranny and abuse from either front.”*  
 35 *Gregory v. [505 U.S. 144, 182] Ashcroft, 501 U.S., at 458. See The Federalist No. 51, p. 323. (C. Rossiter ed.*  
 36 *1961).”*  
 37 *[New York v. United States, 505 U.S. 144 (1992)]*

38 They are causing you to voluntarily waive sovereign immunity under the Foreign Sovereign Immunities Act (F.S.I.A.), [28](#)  
 39 [U.S.C. §1601-1611](#). [28 U.S.C. §1605\(a\)\(2\)](#) of the act says that those who conduct “commerce” within the legislative  
 40 jurisdiction of the “United States” (federal zone), whether as public official or federal benefit recipients, surrender their  
 41 sovereign immunity.

42 [TITLE 28 > PART IV > CHAPTER 97 > § 1605](#)  
 43 [§ 1605. General exceptions to the jurisdictional immunity of a foreign state](#)

44 (a) A foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any  
 45 case—

46 (2) in which the action is based upon a commercial activity carried on in the United States by the foreign state;  
 47 or upon an act performed in the United States in connection with a commercial [employment or federal benefit]  
 48 activity of the foreign state elsewhere; or upon an act outside the territory of the United States in connection with  
 49 a commercial activity of the foreign state elsewhere and that act causes a direct effect in the United States;

1 They are also destroying the separation of powers by fooling you into being a statutory U.S. citizen under 8 U.S.C. §1401.  
 2 28 U.S.C. §1332(c) and (d) specifically excludes such statutory “U.S. citizens” from being foreign sovereigns who can file  
 3 under diversity of citizenship. This is confirmed by the Department of State Website:

4 *“Section 1603(b) defines an “agency or instrumentality” of a foreign state as an entity (1) which is a separate  
 5 legal person, corporate or otherwise, and (2) which is an organ of a foreign state or political subdivision thereof,  
 6 or a majority of whose shares or other ownership interest is owned by a foreign state or political subdivision  
 7 thereof, and (3) which is neither a citizen of the a state of the United States as defined in Sec. 1332(c) and (d)  
 8 nor created under the laws of any third country.”*  
 9 [Department of State Website, [http://travel.state.gov/law/info/judicial/judicial\\_693.html](http://travel.state.gov/law/info/judicial/judicial_693.html)]

10 In effect, they kidnapped your legal identity and made you into a resident alien statutory “employee” working in the “king’s  
 11 castle”, the District of Columbia, and changed your status from “foreign” to “domestic” by creating false presumptions about  
 12 citizenship and using the Social Security Number, W-4, and SSA Form SS-5s to make you into a “subject citizen” and a  
 13 public statutory “employee” with no constitutional rights.

14 The nature of most federal law as private law is carefully explained below:

[Requirement for Consent](http://sedm.org/Forms/FormIndex.htm), Form #05.003  
<http://sedm.org/Forms/FormIndex.htm>

15 As you will soon read, the government uses various ways to mislead and trick us into their private laws (outside our  
 16 Constitutional protections) and make you into the equivalent of their statutory “employee”, and thereby commits a great fraud  
 17 on the American People.

18 The essentials of their deception include the following, to which this document is dedicated to exposing:

- 19 1. Which United States are they talking about (this article)?
- 20 2. What is a “person”?
- 21 3. What is an “individual”?
- 22 4. How can there be two of you?
- 23 5. What constitutes “foreign income” and “domestic income”?
- 24 6. What is the SOLUTION?

25 I hope you will take the time to STUDY this information thoroughly, then commence to use it, in an effort to untangle yourself  
 26 from this web of deceit. It is the only sure, nonviolent way to regain your Constitutional Rights as it guarantees you your  
 27 individual sovereignty as a freeman.

#### 28 **4.5.2 Two Political Jurisdictions: “National Government” vs. “Federal/general government”**

29 Many people are blissfully unaware that there are actually *two* mutually exclusive political jurisdictions within United States  
 30 the country. Your citizenship status determines which of the two political jurisdictions you are a member of and you have  
 31 an option to adopt either. This book describes how to regain the model on the right, the “Federal government”, which we  
 32 also call the “United States of America” throughout this book. We have prepared a table to compare the two and explain  
 33 what we mean. The vast majority of Americans fall under the model on the left, and their own ignorance, fear, and apathy  
 34 has put them there. The model on the left treats everyone as part of the federal corporation called the “United States”, which  
 35 is how the law defines it in [28 U.S.C. §3002](http://www.uscourts.gov/uscourts/28-usc/3002)(15)(A). This area is also called “the federal zone” throughout this book. The  
 36 “United States” first became a federal corporation in 1871 and you can read this law for yourself right from the Statutes at  
 37 Large:

38 <http://famguardian.org/Subjects/Taxes/16Amend/SpecialLaw/DCCorpStatuesAtLarge.pdf>

Table 4-17: Two Political Models within our Country

<b>TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY</b>		
<b>Characteristic</b>	<b>“National government”</b>	<b>“Federal/general government”</b>
Also called	“United States” the federal corporation	“United States of America”
Geographical territory	Federal zone	50 states of the Union
Citizenship	<p>STATUTORY “<b>U.S. citizen</b>” (Chattel Property of the government) are belligerents in the field and are “subject to its jurisdiction” (Washington, D.C.)</p> <p>(see 8 U.S.C. §1401(a) at <a href="http://www4.law.cornell.edu/uscode/8/1401.html">http://www4.law.cornell.edu/uscode/8/1401.html</a>)</p>	<p>1. CONSTITUTIONAL "citizen of the United States", where "united States" means states of the Union and excludes federal territory.</p> <p>2. “<b>national</b>” is “sovereign”, “Freemen”, and “Freeborn”. Unless that right is given up knowingly, intentionally, and voluntarily.</p> <p>“National of the United States of <b>America</b>”. NOT a "U.S. national" or "national of the United States".</p> <p>(see 8 U.S.C. §1101(a)(21) at <a href="http://www4.law.cornell.edu/uscode/8/1101.html">http://www4.law.cornell.edu/uscode/8/1101.html</a>)</p>
God that is worshipped: See Matt. 6:24	Mammon/man/government (Satan) Idolatry (see Exodus 20:3) One nation under “fraud”	God One country under “God”
Freedom and liberty	Counterfeit, man-made freedom. Freedom granted not by God, but by the government/man/Satan. <i>"Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with His wrath?" --Thomas Jefferson: Notes on Virginia Q.XVIII, 1782. ME 2:227</i>	Liberty direct from God Himself: <b>"Where the spirit of the Lord is, there is Liberty."</b> 2 Corinthians 3:17 (Bible)
Religious foundation	This <b>government is god</b> . It sets the morals and values of those in its jurisdiction. These value are ever changing at their whim.  Violates the 10 commandments: <i>"You shall have no other gods before Me."</i> Exodus 20:3	Sovereign Americans are created by God and are answerable to their Maker who is Omnipotent. The Bible is the Basis of all Law and moral standards. In 1820, the USA government purchased 20,000 bibles for distribution.
Sovereign to whom citizens owe “allegiance”	Government  <b><i>“Allegiance. Obligation of <u>fideli</u>ty and <u>obedi</u>ence to <u>g</u>overnment in consideration for protection that government gives. U.S. v. Kyh, D.C.N.Y., 49 F.Supp. 407, 414. See also Oath of allegiance or loyalty.” [Black’s Law Dictionary, Sixth Edition, p. 74]</i></b>	<i>“state”, which is the collection of <u>individual</u> sovereigns within a republican form of government</i>  <i>“The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative. Through the medium of their Legislature they may exercise all the powers which previous to the Revolution could have been exercised either by the King alone, or by him in conjunction with his Parliament; subject only to those restrictions which have been imposed by the Constitution of this State or of the U.S.” [Lansing v. Smith, 21 D. 89, 4 Wendel 9 (1829)]</i>
Source of law	“The state”, which is the majority living under a democracy rather than a republic.  <b><i>"You shall not follow a crowd to do evil; nor shall you testify in a dispute so as to turn</i></b>	God, as revealed in the Bible/ten commandments. The sovereign People as individuals, to the extent that they are implementing God’s law, and within the limits prescribed by the Bill of Rights and the Equal rights of others.

<b>TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY</b>		
<b>Characteristic</b>	<b>“National government”</b>	<b>“Federal/general government”</b>
	<i>aside after many to pervert justice.”</i> [Exodus 23:2, Bible, NKJV]	(See book <i>Biblical Institutes of Law</i> , by Rousas Rushdoony)
Purpose of law	Protect rulers in government from the irate “serfs” and tax “slaves” that they govern and from the inevitable consequences of their tyranny and abuse	Protect sovereign people from tyranny in government and from hurting each other
Political hierarchy (lower number has higher precedence)	1. Ruler/king (supersedes God) 2. Legislature 3. Laws 4. Subjects/citizens (slaves/serfs of the state)  NO GOD. Atheist or anti-spiritual (remove prayer from schools, because belief in God threatens government authority).	1. God 2. World 3. Man 4. “We the people” 5. Grand jury, Elections, Trial jury 6. U.S. Constitution 7. Human government & organized church
Political system	<b><u>Municipal corporation</u></b> <b><u>Totalitarian socialist democracy</u></b> “ <b>Socialism</b> : 1. any of various economic and political theories advocating collective or governmental ownership and administration of the means of production and distribution of goods. 2 <b>a</b> : a system of society or group living in which there is no private property <b>b</b> : a system or condition of society in which the means of production are owned and controlled by the state 3: a stage of society in Marxist theory transitional between capitalism and communism and distinguished by unequal distribution of goods and pay according to work done.” [Merriam Webster’s Ninth New Collegiate Dictionary, ISBN 0-97779-508-8, 1983]  “ <i>Democracy has never been and never can be so desirable as aristocracy or monarchy, but while it lasts, is more bloody than either. Remember, democracy never lasts long. It soon wastes, exhausts, and murders itself. There never was a democracy that never did commit suicide.</i> ” John Adams, 1815.	<b><u>Republic</u></b> “ <b>Republic</b> : A commonwealth; that form of government which the administration of affairs is open to all the citizens. In another sense, it signifies the state, independently of its form of government.” (Black’s Law Dictionary, Sixth Edition, page 1302)  “ <b>Commonwealth</b> : The public or common weal or welfare... It generally designates, when so employed, a republican frame of government, one in which the welfare and rights of the entire mass of people are the main consideration, rather than the privileges of a class or the will of a monarch; or it may designate the body of citizens living under such a government.” (Black’s Law Dictionary, Sixth Edition, page 278)
Status	U.S. continues to be in a permanent state of national emergency since March 9, 1933, and possibly as far back as the Civil War. See Senate report 93-549.	No state of Emergency and is not at war.
Pledge	"I pledge allegiance to the IRS, and to the tyrannical totalitarian oligarchy for which it stands. One nation, under fraud, indivisible, with slavery, injustice, and atheism for all."	"I pledge allegiance to the united states of America, and to the <b>Republic</b> for which it stands, one nation, <b>under God</b> , indivisible, with liberty and justice for all
Form of government	De facto (unlawful) (See our article entitled " <a href="#">How Scoundrels Corrupted Our Republican Form of Government</a> " in section 6.1 for details on	De jure (lawful)

<b>TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY</b>		
<b>Characteristic</b>	<b>“National government”</b>	<b>“Federal/general government”</b>
	how our government was rendered unlawful)	
Constitution	Constitution of the “United States” (See <a href="http://www.access.gpo.gov/congress">http://www.access.gpo.gov/congress</a> )	Constitution of the “United States of America” (See <a href="http://www.access.gpo.gov/congress">http://www.access.gpo.gov/congress</a> )
Creator	Merchants, bankers through President Lincoln and his Cohorts by act of treason. This martial law government is a fiction managing civil affairs	Created by God and sovereign Americans acting under His delegated authority (see <a href="#">Gen. 1:26</a> and <a href="#">Gen. 2:15-17</a> in the Bible)
Origins	Gettysburg Address in 1864 and the Incorporation of District of Columbia by Act of February 21, 1871 under the Emergency War Powers Act and the Reconstruction Act	Started with the Declaration of Independence in 1776, Articles of Confederation in 1778, and the Constitution in 1787
Existence	Still existing as long as: 1. “state of war” or “emergency” exists. 2. The President does not terminate “martial” or “emergency” powers by Executive Order or decree, or 3. The people do not <u>resist</u> submission and terminate by <u>restoring</u> lawful civil courts, processes and procedures under authority of the “inherent political powers” of the people.	Adjournment of Congress sine die occurred in 1861
Governing body	The President (Caesar) rules by Executive Order (Unconstitutional).  Congress and the Courts are under the President as branches of the Executive Department.  Congress sits by resolution not by positive law.  The Judges are actually administrative referees and cannot rule on constitutional rights.	“We the People”, who rule themselves through their <u>servant</u> elected representatives. See Lincoln's Gettysburg Address, in which he said: “A <i>government of the people, for the people, and by the people</i> ”  Three separate Departments for the <u>servants</u> : 1. Executive. 2. Legislative-can enact <u>positive law</u> . 3. Judicial
Implications of citizenship	“ <b>U.S. citizens</b> ” were declared <b>enemies</b> of the U.S. by F.D.R. by Executive Order No. 2040 and ratified by Congress on March 9, 1933. FDR changed the meaning of The Trading with the Enemy Act of December 6, 1917 by changing the word “ <b>without</b> ” to citizens “ <b>within</b> ” the United States	“ <b>nationals</b> ” are Sovereign Americans who supersede the U.S. Government. Government is the enemy of liberty and should be kept as small as practical. “ <i>Government big enough to supply everything you need is big enough to take everything you have. The course of history shows that as a government grows, liberty decreases.</i> ” Thomas Jefferson
Jurisdiction	Expands and conquers by deceit and fraud. Uses “words of art” to deceive the people.	Restricted by the Constitution to the 10 mile square area called Washington D.C., U.S. possessions, such as Puerto Rico, Guam, and its enclaves for forts and arsenals.
Civic duties-qualifications for	Must be a “citizen of the United States” to vote or serve jury duty	Must clarify citizenship when registering to vote and serving jury duty. In some states, cannot vote or serve jury duty
Vote	Is recommendation only.	Counts like one of the Board of Directors.
Rights and privileges	<u>Revocable privileges</u> . Rights from the corporate government.	<u>Unalienable Rights</u> . Rights from God. Constitutional rights-cannot be taxed

**TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY**

Characteristic	“National government”	“Federal/general government”
	Statutory taxable “privileges” “Invisible contract” with federal government to “buy” (bribe into existence) these statutory privileges through taxes. See <a href="#">48 U.S.C. §1421b</a> : Bill of Rights.	See U.S. Constitution at: <a href="http://www.findlaw.com/casecode/constitution/">http://www.findlaw.com/casecode/constitution/</a>
Value of the individual	<b>Bond Servant</b> To cover the debt in 1933 and future debt, the corporate government determined and established the value of the future labor of each individual in its jurisdiction to be \$630,000. A bond of \$630,000 is set on each Certificate of Live Birth. The certificates are bundled together into sets and then placed as securities on the open market. These certificates are then purchased by the Federal Reserve and/or foreign bankers. The purchaser is the “holder” of “Title.” This process made each and every person in this jurisdiction a bond servant.	<b>Freeborn</b> Freeman Freeholder Sovereign “We the people...”
Welfare/social security	<b>YES:</b> Socialism-allowed and encouraged	<b>NO:</b> Not allowed. Everyone takes care of themselves.


**FAMILY**

Purpose of sex	Recreation and sin. When children result from such sin, then abortion (murder) frees sexual perverts and fornicators from the consequences of or liability for such sin and maintains their quality of life. Permissiveness by government of abortion becomes a license to sin without consequence.	Procreation.  <i>Gen. 1:22:</i> "And God blessed them, saying, "Be fruitful and multiply, and fill the waters in the seas, and let birds multiply on the earth."  <i>Psalm 127: 4-5:</i> “ <b>Like arrows in the hand of a warrior, So are the children of one's youth. Happy is the man who has his quiver full of them; They shall not be ashamed, But shall speak with their enemies in the gate.</b> ”
Purpose of marriage	An extension of the “welfare state” that financially enslaves men to the state and their wives and thereby undermines male sovereignty in the family.  Prov. 31:3 says: “Do not give your strength [or sovereignty] to women, nor your ways to that which destroys kings.”	To make families self-governing by creating a chain of authority within them (see Eph. 5:22-24). Honor God and produce godly offspring. (Malachi 2:15)
Birth certificate	<b>Birth Certificate</b> when the baby's footprint is placed thereon before it touches the land. The certificate is recorded at a County Recorder, then sent to a Secretary of State which sends it to the Bureau of Census of the Commerce Department. This process converts a man's life, labor, and property to <b>an asset</b> of the U.S. government when this person receives a benefit from the government such as a driver’s license, food stamps, free mail delivery, etc. This person	

**TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY**

Characteristic	“National government”	“Federal/general government”
	becomes a <i>fictional persona in commerce</i> . The Birth Certificate is an unrevealed "Trust Instrument" originally designed for the children of the newly freed black slaves after the 14th Amendment. The U.S. has the ability to tax and regulate commerce EVERYWHERE.	
Education of young	Public schooling (brain washing of the young). School vouchers not allowed. This is a central plank in the Communist Manifesto. Purpose is to create better state "serfs".	Private schooling and school vouchers. Prayer permitted in schools.

**STATES**

The word “State”	In U.S. Titles and Codes "State" refers to U.S. possessions such as Puerto Rico, Guam, etc.	"state" when used by itself refers to the "Republics" of The <u>u</u> nited states of America
State governments	Politicians of each state formed a new government and incorporated it into the federal U.S. government corporation and are therefore under its jurisdiction.  e.g. "State of California" corporate California California State	All of the states are "Republics"  e.g. "The Republic of California" "California republic" "California state" or just "California"
Origins of the states	The corporate States are controlled by the corporate U.S. government by its purse strings such as grants, funding, matching funds, revenue sharing, disaster relief, etc.  The <u>c</u> itizens of such States are "subjects" and are called "Residents"	<b>Sovereign Americans</b> created the states (Republics) and are Sovereign over the states. The Republics and the people created the USA government and are sovereign over the USA government.
State constitution	The original constitution was revised and adopted by the corporate State of California on May 7, 1879. It has been revised many times hence.	California was admitted into the union as a Republic on September 9, 1850. The people created the original state constitution to give the government limited powers and to act on behalf of, and for the people. Called The "Organic" state constitution.
Rights of citizens in state	A one word change in the original State (California) constitution from "unalienable" to "inalienable" made rights into privileges. "Inalienable" means government given rights. "Unalienable" means God given rights.	Adjournment <i>sine die</i> occurred in California in April 27, 1863  

**JUSTICE SYSTEM**

Judicial function	Judicial <u>B</u> ran <u>ch</u> under the President	Judicial <u>D</u> epart <u>m</u> ent
Separation of powers	It is <u>n</u> ot separate, but is an arm of the legislature	Separate from all other Departments
Purpose of federal courts	Maximize power and control and revenues of federal government	Protect the Constitutional rights of persons domiciled in states of the Union

<b>TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY</b>		
<b>Characteristic</b>	<b>"National government"</b>	<b>"Federal/general government"</b>
Constitutional authority for federal courts	Article I, II, and IV ("U.S. District Courts" and "Tax Court")	Article III (district courts in the District of Columbia, Hawaii, and the Court of Claims)
Venue	federal ( <i>feudal</i> ) venue	<i>judicial</i> venue
Courts	<b>Corporate Administrative Arbitration Boards</b> Consisting of an Arbitrator (so-called "Judge") and a panel of corporate employees (so-called "Juries") Panel decisions (recommendation) can be reversed by the Arbitrator	<b>Constitutional Judicial Courts</b> with real Judges and real Juries who can judge the law as well as the facts Jury decisions cannot be reversed by the judge
Type of courts	Equity Courts, Municipal Courts--Merchant Law, Military Law, Marshall Law, Summary Court Martial proceedings, and administrative <i>ad hoc</i> tribunals (similar to Admiralty/Maritime) now governed by "The Manual of Courts Martial (under Acts of War) and the War Powers Act of 1933.	<b>Common Law Court(s)</b>
Trials	All legal actions are pursued under the " <b>color of law</b> " Color of law means "appears to be" law, but is <b>not</b>	The <b>7th Amendment</b> guarantees a trial by jury according to the rules of the common law when the value in controversy exceeds \$20
Requirements of law	Covers a vast number of volumes of text that even attorneys can't absorb or comprehend such as: <ol style="list-style-type: none"> <li>1. Regulations</li> <li>2. Codes</li> <li>3. Rules</li> <li>4. Statutes</li> </ol> Prior to bankruptcy of 1933 " <b>Public Law</b> "  Now the so-called courts administer " <b>Public Policy</b> " through the " <b>Uniform Commercial Code</b> " (instituted in 1967)	<b>Common Law</b> Has two requirements: Do not Offend Anyone Honor all contracts
Basis of judicial decisions	No <i>stare decisis</i> Means no precedent binds any court, because they have <u>no law standard</u> of absolute right and wrong by which to measure a ruling—what is legal today may not be legal tomorrow. So-called "court decisions" are administrative opinions only and are basically decided on the basis of "What is best for the corporate government."	<b>Constitution</b> Supreme Law of the land restricting governments. The "organic" Constitution and its amendments are created by the Sovereign living souls (We the people...) to institute, restrict, and restrain a <u>limited</u> government.
Nature of acts regulated	<b>Legal</b> or Illegal	<b>Lawful</b> or Unlawful
Lingo	" <b>at Law</b> " "Attorney at law"	" <b>in-law</b> " (i.e. "Son-in-law" or a "covenant in law")
Counsel	<b>Attorney</b> an " <b>Esquire</b> " (British nobility) Attorney-at-law (licensed agents of the corporate	<b>Counsel</b> or "Counselor <u>in</u> -Law" (Lawyer)



<b>TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY</b>		
<b>Characteristic</b>	<b>"National government"</b>	<b>"Federal/general government"</b>
	<p>administrative courts and tribunals in the U.S. for the Crown of England)</p> <p>Attorneys swear an oath to uphold the "BAR ASSOCIATION".</p> <p>The first letter of B.A.R stands for "British".</p> <p>(British Accreditation Regency) The BAR was First organized in Mississippi in 1825. The "integrated bar" movement, meaning "the condition precedent to the right to practice law," was initiated in the U.S. in 1914 by the American Jurisprudence Society. --Black's Law Dictionary, Fourth Edition</p>	
Claims	"Charge" or "Complaint" (administrative jurisdiction)	" <b>Claim</b> " (equity/common law jurisdiction)
Plaintiff/damaged party.	Compels performance No damaged party is necessary.	Must have <b>damaged party</b>
Court proceeding	" <b>Public</b> "	" <b>Private</b> "
Rights under justice system	<b>No rights</b> except statutory Civil Rights granted by Congress. Restricts freedoms and liberties.	Maintains rights, freedoms, and liberties
Role of courts	U.S. citizens are at the mercy of government and the administrative courts and tribunals	Unalienable rights, fundamental rights, substantial rights and other rights of living souls are all protected by The Law and protected by The "organic" Constitution and its amendments.
	Servants (subjects/ bond-servants) cannot sue the Master (Corporate government).	
Bill of rights	The actual " <b>Bill of Rights</b> " was a declaration in 1689 by King William and Queen Mary to their loyal subjects of the British crown. If you are in this jurisdiction, you are a subject of the crown as well?	The first <u>ten</u> articles of <b>amendment to the constitution</b> are sometimes referred to as " <b>Bill of Rights</b> " which is incorrect. They are not a "Bill" but are simply amendments.
Due process	Due Process is optional--Sometimes Gestapo-like tactics without reservation.	<b>Due Process</b> is required Writ of <b>habeas corpus</b>
Innocence before the law	<b>Guilty until proven innocent</b>	<b>Innocent until proven guilty</b>
Juries	The juror judges <u>only</u> the facts and NOT the law--The judge gives the statute, regulation, code, rule, etc. Juries selected <b>ONLY</b> from within the federal zone	Jurors judge the law <b>as well as</b> the facts. Juries selected <b>ONLY</b> from within states of the Union and NOT the federal zone.
<b>DEBT</b>		
Bankruptcy	First <b>bankruptcy</b> was in 1863 In 1865 the total debt was \$2,682,593,026.53 A portion was funded by <b>1040 Bonds</b> to run not less than 10 nor more than 40 years at an interest rate of 6%	None

**TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY**



Characteristic	“National government”	“Federal/general government”
	Members of Congress are the official <b>Trustees</b> in the <u>bankruptcy</u> of the U.S. and the re-organization	
Income tax revenues necessary to pay debt	"All individual Income Tax revenues are gone before one nickel is spent on services taxpayers expect from government" --Ronald Reagan, 1984 Grace Commission Report	Wouldn't it be nice to be completely out of debt, personally, and have a stash of gold and silver besides?

**TAXATION**

Federal income taxes	<ol style="list-style-type: none"> <li>1. Illegally enforced. Government lies to citizens to steal their money. Corruption in the court.</li> <li>2. States destroy personal liberties to get their share of federal matching funds. Example: Requirement to provide SSN to get a state driver's license.</li> </ol>	Federal government has very limited income from only taxing foreign imports into states. Can't twist state's arm to destroy civic rights because it has so little income it won't give it away.
State income taxes	Treated as a “nonresident” of your state living on federal property (See, for example: <a href="http://www.leginfo.ca.gov/cgi-bin/displaycode?section=rtc&amp;group=17001-18000&amp;file=17001-17039.1">http://www.leginfo.ca.gov/cgi-bin/displaycode?section=rtc&amp;group=17001-18000&amp;file=17001-17039.1</a> and look at 17016 and 17018 off the California website at <a href="http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=rtc&amp;codebody=&amp;hits=20">http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=rtc&amp;codebody=&amp;hits=20</a> )	Treated as a resident of your state and not taxed because it would violate the Bill of Rights and 1:9:4 and 1:2:3 of the U.S.A. Constitution.
Personal Income tax rates (State plus Federal)	<u>High</u> : 50-70% because working is a “privilege” and because it is a "privilege" to be part of the "commune".	<u>None</u> : Working is a “right”
Limits	<u>No limit on taxation</u>	Limits on taxation
Purpose of taxation	<ol style="list-style-type: none"> <li>1. Wealth redistribution (socialism) and to appease the whims of the democratic majority in spiteful disregard of the Bill of Rights.</li> <li>2. Stabilize fiat currency system</li> </ol>	Support <i>only</i> the government and not the people in any way. See <i>Loan Ass'n v. Topeka</i> , 87 U.S. (20 Wall.) 655 (1874)
Income taxes	Income taxes are legal and ever increasing	<u>Direct</u> taxes such as " <b>Income taxes</b> " are <u>unlawful</u>
Indirect taxes	Other taxation's such as inheritance taxes are legal	Indirect taxes such as <b>excise tax</b> and <b>import duties</b> are lawful
IRS	<p>IRS's <b>1040 forms</b> originated from the 1040 Bonds used for funding Lincoln's War 1863, first year income tax was ever used in history of U.S. .</p> <p>The <b>IRS</b> is a collection arm of the Federal Reserve. The Federal Reserve was created by the Bank of England in 1913 and is owned by foreign investors. The IRS is not listed as a government agency like other government agencies.</p>	<u>No IRS</u>

**FLAG**


**TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY**

Characteristic	“National government”	“Federal/general government”
Flag	 <p><b>Not an Civilian American flag</b> Some say it is a flag of Admiralty/Maritime type jurisdiction and is not supposed to be used on Land. Others say it’s not a flag at all, but fiction. However, the gold fringe which surrounds the flag gives notice that it is a MILITARY flag. Any courtroom that displays this flag behind the judge is a military courtroom. You are under military law and not constitutional law, common law, civil law, or statute law.</p>	 <p><b>American Flag</b> plain and simple--no gold fringe or other ornaments and symbolism attached</p>
Requirements for flags	<p>Appears to be an "American flag" but has one or more of the following:</p> <ol style="list-style-type: none"> <li><b>Gold fringe</b> along its borders (called "a badge")</li> <li><b>Gold braided cord</b> (tassel) hanging from pole</li> <li><b>Ball</b> on top of pole (last cannon ball fired)</li> <li><b>Eagle</b> on top of pole</li> <li><b>Spear</b> on top of pole</li> </ol> <p>Yellow fringed flag is not described in Title 4 of USC. Executive Order No 10834 indicates that a yellow fringed flag is a military flag.</p>	<p>Prior to the 1950's, state republic flags were mostly flown, but when a USA flag was flown it was one of the following:</p> <ol style="list-style-type: none"> <li><b>Military flag</b>--Horizontal stripes, white stars on blue background**</li> <li><b>Peace flag</b>--vertical stripes, blue stars on white background--last flown before Civil War**</li> </ol> <p>**Has <u>no</u> fringe, braid (tassel), eagle, ball, spear, etc. (Although the codes do not apply here, the USA Military flag is described in Title 4 of USC) The continental USA is at peace</p>

**BENEFITS**

Benefits	<p><b>Unalienable rights</b></p> <p>Government given rights that are really “Privileges” that can be taken away at any time</p> <p>So-called “privileges”/Benefits are as follows:</p> <ol style="list-style-type: none"> <li><b>Social Security</b> (You paid all your working life and there are no guarantees that there will be money for you)</li> <li><b>Medicare</b></li> <li><b>Medicaid</b></li> <li><b>Grants</b></li> <li><b>Disaster relief</b></li> <li><b>Food Stamps</b></li> <li><b>Licenses and Registration</b> (Permission)</li> <li><b>Privileges</b> only, <u>no</u> Rights</li> </ol>	<p><b>Unalienable rights</b></p> <p>God given rights</p> <p><i>“...incapable [emphasis added] of being aliened, that is, sold and transferred.”</i> <b>Black’s Law Dictionary, Revised Fourth Edition, 1968, page 1693.</b></p> <p>Enjoy:</p> <ol style="list-style-type: none"> <li><b>Life</b></li> <li><b>Liberty</b></li> <li>pursuit of <b>Happiness</b></li> <li><b>full property ownership.</b></li> </ol> <p>No U.S. benefits--Every living soul is responsible for themselves and has the option of helping others.</p> <p>Each living soul gives accordingly to help others in need and receives the credit or gives the credit to his Maker and Provider.</p> <p>No tax burdens or government debt obligations.</p>
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**TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY**

Characteristic	"National government"	"Federal/general government"
	<p>9. <b>Experimentation</b> on citizens without their consent.</p>  <p>Corporate government steals your money and gets credit for helping others with it. Politicians in return create more such programs to get more votes. Eventually there is no more to collect and give. Everyone becomes takers and there are no givers. The government then collapses within. That is why democracy never survives, because the looters eventually outnumber the producers.</p>	

**RECORDS**

Location of records	<p>County Clerk <b>Recorder's Office</b> Created by statute to keep track of the corporate government's holdings which are applied as collateral to the increasing debt. The written records are a continuation of the "<b>Doomsday Book</b>" which keeps track of the Crown of England's holdings. The "Doomsday Book" originated as a written record of the conquered holdings of king William, which was later the basis of his taxes and grants.</p> <p>Property recorded at the recorder's office makes the corporate de facto government "holders in due course"</p> <p>Your TV is <u>not</u> recorded there, therefore you are "holder in due course" for the TV.</p>	<p><i>Ex-officio</i> clerks County Clerk is also Clerk of the superior court, (i.e. a court of common law) and courts of record Records are also kept by Citizens such as in a family Bible</p>
Birth certificate	<p>"<b>Birth Certificate</b>" is required. It puts one into commerce as a <i>fictional persona</i></p>	<p>Record the date family members are born married, and the date they pass on in the Family Bible</p>
Marriage	<p>Must file a "<b>Marriage License</b>". The Corporate State becomes the third party to your union and whatever you conceive is theirs and becomes their property in commerce.</p>	<p>Common Law Marriage Married by a minister or living together for more than 7 years constitutes a marriage</p> <p>Pastor may issue a <b>Certificate of Matrimony</b></p>

**PROPERTY**

Property	<p><u>Privilege to use</u></p> <ol style="list-style-type: none"> <li>1. Fee title--Feudal Title</li> <li>2. <b>Grant Deed and Trust Deed</b> Note: GRANTOR and GRANTEE in all caps are <i>fictional persona</i></li> <li>3. Property tax (Must pay)</li> <li>4. Other taxes (such as water district taxes)</li> </ol>	<p>Full and complete ownership</p> <ol style="list-style-type: none"> <li>1. <b>Allodial Title</b>--Land Patents--Allodial Freeholder</li> <li>2. Can <u>not</u> be taxed (Only voluntary)</li> <li>3. You are <b>king of your castle</b></li> <li>4. No government intrusion, involvement, or controls</li> </ol>
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<b>TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY</b>		
<b>Characteristic</b>	<b>“National government”</b>	<b>“Federal/general government”</b>
	5. Subject to control by government 6. Vehicle Registration (The incorporated State owns vehicles on behalf of US) <b>7.</b> Property and vehicles are collateral for the government debt	
<b>MONEY</b>		
Money	Has <u>no</u> substance--Built on <u>credit</u> Controlled by U.S. <u>Treasury</u>	Has <b>substance</b> Controlled by Treasury of the united States of America
Money symbol	<b>Phony/Fiat Money</b> All computer programs are designed with the “\$” having only one line through it	<b>Real Money</b> Most of us were taught to write the "S" with two lines through it. The two lines was a derivative of the "U" inside the "S" signifying real U.S. currency based on the American silver dollar and gold-backed currency.
Legal tender	1. Federal Reserve Notes (FRN's)*** 2. Bonds 3. Other Notes--evidences of debt 4. Cashless society--Electronic banking ***Issued by the <b>Federal Reserve Bank</b> (FRB)--A <u>private corporation</u> created by the Bank of England in 1913 and is owned by <u>foreign bankers/investors</u> The Federal Reserve is a continuation of the " <b>Exchequer</b> " of the Crown of England.	<b>Silver coins*</b> (Silver dollar--standard unit of value) <b>Gold Coins*</b> Paper currency <u>redeemable</u> in gold or silver* Spanish milled dollar *Issued by the <u>Treasury Department of the USA</u> (A Republic).
Minting of money	The government must borrow before FRN's are printed. The FRB pays 2½ ¢ per FRN note printed whether \$1 or \$1000. The U.S. in-turn pays FRB interest indefinitely for each outstanding note or representation of a note. With electronic banking FRN's are created out of nothing and nothing being printed. <i>What a deal!</i>	Coinage started in 1783. The first paper currency was issued in 1862. "Silver Certificates" last printed in 1957. Coinage of Silver coins for circulation ended with the 1964 coins. Redemption of "Silver Certificates" ended on June 24, 1968.
History	The Greenback Act was revoked and replaced with the <b>National Banking Act</b> in 1863. An Act passed on April 12, 1866 authorized the sale of bonds to retire currency called greenbacks.  FRN's (Federal Reserve Notes) were first issued in 1914.  Just prior to the Stock Market crash of 1929, millions of dollars of gold was taken out of this Country and transferred to England.	
<b>ROADWAYS</b>		
Use of roadways	Drivers Licenses are required, because driving is a <b>privilege</b> .	Sovereigns have <b>a right</b> to use the public ways.
Driving “privileges”	May lose privilege or have it suspended at the whim of government	<b>“Liberty of the common way”</b>

## TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY

Characteristic	"National government"	"Federal/general government"
Driver's licenses	Must comply with the Department of Motor Vehicles, the Vehicle Code, which is ever changing, and the Highway Patrol. Even a "Class 3" Driver's license is a "commercial" license. A "Driver" is one who does commercial business on the highways	No "Driver's License" is required for private, personal, and recreational use of the roadways.  A "driver's license" can only be required for those individuals or businesses operating a business within the rights-of-ways such as Taxi Drivers, Truck Drivers, Bus Drivers, Chauffeurs, etc.
Definition of "Vehicle"	"Vehicle"--automobile or truck doing business on the highway	"Car"--short for "carriage" such as "horseless carriage" for private use
"Passenger"	"Passenger"--A paying customer who wants to be transported to another location	"Guest"--One who comes along for pleasure or private reasons without cost
Movement	"Drive"--The act of commercial use of the right-of-way	"Travel"--The act of private, personal, and recreational use of the roadways

## MAIL



Types of mail	Domestic	Non-domestic
Types of mail	Mail that moves between D.C., possessions and territories of the U.S.	Mail that moves outside of D.C. its possessions and territories
Zip codes	<b>Zip Codes</b> are required when using "jurisdictional regions or zones" such as "CA", NV, AZ, etc.	Zip Code <u>not required</u> and should not be used.
Cost of stamp	Cost is 34 cents for first class	3 cents--Sovereign to Sovereign Otherwise 34 cents
Designation of regions	Must now use "jurisdictional regions or zones" such as "CA", NV, AZ, etc. Purposely used <i>ad nauseum</i> which means "no name at all"	Write out the state completely such as "California" or abbreviated "Calif.". Never use "CA" for an address to a Sovereign or in your return address.

## GUNS

Philosophy on gun ownership	This government <b>wants to disarm</b> the Citizens so as to have complete control and power. Every tyrannical government in the past has taken away the guns to prevent any serious opposition or rebellion. History continues to repeat itself because the new generations who come along don't know or tend to forget about the past and will say it will not happen here.	Sovereign Americans have a <b>right</b> to own and use guns--"Right to bear arms" against "enemies foreign and <b>domestic</b> ". The founding fathers knew the importance of protecting themselves from governments who get out of hand.
Legal constraints on gun ownership	Disregards the 2nd Amendment or justifies what weapons should not be legal. Ever changing and ever restrictive. Requires <b>registration of guns</b> . If any of you saw the motion picture called " <b>Red Dawn</b> " would realize that the enemy finds these lists and then goes door to door collecting all of the guns.	<b><u>2nd Amendment</u></b> Protects the Right of the people to keep and bear arms.

## RELIGION

Relationship between church and state	This government wants to control the churches by having them come under their jurisdiction as <b>corporations</b> under <b>Section 501(c)(3)</b> .	Churches exist alone. No permission of government required.
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<b>TWO POLITICAL JURISDICTIONS WITHIN OUR COUNTRY</b>		
<b>Characteristic</b>	<b>“National government”</b>	<b>“Federal/general government”</b>
	<p>This is to prevent the clergy, Pastors, Ministers, etc. from having any political influence on its members or the public in general. This government regulates what is to be said and not to be said.</p> <p>These churches also display the <b>gold fringe flag</b>.</p> <p>Their faith is in the government and not in God. They exist by permission of this government not by God alone.</p>  <p>They <b>signed away their Birthright</b> for a so-called benefit:</p> <p>"Tax-exempt corporation".</p>	 <p><u><a href="#">1st Amendment</a></u> Protects against government making a law that would respect an establishment of religion or prohibit the free exercise of a religion.</p>

1 Some of our readers have written us to inquire about our use of the term “United States of America” in the above table by  
 2 reporting that they studied the term “United States of America” in federal statutes and implementing regulations and could  
 3 not find where it is legally defined. In fact, it is not defined but is referenced in federal law within the following contexts:

- 4 • 28 C.F.R. §0.64-1
- 5 • 28 C.F.R. §0.96b

6 Even though the term “United States of America” is nowhere defined in federal law, we use it to refer to the collection of  
 7 sovereign states of the Union which form our “republic”. The federal zone is technically *not* part of our “republic” because  
 8 the Bill of Rights, which is the first ten Amendments to the Constitution, forms the essence of the republic and it does not  
 9 apply within the federal zone.

10 **4.5.3 The Federal Zone**

11 In 1818, the counsel for the Plaintiff United States stated in the U.S. Supreme Court ruling U.S. v. Bevans that:

12 *“The exclusive jurisdiction which the United States have in forts and dock-yards ceded to them, is derived from*  
 13 *the express assent of the states by whom the cessions are made. It could be derived in no other manner; because*  
 14 *without it, the authority of the state would be supreme and exclusive therein,” 3 Wheat., at 350, 351.*  
 15 *[U.S. v. Bevans, [16 U.S. 336](#) (1818), reaff. 19 U.S.C.A., section 1401(h).]*

16 The above case establishes that the federal government only has jurisdiction over federal property that it owns within the  
 17 states or coming under Article 1, Section 8, Clause 17 of the U.S. Constitution. In other places, it has no legislative or judicial  
 18 jurisdiction. Places coming under the sovereignty or exclusive legislative jurisdiction of the federal government under 1:8:17  
 19 of the Constitution include the District of Columbia, federal territories, and enclaves within the state and we call these areas  
 20 “the federal zone” throughout this book. When Congress is operating in its exclusive jurisdiction over the “federal zone”, it  
 21 is important to remember that the U.S. Government has full authority to enact legislation as private acts pertaining to its  
 22 boundaries, and it is not a state of the union because it exists solely by virtue of the compact/constitution that created it. The  
 23 U.S. Constitution does not say that the District of Columbia must guarantee a Republican form of Government to its own  
 24 subject citizens within its territories. (See *Hepburn & Dundas v. Ellzey*, 6 U.S. 445(1805); *Glaeser v. Acacia Mut. Life Ass'n.*,

1 55 F.Supp., 925 (1944); *Long v. District of Columbia*, 820 F.2d. 409 (D.C. Cir. 1987); *Americana of Puerto Rico, Inc. v.*  
 2 *Kaplus*, 368 F.2d. 431 (1966), among others).

3 Within the federal zone, there are areas where the Bill of Rights (the first ten amendments) applies and areas where it does  
 4 not. The best place to go for a clarification of where it applies is the Supreme Court case of *Downes v. Bidwell*, 182 U.S. 244  
 5 (1901). Below are quotes from that case establishing that we have two national governments:

6 *"The idea prevails with some -- indeed, it found expression in arguments at the bar -- that we have in this country*  
 7 *substantially or practically two national governments; one, to be maintained under the Constitution, with all its*  
 8 *restrictions; the other to be maintained by Congress outside and independently of that instrument, by exercising*  
 9 *such powers as other nations of the earth are accustomed to exercise."*  
 10 [*Downes v. Bidwell*, 182 U.S. 244 (1901), Justice Harlan, Dissent]

11 The U.S. Constitution limits federal government jurisdiction over the state Citizens using the Bill of Rights. *The federal*  
 12 *government has unlimited powers over federal citizens within territories of the United States because it is acting outside of*  
 13 *the Constitution*. Administrative laws are private acts, also called "special law", and are not applicable to state Citizens. The  
 14 Internal Revenue Code is administrative law and "special law". Here are some more quotes from *Downes* that reinforce our  
 15 point:

16 *"Loughborough v. Blake*, 5 Wheat. 317, 5 L.Ed. 98, was an action of trespass or, as appears by the original  
 17 record, replevin, brought in the circuit court for the District of Columbia to try the right of Congress to impose a  
 18 direct tax for general purposes on that District. 3 Stat. at L. 216, chap. 60. **It was insisted that Congress could**  
 19 **act in a double capacity: in one as legislating [182 U.S. 244, 260] for the states; in the other as a local legislature**  
 20 **for the District of Columbia**. In the latter character, it was admitted that the power of levying direct taxes might  
 21 be exercised, **but for District purposes only**, as a state legislature might tax for state purposes; but that it could  
 22 not legislate for the District under art. 1, 8, giving to Congress the power 'to lay and collect taxes, imposts, and  
 23 excises,' which 'shall be uniform throughout the United States,' **inasmuch as the District was no part of the**  
 24 **United States**. It was held that the grant of this power was a general one without limitation as to place, and  
 25 consequently extended to all places over which the government extends; and that it extended to the District of  
 26 Columbia as a constituent part of the United States. The fact that art. 1, 2, declares that 'representatives and  
 27 direct taxes shall be apportioned among the several states . . . according to their respective numbers' furnished a  
 28 standard by which taxes were apportioned, but not to exempt any part of the country from their operation. The  
 29 words used do not mean that direct taxes shall be imposed on states only which are represented, or shall be  
 30 apportioned to representatives; **but that direct taxation, in its application to states, shall be apportioned to**  
 31 **numbers.**' That art. 1, 9, 4, declaring that direct taxes shall be laid in proportion to the census, was applicable  
 32 to the District of Columbia, 'and will enable Congress to apportion on it its just and equal share of the burden,  
 33 with the same accuracy as on the respective states. If the tax be laid in this proportion, it is within the very words  
 34 of the restriction. It is a tax in proportion to the census or enumeration referred to.' It was further held that the  
 35 words of the 9th section did not 'in terms require that the system of direct taxation, when resorted to, shall be  
 36 extended to the territories, as the words of the 2d section require that it shall be extended to all the states. They  
 37 therefore may, without violence, be understood to give a rule when the territories shall be taxed, without imposing  
 38 the necessity of taxing them.'"

39 *"There could be no doubt as to the correctness of this conclusion, so far, at least, as it applied to the District*  
 40 *of Columbia*. This District had been a part of the states of Maryland and [182 U.S. 244, 261] Virginia. It had  
 41 been subject to the Constitution, and was a part of the United States[\*\*\*]. **The Constitution had attached to it**  
 42 **irrevocably. There are steps which can never be taken backward. The**  
 43 **tie that bound the states of Maryland and Virginia to the Constitution could not be dissolved, without at least**  
 44 **the consent of the Federal and state governments to a formal separation. The mere cession of the District of**  
 45 **Columbia to the Federal government relinquished the authority of the states, but it did not take it out of the**  
 46 **United States or from under the aegis of the Constitution. Neither party had ever consented to that construction**  
 47 **of the cession. If, before the District was set off, Congress had passed an unconstitutional act affecting its**  
 48 **inhabitants, it would have been void.** If done after the District was created, it would have been equally void; in  
 49 other words, Congress could not do indirectly, by carving out the District, what it could not do directly. The  
 50 District still remained a part of the United States, protected by the Constitution. Indeed, it would have been a  
 51 fanciful construction to hold that territory which had been once a part of the United States ceased to be such by  
 52 being ceded directly to the Federal government."

53 [. . .]

54 *"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform*  
 55 *to the effect [182 U.S. 244, 279] that **the Constitution is applicable to territories acquired by purchase or***  
 56 ***conquest, only when and so far as Congress shall so direct.** Notwithstanding its duty to 'guarantee to every state*  
 57 *in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of*  
 58 *Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by*  
 59 *representatives elected by them,' Congress did not hesitate, in the original organization of the territories of*



1 Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and  
 2 Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater  
 3 analogy to a British Crown colony than a republican state of America, and to vest the legislative power either in  
 4 a governor and council, or a governor and judges, to be appointed by the President. It was not until they had  
 5 attained a certain population that power was given them to organize a legislature by vote of the people. In all  
 6 these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary  
 7 either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should  
 8 be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as  
 9 other privileges of the bill of rights."  
 10 [Downes v. Bidwell, [182 U.S. 244](#) (1901)]

11 Based on the above and further reading of *Downes*, we can reach the following conclusions about the applicability of the  
 12 Constitution within United States the country:

- 13 1. That the District of Columbia and the territories are not states within the judicial clause of the Constitution giving  
 14 jurisdiction in cases between citizens of different states;
- 15 2. That territories are not states within the meaning of Rev. Stat. 709, permitting writs of error from this court in cases  
 16 where the validity of a state statute is drawn in question;
- 17 3. That the District of Columbia and the territories are states as that word is used in treaties with foreign powers, with  
 18 respect to the ownership, disposition, and inheritance of property;
- 19 4. That the territories are not within the clause of the Constitution providing for the creation of a supreme court and such  
 20 inferior courts as Congress may see fit to establish;
- 21 5. That the Constitution does not apply to foreign countries or to trials therein conducted, and that Congress may lawfully  
 22 [182 U.S. 244, 271] provide for such trials before consular tribunals, without the intervention of a grand or petit jury;
- 23 6. That where the Constitution has been once formally extended by Congress to territories, neither Congress nor the  
 24 territorial legislature can enact laws inconsistent therewith, or retract the applicability of the Constitution to those  
 25 territories.
- 26 7. That Article 1, Section 8, Clause 1 of the Constitution authorizing duties, imposts, and excises (indirect taxes) empowers  
 27 congress to apply these taxes throughout the sovereign 50 Union states, and not just on federal land. Here is the quote  
 28 from *Downes* confirming that:

29 "In delivering the opinion [Loughborough v. Blake, 5 Wheat. 317, 5 L.Ed. 98], however, the Chief Justice made  
 30 certain observations which have occasioned some embarrassment in other cases. **'The power,' said he, 'to lay**  
 31 **and collect duties, imposts, and excises may be exercised, and must be exercised, throughout the United States.**  
 32 *Does this term designate the whole, or any particular portion of the American empire? Certainly this question can*  
 33 *admit but of one answer. It is the name given to our great Republic which is composed of states and territories.*  
 34 *The District of Columbia, or the territory west of the Missouri, is not less within the United States than Maryland*  
 35 *or Pennsylvania; and it is not less necessary, on the principles of our Constitution, that uniformity in the*  
 36 *imposition of imposts, duties, and excises should be observed in the one than in the other. Since, then, the power*  
 37 *to lay and collect taxes, which includes direct taxes, is obviously coextensive with the power to lay and collect*  
 38 *duties, imposts, and excises, and since the latter extends throughout the United States, it follows that the power*  
 39 *to impose direct taxes also extends through- [182 U.S. 244, 262] out the United States.'* So far as applicable to  
 40 *the District of Columbia, these observations are entirely sound. So far as they apply to the territories, they were*  
 41 *not called for by the exigencies of the case."*

42 The only limitation on the above powers to impose indirect excise taxes throughout the United States\* (the country) is  
 43 that appearing in the statutes and the requirement of Article 1, Section 8, Clause 3 of the Constitution. The Constitution  
 44 only authorizes federal jurisdiction over foreign commerce with other countries and not intrastate commerce (commerce  
 45 within a state). The Constitution forbids federal jurisdiction over exports from states under Article 1, Section 9, Clause  
 46 5 of the Constitution. The only thing left for the federal government to tax and regulate under the Constitution, under  
 47 these circumstances, is imports from outside the country, which is what "foreign commerce" means. The feds can impose  
 48 duties, imposts, and excises only on imports or profit derived from imports. The imports, however, must be done by  
 49 corporations or else they are not taxable.

- 50 8. Once a state is accepted into the union of states united under the Constitution, all lands in the state at that time are then  
 51 covered by the Constitution in perpetuity excepting land under federal jurisdiction (enclaves). If the federal government  
 52 then chooses to purchase state lands back after the state joins the union to set up a federal enclave, such as a military  
 53 base or federal courthouse or national park, then the land that facility resides on that formerly was governed by the  
 54 Constitution continues in perpetuity to be governed by the Constitution, even though it then becomes subject to the  
 55 exclusive legislative jurisdiction of the federal government under Article 1, Section 8, Clause 17 of the Constitution.
- 56 9. States east of the Mississippi had very little land that continued under federal jurisdiction at the time they were admitted  
 57 to the union as states of the Union. Therefore, nearly the entire state in these cases is covered by the Constitution. The  
 58 opposite is true in states west of the Mississippi, where large portions continued under federal jurisdiction after these

territories were admitted as states. Those areas that were federal enclaves at the date of admission which continue to this day to be under federal jurisdiction are not subject to the Constitution or the Bill of Rights.

10. Direct federal taxes and rights conferred by the Bill of Rights are mutually exclusive. You will note that when a new state is admitted to the Union, its lands then irrevocably have the Constitution attached to them and are covered by the Bill of Rights while at the same time, a new requirement to apportion all direct taxes is added in the former territory. The reason is that once people have **rights**, they become **sovereign** and at that point, it becomes impossible for the federal government under the Bill of Rights and Constitutional protections to encroach on those rights by trying to collect direct taxes because direct taxes then **must** be apportioned to each state as required under Article 1, Section 2, Clause 3, and Article 1, Section 9, Clause 4 of the Constitution. This is consistent with the Supreme Court’s ruling in Knowlton v. Moore, 178 U.S. 41 (1900):

*“Direct taxes bear immediately upon persons, upon the possession and enjoyment of rights; indirect taxes are levied upon the happening of an event as an exchange.”*  
 [Knowlton v. Moore, 178 U.S. 41 (1900)]

We now summarize the above findings graphically to make them crystal clear and useful in front of a judge and jury in court:

**Table 4-18: Constitutional rights throughout the United States\* (country)**

#	Type of property	Constitutional Rights	Example	Authorities
1	Territories	No	Puerto Rico, Virgin Islands, American Samoa, etc.	1. <i>Downes v. Bidwell</i> , 182 U.S. 244 (1901); 2. <i>M’Culloch v. Maryland</i> , 4 Wheat. 316, 422, 4 L.Ed. 579, 605, and in <i>United States v. Gratiot</i> , 14 Pet. 526, 10 L.Ed. 573
2	Federal enclaves <i>within</i> states:	NA	NA	NA
2.1	Ceded to federal gov. <u>after</u> joining union	Yes	Federal courthouses	<i>Downes v. Bidwell</i> , 182 U.S. 244 (1901);
2.2	Also enclaves at the time of admission	No	Indian reservations	<i>Downes v. Bidwell</i> , 182 U.S. 244 (1901);
3	Sovereign states	Yes	California, Texas, etc.	<i>Downes v. Bidwell</i> , 182 U.S. 244 (1901);
4	District of Columbia	Yes	District of Columbia	1. <i>Downes v. Bidwell</i> , 182 U.S. 244 (1901). 2. <i>Loughborough v. Blake</i> , 18 U.S. 317, 5 Wheat. 317, 5 L.Ed. 98 (1820)
5	Foreign countries (nations)	No	Japan	1. <i>Downes v. Bidwell</i> , 182 U.S. 244 (1901). 2. <i>Cook v. Tait</i> , 265 U.S. 47 (1924) 3. <i>M’Culloch v. Maryland</i> , 4 Wheat. 316, 422, 4 L.Ed. 579, 605 (1819) 4. <i>United States v. Gratiot</i> , 14 Pet. 526, 10 L.Ed. 573 5. <i>Springville v. Thomas</i> , 166 U.S. 707, 41 L.Ed. 1172, 17 Sup.Ct.Rep. 717 (1897)

**IMPORTANT:** Those areas listed above where there are no Constitutional rights are the only areas where direct income taxes under Subtitle A can be applied to individuals without apportionment and without violating (clauses 1:9:4 and 1:2:3 of) the Constitution. Everyplace else, it isn’t a tax, but a donation.

The federal zone, or federal “United States\*\*\*”, is the area of land over which the Congress exercises an unrestricted, exclusive legislative jurisdiction. The Congress, however, does not have unrestricted, exclusive legislative jurisdiction over any of the 50 sovereign states. It is bound by the chains of the Constitution. This point is so very important, it bears repeating throughout the remaining chapters of this book and it also explains why the use of the word “State” in the Internal Revenue Code doesn’t by default (26 U.S.C. §7701(a)(9) and (10)) mean one of the 50 sovereign states of the union. As in the apportionment rule for direct taxes and the uniformity rule for indirect taxes, Congress cannot join or divide any of the 50 sovereign states without the explicit approval of the Legislatures of the state(s) involved. This means that Congress cannot unilaterally delegate such a power to the President. Congress cannot lawfully exercise (nor delegate) a power which it simply does not have.

For further evidence of what constitutes the “federal zone” and a “State” within the IRC, we refer you to the fascinating analysis found in section 5.2.8 entitled “‘State’ in the Internal Revenue Code means ‘federal State’ and not a Union State””.

1 Lastly, let us carefully clarify the important distinctions between “States”, “territories”, and “states” in the context of federal  
 2 statutes to make our analysis crystal clear. Remember that federal “territories” and “States” are synonymous as per [4 U.S.C.](#)  
 3 [§110\(d\)](#). Keep in mind also that Indian reservations, while considered “sovereign nations” are also federal “States”:

4 **Table 4-19: Attributes of "State"/"Territory" v. "state"**

#	Attribute	Authority	“State” or “Territory” of the “United States”	“state”/ Union state
1	Federal government has “ <a href="#">police powers</a> ” (e.g. criminal jurisdiction) here?	<a href="#">Tenth Amendment</a> to U.S. Constitution	Yes	No
2	Constitution Article I, Section 8, Clause 17 jurisdiction?	U.S. v. Bevans, <a href="#">16 U.S. 336</a> (1818)	Yes	No
3	“foreign state” relative to the federal government?	Black’s Law Dictionary, Sixth Edition definition of “foreign state” and “foreign laws”	No	Yes
4	No “legislative jurisdiction” (federal statutes, like IRC) jurisdiction without state cession?	<a href="#">40 U.S.C. §3111 and 3112</a>	No	Yes
5	Federal courts in the region act under the authority of what Constitutional provision?:	Constitution Articles II and III.	<a href="#">Article II legislative</a> courts (no mandate for trial by jury)	<a href="#">Article III Constitutional</a> courts (mandatory trial by jury)
6	Statutory diversity of citizenship applies here?	<a href="#">28 U.S.C. §1332</a>	Yes	No
7	Constitutional diversity of citizenship applies here?	Article III, Section 2	No	Yes
8	Citizenship of persons born here:	<a href="#">8 U.S.C. §1401</a> , <a href="#">8 U.S.C. §1408</a> , <a href="#">8 U.S.C. §1101(a)(22)(B)</a> , 8 U.S.C. §1101(a)(21)	Statutory “U.S. citizen”	“national” under common law per Perkins v. Elg., 1939, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320
9	Bill of rights (first ten amendments to the U.S. Constitution) applies here?	Downes v. Bidwell, <a href="#">182 U.S. 244</a> (1901)	No	Yes
10	Listed in Title 48 as a “Territory or possession”?	<a href="#">Title 48, U.S. Code</a>	Yes	No
11	Local governments here have “sovereign immunity” relative to federal government?	<a href="#">28 U.S.C. §1346(b)</a> <a href="#">Eleventh Amendment</a> to U.S. Const.	No	Yes

5 Your ZIP Code determines which ZIP Code region you live in. ZIP Code regions are federal areas and are part of the federal  
 6 zone. The IRS has adopted the ZIP Code regions as IRS regions. If you accept mail that has a ZIP Code on it, you are treated  
 7 as though you reside in a federal territory and thus are subject to the IRS and all other municipal laws of the District of  
 8 Columbia.

#### 9 **4.5.4 The Buck Act of 1940 (4 U.S.C. Sections 105-111)**

10 This section documents how the Federal Government has deceitfully tried to get jurisdiction over sovereign Americans and  
 11 everything they own using a piece of legislation called the Buck Act, found in [4 U.S.C. Sections 105-111](#).

##### 12 **4.5.4.1 The united States of America**

13 The united States of America includes the 50 sovereign and independent states of who are freely and voluntarily associated  
 14 together in a union. It does *NOT* include the "District of Columbia," which was created by the **Constitution** of the Union  
 15 as the legal home or “seat” of the "federal" government. That government was intended to be a "servant" to the Union states,  
 16 not their "Master!"

17 In order for the Federal Government to tax an American of one of the several states of the Union, they had to create a  
 18 contractual nexus. This contractual nexus is a combination of "Social Security" and their status as an statutory “employee”,  
 19 which is a code word for an elected or appointed officer of the United States Government. The Federal government always  
 20 does everything according to principles of law.

21 In 1935, the federal government instituted Social Security. The Social Security Board then, created 10 Social Security  
 22 Districts creating a "Federal Area" which covered the several states like an overlay.

In 1939, the federal government instituted the "Public Salary Tax Act of 1939," which is a municipal law of the District of Columbia, taxing all Federal and State government employees and those who live and work in any "Federal area."

Now, the federal government knows it cannot tax those nationals of the United States who live and work outside the territorial jurisdiction of Article I, Section 8, Clause 17 (1:8:17), or Article IV, Section 3, Clause 2 (4:3:2) of the U.S. Constitution. So in 1940, Congress passed the "Buck Act" 4 U.S.C.S. 105-111. In Section 110(e), this Act allowed any department of the federal government to create a "Federal Area" for imposition of the Public Salary Tax Act of 1939, the imposition of this tax is at 4 U.S.C.S. section 111, and the rest of the taxing law is in Title 26, The Internal Revenue Code. The Social Security Board had already created an overlay of a "Federal Area."

As a result, our sneaky federal government created Federal "States" within its tax legislation which are exactly "look like" but in fact aren't the same as states of the Union. These pseudo federal "States" occupy the same territory and boundaries, but whose names are capitalized versions of the Sovereign States, and in fact only encompass a very small subset of the land within the states of the Union. This land is referred to as "federal areas" or "federal enclaves".

(Remember that Proper Names and Proper Nouns in the English language have only the first letter Capitalized.) For example, the Federal "State" of ILLINOIS is overlaid upon the *Sovereign* state of Illinois. Further, it is designated by the Federal abbreviation of "IL", instead of the Sovereign State abbreviation of "Ill." So too is Arizona designated "AZ" instead of the lawful abbreviation of "Ariz.", "CA" instead of "Calif.", etc. If you use a two-letter CAPITALIZED abbreviation, you are declaring that the location is under the jurisdiction of the "federal" government instead of the powers of the "Sovereign" state.

As a result of creating these "shadow" federal "States", the Federal government assumes that every area is a "Federal Area," and that the Citizens therein are "U.S. citizens" under "acts of Congress" and federal statutes.

*TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES  
CHAPTER 4 - THE STATES  
4 U.S.C.S. section 110(d).*

"The term 'State' includes any Territory or possession of the United States."

*4 U.S.C.S. section 110(e).*

"The term Federal area means any lands or premises held or acquired by or for the use of the United States or any department, establishment, or agency of the United States; any federal area, or any part thereof, which is located within the exterior boundaries of any State, shall be deemed to be a Federal area located within such State."

There is no reasonable doubt that the federal "State" is imposing directly an excise tax under the provisions of 4 U.S.C.S. §105 which states in pertinent part:

*"Section 105. State and so forth, taxation affecting Federal areas; sales and use tax"*

*"(a) No person shall be relieved from liability for payment of, collection of, or accounting for any sales or use tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such tax, on the ground that the sale or use, with respect to which tax is levied, occurred in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect any such tax in any Federal area, within such State to the same extent and with the same effect as though such area was not a Federal area."*

*"Irrespective of what tax is called by state law, if its purpose is to produce revenue, it is income tax or receipts tax under the Buck Act [4 U.S.C.S. sections 105-110]."*  
*[Humble Oil & Refining Co. v. Calvert, (1971) 464 SW2d. 170, affd (Tex) 478 SW2d. 926, cert. den. 409 U.S. 967, 3:4 L.Ed2d. 234, 93 S.Ct. 293]*

Thus, the question comes up, what is a "Federal area?" A "Federal area" is any area designated by any agency, department, or establishment of the federal government. This includes the Social Security areas designated by the Social Security Administration, any public housing area that has federal funding, a home that has a federal bank loan, a road that has federal funding, and almost everything that the federal government touches though any type of aid. Springfield v. Kenny, (1951 App.) 104 NE2d. 65.

This "Federal area" attaches to anyone who has a social security number or any personal contact with the federal or state governments. When you fill out a W-4 withholding form, which is entitled "Employee Withholding Certificate", you identify yourself as an elected or appointed federal statutory "employee" as defined in 26 U.S.C. §3401(c) and voluntarily establish federal jurisdiction over your property and person. Thus, the federal government has usurped Sovereignty of the People and state Sovereignty by creating these federal areas within the boundaries of the states under the authority of the Federal Constitution, Article IV, Section 3, Clause 2 (4:3:2), which states:

*Federal Constitution, Article IV, Section 3, Clause 2*

*"2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State."*

#### 4.5.4.2 The "SHADOW" States of the Buck Act

Therefore, the "U.S. citizens" [citizens of the District of Columbia] under federal statutes and "acts of Congress" who reside in one of the states of the union, are classified as "**property**" and franchises of the federal government as an "**individual entity**" *Wheeling Steel Corp. v. Fox*, 298 U.S. 193, 80 L.Ed. 1143, 56 S.Ct. 773. Under the "Buck Act" 4 U.S.C.S. sections 105-111, the federal government has created a "Federal area" within the boundaries of all the states. This area is similar to any territory that the federal government acquires through purchase or conquest, thereby imposing federal territorial law upon those in this "Federal area." Some people believe that federal territorial law is evidenced by the Executive Branch's yellow fringed merchant law flag (see Federal Courts for an explanation) flying in schools, offices and all courtrooms. We do not agree with this conclusion and neither do the federal courts.

To avoid federal jurisdiction, you must live on land in one of the states in the Union of states, not in any "**Federal State**" or "**Federal area**", nor can you be involved in any activity that would make you subject to "*acts of Congress*" or federal statutes. You must be very careful on all government forms you fill out that ask if you are a "U.S. citizen" to clarify exactly what that means so that you aren't confused with persons who come under the jurisdiction of federal statutes. You cannot have a valid **Social Security Number**, a [federal zone] "*resident*" driver's license, or a motor vehicle registered in your name. You cannot have a "*federal*" bank account, a Federal Register Account Number relating to Individual persons [SSN], (see **Executive Order Number 9397**, November 1943), or any other known "*contract implied in fact*" that would place you within any "**Federal area**" and thus within the territorial jurisdiction of the municipal laws of Congress. Remember, all *Acts* of Congress are territorial in nature and only apply within the territorial jurisdiction of Congress. (See *American Banana Co. v. United Fruit Co.*, 213 U.S. 347, 356-357 (1909); *U.S. v. Spelar*, 338 U.S. 217, 222, 94 L.Ed. 3, 70 S.Ct. 10 (1949); *New York Central R.R. Co. v. Chisholm*, 268 U.S. 29, 31-32, 69 L.Ed. 828, 45 S.Ct. 402 (1925)).

**There has been created a fictional "Federal State within a state".** See *Howard v. Sinking Fund of Louisville*, 344 U.S. 624, 73 S.Ct. 465, 476, 97 L.Ed. 617 (1953); *Schwartz v. O'Hara TP. School Dist.*, 100 A. 2d. 621, 625, 375 Pa. 440. (Compare also 31 C.F.R. Parts 51.2 and 52.2, which also identify a fictional State within a state.)

This entire scheme was accomplished by passage of the "*Buck Act*", (4 U.S.C.S. Secs. 105-111), to implement the application of the "*Public Salary Tax Act*" of 1939 to workers within the private sector. This subjects all private sector workers (who have a Social Security number) to all state and federal laws "*within this State*", a "*fictional Federal area*" overlaying the land in California and in all other states in the Union. In California, this is established by *California Form 590, Revenue and Taxation*. All you have to do is to state that you live in California. This establishes that you do not live in a "*Federal area*" and that you are exempt from the *Public Salary Tax Act* of 1939 and also from the *California Income Tax* for residents who live "*in this State*".

The following definition is used throughout the several states in the application of their municipal laws which require some form of contract for proper application. This definition is also included in all the codes of **California, Nevada, Arizona, Utah and New York**:

*"In this State" or "in the State" means within the exterior limits of the State ... and includes all territories within such limits owned or ceded to the United States of America."*

This definition concurs with the "**Buck Act**" (supra) which states:

TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES

## CHAPTER 4 - THE STATES

"110(d) The term "State" includes any Territory or possession of the United States."

"110(e) The term "Federal area" means any lands or premises held or acquired by or for the use of the United States or any department, establishment, or agency of the United States; and any Federal area, or any part thereof, which is located within the exterior boundaries of any State, shall be deemed to be a Federal area located within such State."

Then some of the states enacted legislation giving themselves what is called "concurrent jurisdiction" over lands ceded to the federal government. Here is an example from the California Statutes:

California Government Code,  
Section 119: Territorial Jurisdiction

119. Exclusive jurisdiction shall be and the same is hereby ceded to the United States over and within all of the territory which is now or may hereafter be included in those several tracts of land in the State of California set aside and dedicated for park purposes by the United States as "Kings Canyon National Park"; saving however to the State of California the right to serve civil or criminal process within the limits of the aforesaid park in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed in said State outside of said park; and saving further to the said State the right to tax persons and corporations, their franchises and property on the lands included in said park, and the right to fix and collect license fees for fishing in said park; and saving also to the persons residing in said park now or hereafter the right to vote at all elections held within the county or counties in which said park is situate. The jurisdiction granted by this section shall not vest until the United States through the proper officer notifies the State of California that it assumes police jurisdiction over said park.

Then, to really lock down their control, the federal government created an artificial PERSON to whom they could address all of their demands. This person is YOUR NAME in ALL CAPITAL LETTERS! Whenever you receive a letter from the government addressed in ALL CAPITAL LETTERS (such as "JOHN SMITH" instead of the proper English language "John Smith") they are addressing a legal fiction, a "straw man," whom they assume they OWN.

Since they are going on the assumption that they OWN this "straw man" (which they actually do not -- and you can learn how you can take TITLE to this "straw man") they assume that whatever money comes in to the property ("straw man") belongs to the master (government).

What you are experiencing is an unprecedented GRAB for power by the "federal" government! In fact, Agents of the "federal" government have NO jurisdiction within the borders of these separate and sovereign united States, or over the "straw man" -- unless you give it to them!

#### 4.6 The Constitution is Supposed to Make You the Sovereign and The Government Your Servant<sup>126</sup>

The premise of this section is that the purpose of our U.S. Constitution is to make the government into our servant and us into the sovereign. You as the sovereign are not bound by the Constitution, but the people who work in government are because they took an oath to support and defend it. The taking of that oath makes them the servant and you the master and creates a fiduciary relationship between the two of you that is enforceable in a court of law if your rights are injured. You never took that oath and you never signed any instrument agreeing to be bound by it.

For the subsections within this section, we rely again on the writings of Lysander Spooner and his wonderful and brilliant essay entitled *No Treason: The Constitution of No Authority*, Lysander Spooner. Specifically, we derive most of the rest of this section and its subsections from sections IV through XIX of that essay which appears on our website at:

*No Treason: The Constitution of No Authority*, Lysander Spooner  
<http://famguardian.org/PublishedAuthors/Indiv/SpoonerLysander/NoTreason.htm>

Lysander Spooner's writings will really get you thinking, and he has a unique, common sense, and lucid way of expressing himself which we enjoyed so thoroughly that we thought we would repeat it here for your reading pleasure. If his writings interest you, then we recommend a compendium of his writings entitled *The Lysander Spooner Reader*, ISBN 0-930073-06-

<sup>126</sup> Adapted from *The Lysander Spooner Reader*, ISBN 0-930073-06-1 (hc), Fox and Wilkes, 938 Howard Street, Ste 202; San Francisco, CA 94103.

1 (hc), Fox and Wilkes, 938 Howard Street, Ste 202; San Francisco, CA 94103. Incidentally, Lysander's writings are the  
2 basis of most of contemporary Libertarian thought.

3 We have taken the liberty to edit Mr. Spooner's remarks slightly to remove the notion that the Constitution *does not* in  
4 actuality bind government servants, because the result of that aspect of his conclusions in their effect on our society would  
5 be tyranny, pure chaos, anarchy, and lawlessness, and this would clearly serve the interests of *no one* and harm *everyone* as  
6 a collective. Likewise, there is nothing to be gained and everything to be lost by society in undermining the value and the  
7 virtue of a written constitution, since the Constitutional Republic we have has been quite effective to date in maintaining the  
8 blessings of liberty far better than any previous know system of government. Along those more constructive lines of inquiry,  
9 we believe that oaths of public office can and should be improved to increase the level of personal accountability that  
10 government servants have toward their constituents so as to remove the defects and complaints that Lysander expresses  
11 regarding oaths of office later in section 4.6.8. On the other hand, Lysander Spooner believes that because the Constitution  
12 does such a poor job holding our public servants accountable, that our only defense is trial by jury. He wrote an essay entitled  
13 *An Essay on Trial by Jury* describing this aspect of his beliefs that we have posted on our website at:

*An Essay on Trial By Jury*, Lysander Spooner  
<http://famguardian.org/PublishedAuthors/Indiv/SpoonerLysander/TrialByJury.txt>

14 For the purposes of subsequent discussion, we use the term "citizen" only as a convenience to refer to the sovereign people  
15 inhabiting a body politic, but in a more general sense, we mean *everyone* who inhabits a country, including both citizens *and*  
16 aliens.

#### 17 **4.6.1 The Constitution does not bind citizens**

18 The constitution not only binds no citizens now, but it never did bind any citizens. It never bound citizens, because it was  
19 never agreed to by citizens in such a manner as to make it, on general principles of law and reason, binding upon them.

20 It is a general principle of law and reason, that a written instrument binds no one until he has signed it. This principle is so  
21 inflexible a one, that even though a man is unable to write his name, he must still "make his mark," before he is bound by a  
22 written contract. This custom was established ages ago, when few men could write their names; when a clerk -- that is, a man  
23 who could write -- was so rare and valuable a person, that even if he were guilty of high crimes, he was entitled to pardon,  
24 on the ground that the public could not afford to lose his services. Even at that time, a written contract must be signed; and  
25 men who could not write, either "made their mark," or signed their contracts by stamping their seals upon wax affixed to the  
26 parchment on which their contracts were written. Hence the custom of affixing seals, that has continued to this time.

27 The laws holds, and reason declares, that if a written instrument is not signed, the presumption must be that the party to be  
28 bound by it, did not choose to sign it, or to bind himself by it. And law and reason both give him until the last moment, in  
29 which to decide whether he will sign it, or not. Neither law nor reason requires or expects a man to agree to an instrument,  
30 until it is written; for until it is written, he cannot know its precise legal meaning. And when it is written, and he has had the  
31 opportunity to satisfy himself of its precise legal meaning, he is then expected to decide, and not before, whether he will agree  
32 to it or not. And if he do not THEN sign it, his reason is supposed to be, that he does not choose to enter into such a contract.  
33 The fact that the instrument was written for him to sign, or with the hope that he would sign it, goes for nothing.

34 Where would be the end of fraud and litigation, if one party could bring into court a written instrument, without any signature,  
35 and claim to have it enforced, upon the ground that it was written for another man to sign? that this other man had promised  
36 to sign it? that he ought to have signed it? that he had had the opportunity to sign it, if he would? but that he had refused or  
37 neglected to do so? Yet that is the most that could ever be said of the Constitution. [1] The very judges, who profess to derive  
38 all their authority from the Constitution -- from an instrument that nobody ever signed -- would spurn any other instrument,  
39 not signed, that should be brought before them for adjudication. [1] The very men who drafted it, never signed it in any way  
40 to bind themselves by it, AS A CONTRACT. And not one of them probably ever would have signed it in any way to bind  
41 himself by it, AS A CONTRACT.

42 Moreover, a written instrument must, in law and reason, not only be signed, but must also be delivered to the party (or to  
43 someone for him), in whose favor it is made, before it can bind the party making it. The signing is of no effect, unless the  
44 instrument be also delivered. And a party is at perfect liberty to refuse to deliver a written instrument, after he has signed it.  
45 The Constitution was not only never signed by anybody, but it was never delivered by anybody, or to anybody's agent or  
46 attorney. It can therefore be of no more validity as a contract, then can any other instrument that was never signed or delivered.

#### 4.6.2 The Constitution as a Legal Contract

As further evidence of the general sense of mankind, as to the practical necessity there is that all men's IMPORTANT contracts, especially those of a permanent nature, should be both written and signed, the following facts are pertinent.

For nearly two hundred years -- that is, since 1677 -- there has been on the statute book of England, and the same, in substance, if not precisely in letter, has been re-enacted, and is now in force, in nearly or quite all the States of this Union, a statute, the general object of which is to declare that no action shall be brought to enforce contracts of the more important class, UNLESS THEY ARE PUT IN WRITING, AND SIGNED BY THE PARTIES TO BE HELD CHARGEABLE UPON THEM. [At this point there is a footnote listing 34 states whose statute books Spooner had examined, all of which had variations of this English statute; the footnote also quotes part of the Massachusetts statute.]

The principle of the statute, be it observed, is, not merely that written contracts shall be signed, but also that all contracts, except for those specially exempted -- generally those that are for small amounts, and are to remain in force for but a short time -- SHALL BE BOTH WRITTEN AND SIGNED.

The reason of the statute, on this point, is, that it is now so easy a thing for men to put their contracts in writing, and sign them, and their failure to do so opens the door to so much doubt, fraud, and litigation, that men who neglect to have their contracts -- of any considerable importance -- written and signed, ought not to have the benefit of courts of justice to enforce them. And this reason is a wise one; and that experience has confirmed its wisdom and necessity, is demonstrated by the fact that it has been acted upon in England for nearly two hundred years, and has been so nearly universally adopted in this country, and that nobody thinks of repealing it.

We all know, too, how careful most men are to have their contracts written and signed, even when this statute does not require it. For example, most men, if they have money due them, of no larger amount than five or ten dollars, are careful to take a note for it. If they buy even a small bill of goods, paying for it at the time of delivery, they take a receipted bill for it. If they pay a small balance of a book account, or any other small debt previously contracted, they take a written receipt for it.

Furthermore, the law everywhere (probably) in our country, as well as in England, requires that a large class of contracts, such as wills, deeds, etc., shall not only be written and signed, but also sealed, witnessed, and acknowledged. And in the case of married women conveying their rights in real estate, the law, in many States, requires that the women shall be examined separate and apart from their husbands, and declare that they sign their contracts free of any fear or compulsion of their husbands.

Such are some of the precautions which the laws require, and which individuals -- from motives of common prudence, even in cases not required by law -- take, to put their contracts in writing, and have them signed, and, to guard against all uncertainties and controversies in regard to their meaning and validity. And yet we have what purports, or professes, or is claimed, to be a contract -- the Constitution -- made by men who are now all dead, and who never had any power to bind US, but which (it is claimed) has nevertheless bound three generations of men, consisting of many millions, and which (it is claimed) will be binding upon all the millions that are to come; but which nobody ever signed, sealed, delivered, witnessed, or acknowledged; and which few persons, compared with the whole number that are claimed to be bound by it, have ever read, or even seen, or ever will read, or see. And of those who ever have read it, or ever will read it, scarcely any two, perhaps no two, have ever agreed, or ever will agree, as to what it means.

Moreover, this supposed contract, which would not be received in any court of justice sitting under its authority, if offered to prove a debt of five dollars, owing by one man to another, is one by which -- AS IT IS GENERALLY INTERPRETED BY THOSE WHO PRETEND TO ADMINISTER IT -- all men, women and children throughout the country, and through all time, surrender not only all their property, but also their liberties, and even lives, into the hands of men who by this supposed contract, are expressly made wholly irresponsible for their disposal of them. And we are so insane, or so wicked, as to destroy property and lives without limit, in fighting to compel men to fulfill a supposed contract, which, inasmuch as it has never been signed by anybody, is, on general principles of law and reason -- such principles as we are all governed by in regard to other contracts -- the merest waste of paper, binding upon nobody, fit only to be thrown into the fire; or, if preserved, preserved only to serve as a witness and a warning of the folly and wickedness of mankind.

#### 4.6.3 How the Constitution is Administered by the Government



1 It is no exaggeration, but a literal truth, to say that, by the Constitution -- NOT AS I INTERPRET IT, BUT AS IT IS  
2 INTERPRETED BY THOSE WHO PRETEND TO ADMINISTER IT -- the properties, liberties, and lives of the entire  
3 people of the United States are surrendered unreservedly into the hands of men who, it is provided by the Constitution itself,  
4 shall never be "questioned" as to any disposal they make of them.

5 Thus the Constitution (Art. I, Sec. 6) provides that, "for any speech or debate (or vote), in either house, they (the senators and  
6 representatives) shall not be questioned in any other place."

7 The whole law-making power is given to these senators and representatives (when acting by a two-thirds vote); [1] and this  
8 provision protects them from all responsibility for the laws they make. [1] And this two-thirds vote may be but two-thirds of  
9 a quorum -- that is two-thirds of a majority -- instead of two-thirds of the whole. The Constitution also enables them to secure  
10 the execution of all their laws, by giving them power to withhold the salaries of, and to impeach and remove, all judicial and  
11 executive officers, who refuse to execute them.

12 Thus the whole power of the government is in their hands, and they are made utterly irresponsible for the use they make of  
13 it. What is this but absolute, irresponsible power?

14 It is no answer to this view of the case to say that these men are under oath to use their power only within certain limits; for  
15 what care they, or what should they care, for oaths or limits, when it is expressly provided, by the Constitution itself, that  
16 they shall never be "questioned," or held to any responsibility whatever, for violating their oaths, or transgressing those limits?

17 Neither is it any answer to this view of the case to say that the men holding this absolute, irresponsible power, must be men  
18 chosen by the people (or portions of them) to hold it. A man is none the less a slave because he is allowed to choose a new  
19 master once in a term of years. Neither are a people any the less slaves because permitted periodically to choose new masters.  
20 What makes them slaves is the fact that they now are, and are always hereafter to be, in the hands of men whose power over  
21 them is, and always is to be, absolute and irresponsible. [2] [2] Of what appreciable value is it to any man, as an individual,  
22 that he is allowed a voice in choosing these public masters? His voice is only one of several millions.

23 The right of absolute and irresponsible dominion is the right of property, and the right of property is the right of absolute,  
24 irresponsible dominion. The two are identical; the one necessarily implies the other. Neither can exist without the other. If,  
25 therefore, Congress have that absolute and irresponsible law-making power, which the Constitution -- according to their  
26 interpretation of it -- gives them, it can only be because they own us as property. If they own us as property, they are our  
27 masters, and their will is our law. If they do not own us as property, they are not our masters, and their will, as such, is of no  
28 authority over us.

29 But these men who claim and exercise this absolute and irresponsible dominion over us, dare not be consistent, and claim  
30 either to be our masters, or to own us as property. They say they are only our servants, agents, attorneys, and representatives.  
31 But this declaration involves an absurdity, a contradiction. No man can be my servant, agent, attorney, or representative, and  
32 be, at the same time, uncontrollable by me, and irresponsible to me for his acts. It is of no importance that I appointed him,  
33 and put all power in his hands. If I made him uncontrollable by me, and irresponsible to me, he is no longer my servant, agent,  
34 attorney, or representative. If I gave him absolute, irresponsible power over my property, I gave him the property. If I gave  
35 him absolute, irresponsible power over myself, I made him my master, and gave myself to him as a slave. And it is of no  
36 importance whether I called him master or servant, agent or owner. The only question is, what power did I put in his hands?  
37 Was it an absolute and irresponsible one? or a limited and responsible one?

38 For still another reason they are neither our servants, agents, attorneys, nor representatives. And that reason is, that we do not  
39 make ourselves responsible for their acts. If a man is my servant, agent, or attorney, I necessarily make myself responsible  
40 for all his acts done within the limits of the power I have intrusted to him. If I have intrusted him, as my agent, with either  
41 absolute power, or any power at all, over the persons or properties of other men than myself, I thereby necessarily make  
42 myself responsible to those other persons for any injuries he may do them, so long as he acts within the limits of the power I  
43 have granted him. But no individual who may be injured in his person or property, by acts of Congress, can come to the  
44 individual electors, and hold them responsible for these acts of their so-called agents or representatives. This fact proves that  
45 these pretended agents of the people, of everybody, are really the agents of nobody.

46 If, then, nobody is individually responsible for the acts of Congress, the members of Congress are nobody's agents. And if  
47 they are nobody's agents, they are themselves individually responsible for their own acts, and for the acts of all whom they  
48 employ. And the authority they are exercising is simply their own individual authority; and, by the law of nature -- the highest

1 of all laws -- anybody injured by their acts, anybody who is deprived by them of his property or his liberty, has the same right  
2 to hold them individually responsible, that he has to hold any other trespasser individually responsible. He has the same right  
3 to resist them, and their agents, that he has to resist any other trespassers.

#### 4 4.6.4 If the Constitution is a Contract, why don't we have to sign it and how can our predecessors bind us to it 5 without our signature?

6 It is plain, then, that on general principles of law and reason -- such principles as we all act upon in courts of justice and in  
7 common life -- the Constitution is no contract; that it binds nobody, and never did bind anybody; and that all those who  
8 pretend to act by its authority, are really acting without any legitimate authority at all; that, on general principles of law and  
9 reason, they are mere usurpers, and that everybody not only has the right, but is morally bound, to treat them as such.

10 If the people of this country wish to maintain such a government as the Constitution describes, there is no reason in the world  
11 why they should not sign the instrument itself, and thus make known their wishes in an open, authentic manner; in such  
12 manner as the common sense and experience of mankind have shown to be reasonable and necessary in such cases; AND IN  
13 SUCH MANNER AS TO MAKE THEMSELVES (AS THEY OUGHT TO DO) INDIVIDUALLY RESPONSIBLE FOR  
14 THE ACTS OF THE GOVERNMENT. But the people have never been asked to sign it. And the only reason why they have  
15 never been asked to sign it, has been that it has been known that they never would sign it; that they were neither such fools  
16 nor knaves as they must needs have been to be willing to sign it; that (at least as it has been practically interpreted) it is not  
17 what any sensible and honest man wants for himself; nor such as he has any right to impose upon others. It is, to all moral  
18 intents and purposes, as destitute of obligations as the compacts which robbers and thieves and pirates enter into with each  
19 other, but never sign.

20 If any considerable number of the people believe the Constitution to be good, why do they not sign it themselves, and make  
21 laws for, and administer them upon, each other; leaving all other persons (who do not interfere with them) in peace? Until  
22 they have tried the experiment for themselves, how can they have the face to impose the Constitution upon, or even to  
23 recommend it to, others? Plainly the reason for absurd and inconsistent conduct is that they want the Constitution, not solely  
24 for any honest or legitimate use it can be of to themselves or others, but for the dishonest and illegitimate power it gives them  
25 over the persons and properties of others. But for this latter reason, all their eulogiums on the Constitution, all their  
26 exhortations, and all their expenditures of money and blood to sustain it, would be wanting.

#### 27 4.6.5 Authority delegated by the Constitution to Public Servants

28 The Constitution itself, then, being of no authority, on what authority does our government practically rest? On what ground  
29 can those who pretend to administer it, claim the right to seize men's property, to restrain them of their natural liberty of  
30 action, industry, and trade, and to kill all who deny their authority to dispose of men's properties, liberties, and lives at their  
31 pleasure or discretion?

32 The most they can say, in answer to this question, is, that some half, two-thirds, or three-fourths, of the male adults of the  
33 country have a TACIT UNDERSTANDING that they will maintain a government under the Constitution; that they will  
34 select, by ballot, the persons to administer it; and that those persons who may receive a majority, or a plurality, of their ballots,  
35 shall act as their representatives, and administer the Constitution in their name, and by their authority.

36 But this tacit understanding (admitting it to exist) cannot at all justify the conclusion drawn from it. A tacit understanding  
37 between A, B, and C, that they will, by ballot, depute D as their agent, to deprive me of my property, liberty, or life, cannot  
38 at all authorize D to do so. He is none the less a robber, tyrant, and murderer, because he claims to act as their agent, than he  
39 would be if he avowedly acted on his own responsibility alone.

40 Neither am I bound to recognize him as their agent, nor can he legitimately claim to be their agent, when he brings no  
41 WRITTEN authority from them accrediting him as such. I am under no obligation to take his word as to who his principals  
42 may be, or whether he has any. Bringing no credentials, I have a right to say he has no such authority even as he claims to  
43 have: and that he is therefore intending to rob, enslave, or murder me on his own account.

44 This tacit understanding, therefore, among the voters of the country, amounts to nothing as an authority to their agents. Neither  
45 do the ballots by which they select their agents, avail any more than does their tacit understanding; for their ballots are given  
46 in secret, and therefore in such a way as to avoid any personal responsibility for the acts of their agents.

1 No body of men can be said to authorize a man to act as their agent, to the injury of a third person, unless they do it in so  
2 open and authentic a manner as to make themselves personally responsible for his acts. None of the voters in this country  
3 appoint their political agents in any open, authentic manner, or in any manner to make themselves responsible for their acts.  
4 Therefore these pretended agents cannot legitimately claim to be really agents. Somebody must be responsible for the acts of  
5 these pretended agents; and if they cannot show any open and authentic credentials from their principals, they cannot, in law  
6 or reason, be said to have any principals. The maxim applies here, that what does not appear, does not exist. If they can show  
7 no principals, they have none.

8 But even these pretended agents do not themselves know who their pretended principals are. These latter act in secret; for  
9 acting by secret ballot is acting in secret as much as if they were to meet in secret conclave in the darkness of the night. And  
10 they are personally as much unknown to the agents they select, as they are to others. No pretended agent therefore can ever  
11 know by whose ballots he is selected, or consequently who his real principles are. Not knowing who his principles are, he  
12 has no right to say that he has any. He can, at most, say only that he is the agent of a secret band of robbers and murderers,  
13 who are bound by that faith which prevails among confederates in crime, to stand by him, if his acts, done in their name, shall  
14 be resisted.

15 Men honestly engaged in attempting to establish justice in the world, have no occasion thus to act in secret; or to appoint  
16 agents to do acts for which they (the principals) are not willing to be responsible.

17 The secret ballot makes a secret government; and a secret government is a secret band of robbers and murderers. Open  
18 despotism is better than this. The single despot stands out in the face of all men, and says:

- 19 1. I am the State.
- 20 2. My will is law.
- 21 3. I take the responsibility of my acts.
- 22 4. The only arbiter I acknowledge is the sword.
- 23 5. If anyone denies my right, let him try conclusions with me.

24 But a secret government is little less than a government of assassins. Under it, a man knows not who his tyrants are, until  
25 they have struck, and perhaps not then. He may GUESS, beforehand, as to some of his immediate neighbors. But he really  
26 knows nothing. The man to whom he would most naturally fly for protection, may prove an enemy, when the time of trial  
27 comes.

28 This is the kind of government we have; and it is the only one we are likely to have, until men are ready to say: We will  
29 consent to no Constitution, except such an one as we are neither ashamed nor afraid to sign; and we will authorize no  
30 government to do anything in our name which we are not willing to be personally responsible for.

#### 31 **4.6.6 Voting by Congressmen**

32 What is the motive to the secret ballot? This, and only this: Like other confederates in crime, those who use it are not friends,  
33 but enemies; and they are afraid to be known, and to have their individual doings known, even to each other. They can  
34 contrive to bring about a sufficient understanding to enable them to act in concert against other persons; but beyond this they  
35 have no confidence, and no friendship, among themselves. In fact, they are engaged quite as much in schemes for plundering  
36 each other, as in plundering those who are not of them. And it is perfectly well understood among them that the strongest  
37 party among them will, in certain contingencies, murder each other by the hundreds of thousands (as they lately did do) to  
38 accomplish their purposes against each other. Hence they dare not be known, and have their individual doings known, even  
39 to each other. And this is avowedly the only reason for the ballot: for a secret government; a government by secret bands of  
40 robbers and murderers. And we are insane enough to call this liberty! To be a member of this secret band of robbers and  
41 murderers is esteemed a privilege and an honor! Without this privilege, a man is considered a slave; but with it a free man!  
42 With it he is considered a free man, because he has the same power to secretly (by secret ballot) procure the robbery,  
43 enslavement, and murder of another man, and that other man has to procure his robbery, enslavement, and murder. And this  
44 they call equal rights!

45 If any number of men, many or few, claim the right to govern the people of this country, let them make and sign an open  
46 compact with each other to do so. Let them thus make themselves individually known to those whom they propose to govern.  
47 And let them thus openly take the legitimate responsibility of their acts. How many of those who now support the Constitution,

1 will ever do this? How many will ever dare openly proclaim their right to govern? or take the legitimate responsibility of  
2 their acts? Not one!

#### 3 **4.6.7 Our Government is a band of criminal extortionists acting without legal authority!**

4 It is obvious that, on general principles of law and reason, there exists no such thing as a government created by, or resting  
5 upon, any consent, compact, or agreement of "the people of the United States" with each other; that the only visible, tangible,  
6 responsible government that exists, is that of a few individuals only, who act in concert, and call themselves by the several  
7 names of senators, representatives, presidents, judges, marshals, treasurers, collectors, generals, colonels, captains, etc., etc.

8 On general principles of law and reason, it is of no importance whatever that these few individuals profess to be the agents  
9 and representatives of "the people of the United States"; since they can show no credentials from the people themselves; they  
10 were never appointed as agents or representatives in any open, authentic manner; they do not themselves know, and have no  
11 means of knowing, and cannot prove, who their principals (as they call them) are individually; and consequently cannot, in  
12 law or reason, be said to have any principals at all.

13 It is obvious, too, that if these alleged principals ever did appoint these pretended agents, or representatives, they appointed  
14 them secretly (by secret ballot), and in a way to avoid all personal responsibility for their acts; that, at most, these alleged  
15 principals put these pretended agents forward for the most criminal purposes, viz.: to plunder the people of their property,  
16 and restrain them of their liberty; and that the only authority that these alleged principals have for so doing, is simply a TACIT  
17 UNDERSTANDING among themselves that they will imprison, shoot, or hang every man who resists the exactions and  
18 restraints which their agents or representatives may impose upon them.

19 Thus it is obvious that the only visible, tangible government we have is made up of these professed agents or representatives  
20 of a secret band of robbers and murderers, who, to cover up, or gloss over, their robberies and murders, have taken to  
21 themselves the title of "the people of the United States"; and who, on the pretense of being "the people of the United States,"  
22 assert their right to subject to their dominion, and to control and dispose of at their pleasure, all property and persons found  
23 in the United States.

#### 24 **4.6.8 Oaths of Public Office**

25 On general principles of law and reason, the oaths which these pretended agents of the people take "to support the  
26 Constitution," are of no validity or obligation. And why? For this, if for no other reason, viz., THAT THEY ARE GIVEN  
27 TO NOBODY in particular. There is no privity (as the lawyers say) -- that is, no mutual recognition, consent, and agreement  
28 -- between those who take these oaths, and any other persons.

29 If I go upon Boston Common, and in the presence of a hundred thousand people, men, women and children, with whom I  
30 have no contract upon the subject, take a verbal but not written oath that I will enforce upon them the laws of Moses, of  
31 Lycurgus, of Solon, of Justinian, or of Alfred, that oath is, on general principles of law and reason, of no obligation. It is of  
32 no obligation, not merely because it is intrinsically a criminal one, BUT ALSO BECAUSE IT IS GIVEN TO NOBODY, and  
33 consequently pledges my faith to nobody. It is merely given to the winds.

34 It would not alter the case at all to say that, among these hundred thousand persons, in whose presence the oath was taken,  
35 there were two, three, or five thousand male adults, who had SECRETLY -- by secret ballot, and in a way to avoid making  
36 themselves INDIVIDUALLY known to me, or to the remainder of the hundred thousand -- designated me as their agent to  
37 rule, control, plunder, and, if need be, murder, these hundred thousand people. The fact that they had designated me secretly,  
38 and in a manner to prevent my knowing them individually, prevents all privity between them and me; and consequently  
39 makes it impossible that there can be any contract, or pledge of faith, on my part towards them; for it is impossible that I can  
40 pledge my faith, in any legal sense, to a man whom I neither know, nor have any means of knowing, individually.

41 So far as I am concerned, then, these two, three, or five thousand persons are a secret band of robbers and murderers, who  
42 have secretly, and in a way to save themselves from all responsibility for my acts, designated me as their agent; and have,  
43 through some other agent, or pretended agent, made their wishes known to me. But being, nevertheless, individually unknown  
44 to me, and having no open, authentic contract with me, my oath is, on general principles of law and reason, of no validity as  
45 a pledge of faith to them. And being no pledge of faith to them, it is no pledge of faith to anybody. It is mere idle wind. At  
46 most, it is only a pledge of faith to an unknown band of robbers and murderers, whose instrument for plundering and

1 murdering other people, I thus publicly confess myself to be. And it has no other obligation than a similar oath given to any  
2 other unknown body of pirates, robbers, and murderers.

3 ***For these reasons the oaths taken by members of Congress, "to support the Constitution," are, on general principles of***  
4 ***law and reason, of no validity based on the way they are administered now. They are not only criminal in themselves, and***  
5 ***therefore void; but they are also void for the further reason THAT THEY ARE GIVEN TO NOBODY.***

6 It cannot be said that, in any legitimate or legal sense, they are given to "the people of the United States"; because neither the  
7 whole, nor any large proportion of the whole, people of the United States ever, either openly or secretly, appointed or  
8 designated these men as their agents to carry the Constitution into effect. The great body of the people -- that is, men, women,  
9 and children -- were never asked, or even permitted, to signify, in any FORMAL manner, either openly or secretly, their  
10 choice or wish on the subject. The most that these members of Congress can say, in favor of their appointment, is simply this:  
11 Each one can say for himself:

12 I have evidence satisfactory to myself, that there exists, scattered throughout the country, a band of men, having a tacit  
13 understanding with each other, and calling themselves "the people of the United States," whose general purposes are to control  
14 and plunder each other, and all other persons in the country, and, so far as they can, even in neighboring countries; and to kill  
15 every man who shall attempt to defend his person and property against their schemes of plunder and dominion. Who these  
16 men are, INDIVIDUALLY, I have no certain means of knowing, for they sign no papers, and give no open, authentic evidence  
17 of their individual membership. They are not known individually even to each other. They are apparently as much afraid of  
18 being individually known to each other, as of being known to other persons. Hence they ordinarily have no mode either of  
19 exercising, or of making known, their individual membership, otherwise than by giving their votes secretly for certain agents  
20 to do their will. But although these men are individually unknown, both to each other and to other persons, it is generally  
21 understood in the country that none but male persons, of the age of twenty-one years and upwards, can be members. It is also  
22 generally understood that ALL male persons, born in the country, having certain complexions, and (in some localities) certain  
23 amounts of property, and (in certain cases) even persons of foreign birth, are PERMITTED to be members. But it appears  
24 that usually not more than one half, two-thirds, or in some cases, three-fourths, of all who are thus permitted to become  
25 members of the band, ever exercise, or consequently prove, their actual membership, in the only mode in which they ordinarily  
26 can exercise or prove it, viz., by giving their votes secretly for the officers or agents of the band. The number of these secret  
27 votes, so far as we have any account of them, varies greatly from year to year, thus tending to prove that the band, instead of  
28 being a permanent organization, is a merely PRO TEMPORE affair with those who choose to act with it for the time being.  
29 \ The gross number of these secret votes, or what purports to be their gross number, in different localities, is occasionally  
30 published. Whether these reports are accurate or not, we have no means of knowing. It is generally supposed that great frauds  
31 are often committed in depositing them. They are understood to be received and counted by certain men, who are themselves  
32 appointed for that purpose by the same secret process by which all other officers and agents of the band are selected.  
33 According to the reports of these receivers of votes (for whose accuracy or honesty, however, I cannot vouch), and according  
34 to my best knowledge of the whole number of male persons "in my district," who (it is supposed) were permitted to vote, it  
35 would appear that one-half, two-thirds or three-fourths actually did vote. Who the men were, individually, who cast these  
36 votes, I have no knowledge, for the whole thing was done secretly. But of the secret votes thus given for what they call a  
37 "member of Congress," the receivers reported that I had a majority, or at least a larger number than any other one person.  
38 And it is only by virtue of such a designation that I am now here to act in concert with other persons similarly selected in  
39 other parts of the country. \ It is understood among those who sent me here, that all persons so selected, will, on coming  
40 together at the City of Washington, take an oath in each other's presence "to support the Constitution of the United States."  
41 By this is meant a certain paper that was drawn up eighty years ago. It was never signed by anybody, and apparently has no  
42 obligation, and never had any obligation, as a contract. In fact, few persons ever read it, and doubtless much the largest  
43 number of those who voted for me and the others, never even saw it, or now pretend to know what it means. Nevertheless, it  
44 is often spoken of in the country as "the Constitution of the United States"; and for some reason or other, the men who sent  
45 me here, seem to expect that I, and all with whom I act, will swear to carry this Constitution into effect. I am therefore ready  
46 to take this oath, and to co-operate with all others, similarly selected, who are ready to take the same oath.

47 This is the most that any member of Congress can say in proof that he has any constituency; that he represents anybody; that  
48 his oath "to support the Constitution," IS GIVEN TO ANYBODY, or pledges his faith to ANYBODY. He has no open,  
49 written, or other authentic evidence, such as is required in all other cases, that he was ever appointed the agent or  
50 representative of anybody. He has no written power of attorney from any single individual. He has no such legal knowledge  
51 as is required in all other cases, by which he can identify a single one of those who pretend to have appointed him to represent  
52 them. Certainly, we as a society can and should structure our system of government to improve upon this serious defect in

1 the taking of oaths of public office by making all oaths into written affidavits rather than administering them only in a verbal  
2 manner.

3 Of course his oath, professedly given to them, "to support the Constitution," is, on general principles of law and reason, an  
4 oath given to nobody. It pledges his faith to nobody. If he fails to fulfill his oath, not a single person can come forward, and  
5 say to him, you have betrayed me, or broken faith with me.

6 No one can come forward and say to him: I appointed you my attorney to act for me. I required you to swear that, as my  
7 attorney, you would support the Constitution. You promised me that you would do so; and now you have forfeited the oath  
8 you gave to me. No single individual can say this.

9 No open, avowed, or responsible association, or body of men, can come forward and say to him: We appointed you our  
10 attorney, to act for us. We required you to swear that, as our attorney, you would support the Constitution. You promised us  
11 that you would do so; and now you have forfeited the oath you gave to us.

12 No open, avowed, or responsible association, or body of men, can say this to him; because there is no such association or  
13 body of men in existence. If anyone should assert that there is such an association, let him prove, if he can, who compose it.  
14 Let him produce, if he can, any open, written, or other authentic contract, signed or agreed to by these men; forming  
15 themselves into an association; making themselves known as such to the world; appointing him as their agent; and making  
16 themselves individually, or as an association, responsible for his acts, done by their authority. Until all this can be shown, no  
17 one can say that, in any legitimate sense, there is any such association; or that he is their agent; or that he ever gave his oath  
18 to them; or ever pledged his faith to them.

19 On general principles of law and reason, it would be a sufficient answer for him to say, to all individuals, and to all pretended  
20 associations of individuals, who should accuse him of a breach of faith to them:

21 *I never knew you. Where is your evidence that you, either individually or collectively, ever appointed me your*  
22 *attorney? that you ever required me to swear to you, that, as your attorney, I would support the Constitution? or*  
23 *that I have now broken any faith that I ever pledged to you? You may, or you may not, be members of that secret*  
24 *band of robbers and murderers, who act in secret; appoint their agents by a secret ballot; who keep themselves*  
25 *individually unknown even to the agents they thus appoint; and who, therefore, cannot claim that they have any*  
26 *agents; or that any of their pretended agents ever gave his oath, or pledged his faith to them. I repudiate you*  
27 *altogether. My oath was given to others, with whom you have nothing to do; or it was idle wind, given only to the*  
28 *idle winds. Begone!*

29 By no means are we suggesting, based on this section, that we should scrap our current system of government based on  
30 written Constitutions and go back to the stone age. We don't mean to be hypercritical without offering concrete solutions to  
31 the systemic defects that we describe. The fiduciary duty created by written Constitutions between public officers and their  
32 constituents is a very useful legal tool that should be exploited to its fullest to ensure a high degree of accountability for public  
33 officers and public servants to their constituents. On the other hand, this section raises some very serious defects and issues  
34 within our current system of government relating to public oaths and we can't know how to fix something until we know  
35 what is broke. Based on the discussion in this section, we therefore suggest the following remedies to address the deficiencies  
36 noted and to improve our system of republican government:

- 37 • Public records of individual voters and how they voted should be maintained. This will allow the public officer to  
38 know who he is accountable to. This would also help to ensure that vote fraud can easily be verified by individual  
39 voters. The information system that maintains this information should carefully protect the privacy of individuals  
40 and it should be accessible on the world wide web.
- 41 • Affidavits containing oaths of public office should be a matter of public record which is maintained by a public  
42 recorder and should be made available to the public on the world wide web without charge
- 43 • Oaths of public office should clearly state that public officers and public servants have a fiduciary relationship with  
44 the persons they serve and define the terms of that fiduciary relationship. See section 4.1 earlier for further details  
45 on fiduciary relationships. They should also clearly identify the specific laws at the time of the oath that describe  
46 and circumscribe the limits of the authority delegated to the officer or agent.
- 47 • Any public official caught destroying or ordering the destruction of affidavit evidence of their oath of public office  
48 should be promptly fired from office, surrender their retirement, be prosecuted criminally, and disbarred from ever  
49 holding public office again.

**4.6.9 Tax Collectors**

For the same reasons, the oaths of all the other pretended agents of this secret band of robbers and murderers are, on general principles of law and reason, equally destitute of obligation. They are given to nobody; but only to the winds.

The oaths of the tax-gatherers and treasurers of the band, are, on general principles of law and reason, of no validity. If any tax gatherer, for example, should put the money he receives into his own pocket, and refuse to part with it, the members of this band could not say to him: You collected that money as our agent, and for our uses; and you swore to pay it over to us, or to those we should appoint to receive it. You have betrayed us, and broken faith with us.

It would be a sufficient answer for him to say to them:

*I never knew you. You never made yourselves individually known to me. I never came by oath to you, as individuals. You may, or you may not, be members of that secret band, who appoint agents to rob and murder other people; but who are cautious not to make themselves individually known, either to such agents, or to those whom their agents are commissioned to rob. If you are members of that band, you have given me no proof that you ever commissioned me to rob others for your benefit. I never knew you, as individuals, and of course never promised you that I would pay over to you the proceeds of my robberies. I committed my robberies on my own account, and for my own profit. If you thought I was fool enough to allow you to keep yourselves concealed, and use me as your tool for robbing other persons; or that I would take all the personal risk of the robberies, and pay over the proceeds to you, you were particularly simple. As I took all the risk of my robberies, I propose to take all the profits. Begone! You are fools, as well as villains. If I gave my oath to anybody, I gave it to other persons than you. But I really gave it to nobody. I only gave it to the winds. It answered my purposes at the time. It enabled me to get the money I was after, and now I propose to keep it. If you expected me to pay it over to you, you relied only upon that honor that is said to prevail among thieves. You now understand that that is a very poor reliance. I trust you may become wise enough to never rely upon it again. If I have any duty in the matter, it is to give back the money to those from whom I took it; not to pay it over to villains such as you.*

**4.6.10 Oaths of naturalization given to aliens**

On general principles of law and reason, the oaths which foreigners take, on coming here, and being "naturalized" (as it is called), are of no validity. They are necessarily given to nobody; because there is no open, authentic association, to which they can join themselves; or to whom, as individuals, they can pledge their faith. No such association, or organization, as "the people of the United States," having ever been formed by any open, written, authentic, or voluntary contract, there is, on general principles of law and reason, no such association, or organization, in existence. And all oaths that purport to be given to such an association are necessarily given only to the winds. They cannot be said to be given to any man, or body of men, as individuals, because no man, or body of men, can come forward WITH ANY PROOF that the oaths were given to them, as individuals, or to any association of which they are members. To say that there is a tacit understanding among a portion of the male adults of the country, that they will call themselves "the people of the United States," and that they will act in concert in subjecting the remainder of the people of the United States to their dominion; but that they will keep themselves personally concealed by doing all their acts secretly, is wholly insufficient, on general principles of law and reason, to prove the existence of any such association, or organization, as "the people of the United States"; or consequently to prove that the oaths of foreigners were given to any such association.

**4.6.11 Oaths given to secessionists and corporations**

On general principles of law and reason, all the oaths which, since the war, have been given by Southern men, that they will obey the laws of Congress, support the Union, and the like, are of no validity. Such oaths are invalid, not only because they were extorted by military power, and threats of confiscation, and because they are in contravention of men's natural right to do as they please about supporting the government, BUT ALSO BECAUSE THEY WERE GIVEN TO NOBODY. They were nominally given to "the United States." But being nominally given to "the United States," they were necessarily given to nobody, because, on general principles of law and reason, there were no "United States," to whom the oaths could be given. That is to say, there was no open, authentic, avowed, legitimate association, corporation, or body of men, known as "the United States," or as "the people of the United States," to whom the oaths could have been given. If anybody says there was such a corporation, let him state who were the individuals that composed it, and how and when they became a corporation. Were Mr. A, Mr. B, and Mr. C members of it? If so, where are their signatures? Where the evidence of their membership? Where the record? Where the open, authentic proof? There is none. Therefore, in law and reason, there was no such corporation.

1 On general principles of law and reason, every corporation, association, or organized body of men, having a legitimate  
2 corporate existence, and legitimate corporate rights, must consist of certain known individuals, who can prove, by legitimate  
3 and reasonable evidence, their membership. But nothing of this kind can be proved in regard to the corporation, or body of  
4 men, who call themselves "the United States." Not a man of them, in all the Northern States, can prove by any legitimate  
5 evidence, such as is required to prove membership in other legal corporations, that he himself, or any other man whom he  
6 can name, is a member of any corporation or association called "the United States," or "the people of the United States," or,  
7 consequently, that there is any such corporation. And since no such corporation can be proved to exist, it cannot of course be  
8 proved that the oaths of Southern men were given to any such corporation. The most that can be claimed is that the oaths  
9 were given to a secret band of robbers and murderers, who called themselves "the United States," and extorted those oaths.  
10 But that is certainly not enough to prove that the oaths are of any obligation.

#### 11 **4.6.12 Oaths of soldiers and servicemen**

12 On general principles of law and reason, the oaths of soldiers, that they will serve a given number of years, that they will  
13 obey the orders of their superior officers, that they will bear true allegiance to the government, and so forth, are of no  
14 obligation. Independently of the criminality of an oath, that, for a given number of years, he will kill all whom he may be  
15 commanded to kill, without exercising his own judgment or conscience as to the justice or necessity of such killing, there is  
16 this further reason why a soldier's oath is of no obligation, viz., that, like all the other oaths that have now been mentioned,  
17 IT IS GIVEN TO NOBODY. There being, in no legitimate sense, any such corporation, or nation, as "the United States,"  
18 nor, consequently, in any legitimate sense, any such government as "the government of the United States," a soldier's oath  
19 given to, or contract made with, such a nation or government, is necessarily an oath given to, or contract made with, nobody.  
20 Consequently such an oath or contract can be of no obligation.

#### 21 **4.6.13 Treaties**

22 On general principles of law and reason, the treaties, so called, which purport to be entered into with other nations, by persons  
23 calling themselves ambassadors, secretaries, presidents, and senators of the United States, in the name, and in behalf, of "the  
24 people of the United States," are of no validity. These so-called ambassadors, secretaries, presidents, and senators, who claim  
25 to be the agents of "the people of the United States" for making these treaties, can show no open, written, or other authentic  
26 evidence that either the whole "people of the United States," or any other open, avowed, responsible body of men, calling  
27 themselves by that name, ever authorized these pretended ambassadors and others to make treaties in the name of, or binding  
28 upon any one of, "the people of the United States," or any other open, avowed, responsible body of men, calling themselves  
29 by that name, ever authorized these pretended ambassadors, secretaries, and others, in their name and behalf, to recognize  
30 certain other persons, calling themselves emperors, kings, queens, and the like, as the rightful rulers, sovereigns, masters, or  
31 representatives of the different peoples whom they assume to govern, to represent, and to bind.

32 The "nations," as they are called, with whom our pretended ambassadors, secretaries, presidents, and senators profess to make  
33 treaties, are as much myths as our own. On general principles of law and reason, there are no such "nations." That is to say,  
34 neither the whole people of England, for example, nor any open, avowed, responsible body of men, calling themselves by  
35 that name, ever, by any open, written, or other authentic contract with each other, formed themselves into any bona fide,  
36 legitimate association or organization, or authorized any king, queen, or other representative to make treaties in their name,  
37 or to bind them, either individually, or as an association, by such treaties.

38 Our pretended treaties, then, being made with no legitimate or bona fide nations, or representatives of nations, and being  
39 made, on our part, by persons who have no legitimate authority to act for us, have intrinsically no more validity than a  
40 pretended treaty made by the Man in the Moon with the king of the Pleiades.

#### 41 **4.6.14 Government Debts**

42 On general principles of law and reason, debts contracted in the name of "the United States," or of "the people of the United  
43 States," are of no validity. It is utterly absurd to pretend that debts to the amount of twenty-five hundred millions of dollars  
44 are binding upon thirty-five or forty millions of people [the approximate national debt and population in 1870], when there  
45 is not a particle of legitimate evidence -- such as would be required to prove a private debt -- that can be produced against  
46 any one of them, that either he, or his properly authorized attorney, ever contracted to pay one cent.

47 Certainly, neither the whole people of the United States, nor any number of them, ever separately or individually contracted  
48 to pay a cent of these debts.



1 Certainly, also, neither the whole people of the United States, nor any number of them, every, by any open, written, or other  
2 authentic and voluntary contract, united themselves as a firm, corporation, or association, by the name of "the United States,"  
3 or "the people of the United States," and authorized their agents to contract debts in their name.

4 Certainly, too, there is in existence no such firm, corporation, or association as "the United States," or "the people of the  
5 United States," formed by any open, written, or other authentic and voluntary contract, and having corporate property with  
6 which to pay these debts.

7 How, then, is it possible, on any general principle of law or reason, that debts that are binding upon nobody individually, can  
8 be binding upon forty millions of people collectively, when, on general and legitimate principles of law and reason, these  
9 forty millions of people neither have, nor ever had, any corporate property? never made any corporate or individual contract?  
10 and neither have, nor ever had, any corporate existence?

11 Who, then, created these debts, in the name of "the United States"? Why, at most, only a few persons, calling themselves  
12 "members of Congress," etc., who pretended to represent "the people of the United States," but who really represented only  
13 a secret band of robbers and murderers, who wanted money to carry on the robberies and murders in which they were then  
14 engaged; and who intended to extort from the future people of the United States, by robbery and threats of murder (and real  
15 murder, if that should prove necessary), the means to pay these debts.

16 This band of robbers and murderers, who were the real principals in contracting these debts, is a secret one, because its  
17 members have never entered into any open, written, avowed, or authentic contract, by which they may be individually known  
18 to the world, or even to each other. Their real or pretended representatives, who contracted these debts in their name, were  
19 selected (if selected at all) for that purpose secretly (by secret ballot), and in a way to furnish evidence against none of the  
20 principals INDIVIDUALLY; and these principals were really known INDIVIDUALLY neither to their pretended  
21 representatives who contracted these debts in their behalf, nor to those who lent the money. The money, therefore, was all  
22 borrowed and lent in the dark; that is, by men who did not see each other's faces, or know each other's names; who could not  
23 then, and cannot now, identify each other as principals in the transactions; and who consequently can prove no contract with  
24 each other.

25 Furthermore, the money was all lent and borrowed for criminal purposes; that is, for purposes of robbery and murder; and for  
26 this reason the contracts were all intrinsically void; and would have been so, even though the real parties, borrowers and  
27 lenders, had come face to face, and made their contracts openly, in their own proper names.

28 Furthermore, this secret band of robbers and murderers, who were the real borrowers of this money, having no legitimate  
29 corporate existence, have no corporate property with which to pay these debts. They do indeed pretend to own large tracts of  
30 wild lands, lying between the Atlantic and Pacific Oceans, and between the Gulf of Mexico and the North Pole. But, on  
31 general principles of law and reason, they might as well pretend to own the Atlantic and Pacific Oceans themselves; or the  
32 atmosphere and the sunlight; and to hold them, and dispose of them, for the payment of these debts.

33 Having no corporate property with which to pay what purports to be their corporate debts, this secret band of robbers and  
34 murderers are really bankrupt. They have nothing to pay with. In fact, they do not propose to pay their debts otherwise than  
35 from the proceeds of their future robberies and murders. These are confessedly their sole reliance; and were known to be such  
36 by the lenders of the money, at the time the money was lent. And it was, therefore, virtually a part of the contract, that the  
37 money should be repaid only from the proceeds of these future robberies and murders. For this reason, if for no other, the  
38 contracts were void from the beginning.

39 In fact, these apparently two classes, borrowers and lenders, were really one and the same class. They borrowed and lent  
40 money from and to themselves. They themselves were not only part and parcel, but the very life and soul, of this secret band  
41 of robbers and murderers, who borrowed and spent the money. Individually they furnished money for a common enterprise;  
42 taking, in return, what purported to be corporate promises for individual loans. The only excuse they had for taking these so-  
43 called corporate promises of, for individual loans by, the same parties, was that they might have some apparent excuse for  
44 the future robberies of the band (that is, to pay the debts of the corporation), and that they might also know what shares they  
45 were to be respectively entitled to out of the proceeds of their future robberies.

46 Finally, if these debts had been created for the most innocent and honest purposes, and in the most open and honest manner,  
47 by the real parties to the contracts, these parties could thereby have bound nobody but themselves, and no property but their

1 own. They could have bound nobody that should have come after them, and no property subsequently created by, or belonging  
2 to, other persons.

#### 3 **4.6.15 Our rulers are a secret society!**

4 The Constitution having never been signed by anybody; and there being no other open, written, or authentic contract between  
5 any parties whatever, by virtue of which the United States government, so called, is maintained; and it being well known that  
6 none but male persons, of twenty-one years of age and upwards, are allowed any voice in the government; and it being also  
7 well known that a large number of these adult persons seldom or never vote at all; and that all those who do vote, do so  
8 secretly (by secret ballot), and in a way to prevent their individual votes being known, either to the world, or even to each  
9 other; and consequently in a way to make no one openly responsible for the acts of their agents, or representatives, -- all these  
10 things being known, the questions arise: WHO compose the real governing power in the country? Who are the men, THE  
11 RESPONSIBLE MEN, who rob us of our property? Restrain us of our liberty? Subject us to their arbitrary dominion? And  
12 devastate our homes, and shoot us down by the hundreds of thousands, if we resist? How shall we find these men? How shall  
13 we know them from others? How shall we defend ourselves and our property against them? Who, of our neighbors, are  
14 members of this secret band of robbers and murderers? How can we know which are THEIR houses, that we may burn or  
15 demolish them? Which THEIR property, that we may destroy it? Which their persons, that we may kill them, and rid the  
16 world and ourselves of such tyrants and monsters?

17 These are questions that must be answered, before men can be free; before they can protect themselves against this secret  
18 band of robbers and murderers, who now plunder, enslave, and destroy them.

19 The answer to these questions is, that only those who have the will and power to shoot down their fellow men, are the real  
20 rulers in this, as in all other (so-called) civilized countries; for by no others will civilized men be robbed, or enslaved.

21 Among savages, mere physical strength, on the part of one man, may enable him to rob, enslave, or kill another man. Among  
22 barbarians, mere physical strength, on the part of a body of men, disciplined, and acting in concert, though with very little  
23 money or other wealth, may, under some circumstances, enable them to rob, enslave, or kill another body of men, as  
24 numerous, or perhaps even more numerous, than themselves. And among both savages and barbarians, mere want may  
25 sometimes compel one man to sell himself as a slave to another. But with (so-called) civilized peoples, among whom  
26 knowledge, wealth, and the means of acting in concert, have become diffused; and who have invented such weapons and  
27 other means of defense as to render mere physical strength of less importance; and by whom soldiers in any requisite number,  
28 and other instrumentalities of war in any requisite amount, can always be had for money, the question of war, and  
29 consequently the question of power, is little else than a mere question of money. As a necessary consequence, those who  
30 stand ready to furnish this money, are the real rulers. It is so in Europe, and it is so in this country.

31 In Europe, the nominal rulers, the emperors and kings and parliaments, are anything but the real rulers of their respective  
32 countries. They are little or nothing else than mere tools, employed by the wealthy to rob, enslave, and (if need be) murder  
33 those who have less wealth, or none at all.

34 The Rothschilds, and that class of money-lenders of whom they are the representatives and agents -- men who never think of  
35 lending a shilling to their next-door neighbors, for purposes of honest industry, unless upon the most ample security, and at  
36 the highest rate of interest -- stand ready, at all times, to lend money in unlimited amounts to those robbers and murderers,  
37 who call themselves governments, to be expended in shooting down those who do not submit quietly to being robbed and  
38 enslaved.

39 They lend their money in this manner, knowing that it is to be expended in murdering their fellow men, for simply seeking  
40 their liberty and their rights; knowing also that neither the interest nor the principal will ever be paid, except as it will be  
41 extorted under terror of the repetition of such murders as those for which the money lent is to be expended.

42 These money-lenders, the Rothschilds, for example, say to themselves: If we lend a hundred millions sterling to the queen  
43 and parliament of England, it will enable them to murder twenty, fifty, or a hundred thousand people in England, Ireland, or  
44 India; and the terror inspired by such wholesale slaughter, will enable them to keep the whole people of those countries in  
45 subjection for twenty, or perhaps fifty, years to come; to control all their trade and industry; and to extort from them large  
46 amounts of money, under the name of taxes; and from the wealth thus extorted from them, they (the queen and parliament)  
47 can afford to pay us a higher rate of interest for our money than we can get in any other way. Or, if we lend this sum to the  
48 emperor of Austria, it will enable him to murder so many of his people as to strike terror into the rest, and thus enable him to

1 keep them in subjection, and extort money from them, for twenty or fifty years to come. And they say the same in regard to  
2 the emperor of Russia, the king of Prussia, the emperor of France, or any other ruler, so called, who, in their judgment, will  
3 be able, by murdering a reasonable portion of his people, to keep the rest in subjection, and extort money from them, for a  
4 long time to come, to pay the interest and the principal of the money lent him.

5 And why are these men so ready to lend money for murdering their fellow men? Solely for this reason, viz., that such loans  
6 are considered better investments than loans for purposes of honest industry. They pay higher rates of interest; and it is less  
7 trouble to look after them. This is the whole matter. The question of making these loans is, with these lenders, a mere question  
8 of pecuniary profit. They lend money to be expended in robbing, enslaving, and murdering their fellow men, solely because,  
9 on the whole, such loans pay better than any others. They are no respecters of persons, no superstitious fools, that reverence  
10 monarchs. They care no more for a king, or an emperor, than they do for a beggar, except as he is a better customer, and can  
11 pay them better interest for their money. If they doubt his ability to make his murders successful for maintaining his power,  
12 and thus extorting money from his people in future, they dismiss him unceremoniously as they would dismiss any other  
13 hopeless bankrupt, who should want to borrow money to save himself >from open insolvency.

14 When these great lenders of blood-money, like the Rothschilds, have loaned vast sums in this way, for purposes of murder,  
15 to an emperor or a king, they sell out the bonds taken by them, in small amounts, to anybody, and everybody, who are disposed  
16 to buy them at satisfactory prices, to hold as investments. They (the Rothschilds) thus soon get back their money, with great  
17 profits; and are now ready to lend money in the same way again to any other robber and murderer, called an emperor or king,  
18 who, they think, is likely to be successful in his robberies and murders, and able to pay a good price for the money necessary  
19 to carry them on.

20 This business of lending blood-money is one of the most thoroughly sordid, cold-blooded, and criminal that was ever carried  
21 on, to any considerable extent, amongst human beings. It is like lending money to slave traders, or to common robbers and  
22 pirates, to be repaid out of their plunder. And the men who loan money to governments, so called, for the purpose of enabling  
23 the latter to rob, enslave, and murder their people, are among the greatest villains that the world has ever seen. And they as  
24 much deserve to be hunted and killed (if they cannot otherwise be got rid of) as any slave traders, robbers, or pirates that ever  
25 lived.

26 When these emperors and kings, so-called, have obtained their loans, they proceed to hire and train immense numbers of  
27 professional murderers, called soldiers, and employ them in shooting down all who resist their demands for money. In fact,  
28 most of them keep large bodies of these murderers constantly in their service, as their only means of enforcing their extortions.  
29 There are now [1870], I think, four or five millions of these professional murderers constantly employed by the so-called  
30 sovereigns of Europe. The enslaved people are, of course, forced to support and pay all these murderers, as well as to submit  
31 to all the other extortions which these murderers are employed to enforce.

32 It is only in this way that most of the so-called governments of Europe are maintained. These so-called governments are in  
33 reality only great bands of robbers and murderers, organized, disciplined, and constantly on the alert. And the so-called  
34 sovereigns, in these different governments, are simply the heads, or chiefs, of different bands of robbers and murderers. And  
35 these heads or chiefs are dependent upon the lenders of blood-money for the means to carry on their robberies and murders.  
36 They could not sustain themselves a moment but for the loans made to them by these blood-money loan-mongers. And their  
37 first care is to maintain their credit with them; for they know their end is come, the instant their credit with them fails.  
38 Consequently the first proceeds of their extortions are scrupulously applied to the payment of the interest on their loans.

39 In addition to paying the interest on their bonds, they perhaps grant to the holders of them great monopolies in banking, like  
40 the Banks of England, of France, and of Vienna; with the agreement that these banks shall furnish money whenever, in sudden  
41 emergencies, it may be necessary to shoot down more of their people. Perhaps also, by means of tariffs on competing imports,  
42 they give great monopolies to certain branches of industry, in which these lenders of blood-money are engaged. They also,  
43 by unequal taxation, exempt wholly or partially the property of these loan-mongers, and throw corresponding burdens upon  
44 those who are too poor and weak to resist.

45 Thus it is evident that all these men, who call themselves by the high-sounding names of Emperors, Kings, Sovereigns,  
46 Monarchs, Most Christian Majesties, Most Catholic Majesties, High Mightinesses, Most Serene and Potent Princes, and the  
47 like, and who claim to rule "by the grace of God," by "Divine Right" -- that is, by special authority from Heaven -- are  
48 intrinsically not only the merest miscreants and wretches, engaged solely in plundering, enslaving, and murdering their fellow  
49 men, but that they are also the merest hangers on, the servile, obsequious, fawning dependents and tools of these blood-money  
50 loan-mongers, on whom they rely for the means to carry on their crimes. These loan-mongers, like the Rothschilds, laugh in

1 their sleeves, and say to themselves: These despicable creatures, who call themselves emperors, and kings, and majesties, and  
2 most serene and potent princes; who profess to wear crowns, and sit on thrones; who deck themselves with ribbons, and  
3 feathers, and jewels; and surround themselves with hired flatterers and lickspittles; and whom we suffer to strut around, and  
4 palm themselves off, upon fools and slaves, as sovereigns and lawgivers specially appointed by Almighty God; and to hold  
5 themselves out as the sole fountains of honors, and dignities, and wealth, and power -- all these miscreants and imposters  
6 know that we make them, and use them; that in us they live, move, and have their being; that we require them (as the price  
7 of their positions) to take upon themselves all the labor, all the danger, and all the odium of all the crimes they commit for  
8 our profit; and that we will unmake them, strip them of their gewgaws, and send them out into the world as beggars, or give  
9 them over to the vengeance of the people they have enslaved, the moment they refuse to commit any crime we require of  
10 them, or to pay over to us such share of the proceeds of their robberies as we see fit to demand.

#### 11 **4.6.16 The agenda of our public servants is murder, robbery, slavery, despotism, and oppression**

12 Now, what is true in Europe, is substantially true in this country. The difference is the immaterial one, that, in this country,  
13 there is no visible, permanent head, or chief, of these robbers and murderers who call themselves "the government." That is  
14 to say, there is no ONE MAN, who calls himself the state, or even emperor, king, or sovereign; no one who claims that he  
15 and his children rule "by the Grace of God," by "Divine Right," or by special appointment from Heaven. There are only  
16 certain men, who call themselves presidents, senators, and representatives, and claim to be the authorized agents, FOR THE  
17 TIME BEING, OR FOR CERTAIN SHORT PERIODS, OF ALL "the people of the United States"; but who can show no  
18 credentials, or powers of attorney, or any other open, authentic evidence that they are so; and who notoriously are not so; but  
19 are really only the agents of a secret band of robbers and murderers, whom they themselves do not know, and have no means  
20 of knowing, individually; but who, they trust, will openly or secretly, when the crisis comes, sustain them in all their  
21 usurpations and crimes.

22 What is important to be noticed is, that these so-called presidents, senators, and representatives, these pretended agents of all  
23 "the people of the United States," the moment their exactions meet with any formidable resistance from any portion of "the  
24 people" themselves, are obliged, like their co-robbers and murderers in Europe, to fly at once to the lenders of blood money,  
25 for the means to sustain their power. And they borrow their money on the same principle, and for the same purpose, viz.,  
26 to be expended in shooting down all those "people of the United States" -- their own constituents and principals, as they profess  
27 to call them -- who resist the robberies and enslavements which these borrowers of the money are practicing upon them. And  
28 they expect to repay the loans, if at all, only from the proceeds of the future robberies, which they anticipate it will be easy  
29 for them and their successors to perpetrate through a long series of years, upon their pretended principals, if they can but  
30 shoot down now some hundreds of thousands of them, and thus strike terror into the rest.

31 Perhaps the facts were never made more evident, in any country on the globe, than in our own, that these soulless blood-  
32 money loan-mongers are the real rulers; that they rule from the most sordid and mercenary motives; that the ostensible  
33 government, the presidents, senators, and representatives, so called, are merely their tools; and that no ideas of, or regard for,  
34 justice or liberty had anything to do in inducing them to lend their money for the war [i.e, the Civil War]. In proof of all this,  
35 look at the following facts.

36 Nearly a hundred years ago we professed to have got rid of all that religious superstition, inculcated by a servile and corrupt  
37 priesthood in Europe, that rulers, so called, derived their authority directly from Heaven; and that it was consequently a  
38 religious duty on the part of the people to obey them. We professed long ago to have learned that governments could rightfully  
39 exist only by the free will, and on the voluntary support, of those who might choose to sustain them. We all professed to have  
40 known long ago, that the only legitimate objects of government were the maintenance of liberty and justice equally for all.  
41 All this we had professed for nearly a hundred years. And we professed to look with pity and contempt upon those ignorant,  
42 superstitious, and enslaved peoples of Europe, who were so easily kept in subjection by the frauds and force of priests and  
43 kings.

44 Notwithstanding all this, that we had learned, and known, and professed, for nearly a century, these lenders of blood money  
45 had, for a long series of years previous to the war, been the willing accomplices of the slave-holders in perverting the  
46 government from the purposes of liberty and justice, to the greatest of crimes. They had been such accomplices FOR A  
47 PURELY PECUNIARY CONSIDERATION, to wit, a control of the markets in the South; in other words, the privilege of  
48 holding the slave-holders themselves in industrial and commercial subjection to the manufacturers and merchants of the North  
49 (who afterwards furnished the money for the war). And these Northern merchants and manufacturers, these lenders of blood-  
50 money, were willing to continue to be the accomplices of the slave-holders in the future, for the same pecuniary  
51 considerations. But the slave-holders, either doubting the fidelity of their Northern allies, or feeling themselves strong enough

1 to keep their slaves in subjection without Northern assistance, would no longer pay the price which these Northern men  
2 demanded. And it was to enforce this price in the future -- that is, to monopolize the Southern markets, to maintain their  
3 industrial and commercial control over the South -- that these Northern manufacturers and merchants lent some of the profits  
4 of their former monopolies for the war, in order to secure to themselves the same, or greater, monopolies in the future. These  
5 -- and not any love of liberty or justice -- were the motives on which the money for the war was lent by the North. In short,  
6 the North said to the slave-holders: If you will not pay us our price (give us control of your markets) for our assistance against  
7 your slaves, we will secure the same price (keep control of your markets) by helping your slaves against you, and using them  
8 as our tools for maintaining dominion over you; for the control of your markets we will have, whether the tools we use for  
9 that purpose be black or white, and be the cost, in blood and money, what it may.

10 On this principle, and from this motive, and not from any love of liberty, or justice, the money was lent in enormous amounts,  
11 and at enormous rates of interest. And it was only by means of these loans that the objects of the war were accomplished.

12 And now these lenders of blood-money demand their pay; and the government, so called, becomes their tool, their servile,  
13 slavish, villainous tool, to extort it from the labor of the enslaved people both of the North and South. It is to be extorted by  
14 every form of direct, and indirect, and unequal taxation. Not only the nominal debt and interest -- enormous as the latter was  
15 -- are to be paid in full; but these holders of the debt are to be paid still further -- and perhaps doubly, triply, or quadruply  
16 paid -- by such tariffs on imports as will enable our home manufacturers to realize enormous prices for their commodities;  
17 also by such monopolies in banking as will enable them to keep control of, and thus enslave and plunder, the industry and  
18 trade of the great body of the Northern people themselves. In short, the industrial and commercial slavery of the great body  
19 of the people, North and South, black and white, is the price which these lenders of blood money demand, and insist upon,  
20 and are determined to secure, in return for the money lent for the war.

21 This programme having been fully arranged and systematized, they put their sword into the hands of the chief murderer of  
22 the war, [undoubtedly a reference to General Grant, who had just become president] and charge him to carry their scheme  
23 into effect. And now he, speaking as their organ, says, "LET US HAVE PEACE."

24 The meaning of this is: Submit quietly to all the robbery and slavery we have arranged for you, and you can have "peace."  
25 But in case you resist, the same lenders of blood-money, who furnished the means to subdue the South, will furnish the means  
26 again to subdue you.

27 These are the terms on which alone this government, or, with few exceptions, any other, ever gives "peace" to its people.

28 The whole affair, on the part of those who furnished the money, has been, and now is, a deliberate scheme of robbery and  
29 murder; not merely to monopolize the markets of the South, but also to monopolize the currency, and thus control the industry  
30 and trade, and thus plunder and enslave the laborers, of both North and South. And Congress and the president are today the  
31 merest tools for these purposes. They are obliged to be, for they know that their own power, as rulers, so-called, is at an end,  
32 the moment their credit with the blood-money loan-mongers fails. They are like a bankrupt in the hands of an extortioner.  
33 They dare not say nay to any demand made upon them. And to hide at once, if possible, both their servility and crimes, they  
34 attempt to divert public attention, by crying out that they have "Abolished Slavery!" That they have "Saved the Country!"  
35 That they have "Preserved our Glorious Union!" and that, in now paying the "National Debt," as they call it (as if the people  
36 themselves, ALL OF THEM WHO ARE TO BE TAXED FOR ITS PAYMENT, had really and voluntarily joined in  
37 contracting it), they are simply "Maintaining the National Honor!"

38 By "maintaining the national honor," they mean simply that they themselves, open robbers and murderers, assume to be the  
39 nation, and will keep faith with those who lend them the money necessary to enable them to crush the great body of the people  
40 under their feet; and will faithfully appropriate, from the proceeds of their future robberies and murders, enough to pay all  
41 their loans, principal and interest.

42 The pretense that the "abolition of slavery" was either a motive or justification for the war, is a fraud of the same character  
43 with that of "maintaining the national honor." Who, but such usurpers, robbers, and murderers as they, ever established  
44 slavery? Or what government, except one resting upon the sword, like the one we now have, was ever capable of maintaining  
45 slavery? And why did these men abolish slavery? Not from any love of liberty in general -- not as an act of justice to the  
46 black man himself, but only "as a war measure," and because they wanted his assistance, and that of his friends, in carrying  
47 on the war they had undertaken for maintaining and intensifying that political, commercial, and industrial slavery, to which  
48 they have subjected the great body of the people, both black and white. And yet these imposters now cry out that they have  
49 abolished the chattel slavery of the black man -- although that was not the motive of the war -- as if they thought they could

1 thereby conceal, atone for, or justify that other slavery which they were fighting to perpetuate, and to render more rigorous  
2 and inexorable than it ever was before. There was no difference of principle -- but only of degree -- between the slavery they  
3 boast they have abolished, and the slavery they were fighting to preserve; for all restraints upon men's natural liberty, not  
4 necessary for the simple maintenance of justice, are of the nature of slavery, and differ >from each other only in degree.

5 If their object had really been to abolish slavery, or maintain liberty or justice generally, they had only to say: All, whether  
6 white or black, who want the protection of this government, shall have it; and all who do not want it, will be left in peace, so  
7 long as they leave us in peace. Had they said this, slavery would necessarily have been abolished at once; the war would have  
8 been saved; and a thousand times nobler union than we have ever had would have been the result. It would have been a  
9 voluntary union of free men; such a union as will one day exist among all men, the world over, if the several nations, so  
10 called, shall ever get rid of the usurpers, robbers, and murderers, called governments, that now plunder, enslave, and destroy  
11 them.

12 Still another of the frauds of these men is, that they are now establishing, and that the war was designed to establish, "a  
13 government of consent." The only idea they have ever manifested as to what is a government of consent, is this -- that it is  
14 one to which everybody must consent, or be shot. This idea was the dominant one on which the war was carried on; and it is  
15 the dominant one, now that we have got what is called "peace."

16 Their pretenses that they have "Saved the Country," and "Preserved our Glorious Union," are frauds like all the rest of their  
17 pretenses. By them they mean simply that they have subjugated, and maintained their power over, an unwilling people. This  
18 they call "Saving the Country"; as if an enslaved and subjugated people -- or as if any people kept in subjection by the sword  
19 (as it is intended that all of us shall be hereafter) -- could be said to have any country. This, too, they call "Preserving our  
20 Glorious Union"; as if there could be said to be any Union, glorious or inglorious, that was not voluntary. Or as if there could  
21 be said to be any union between masters and slaves; between those who conquer, and those who are subjugated.

22 All these cries of having "abolished slavery," of having "saved the country," of having "preserved the union," of establishing  
23 "a government of consent," and of "maintaining the national honor," are all gross, shameless, transparent cheats -- so  
24 transparent that they ought to deceive no one -- when uttered as justifications for the war, or for the government that has  
25 succeeded the war, or for now compelling the people to pay the cost of the war, or for compelling anybody to support a  
26 government that he does not want.

27 The lesson taught by all these facts is this: As long as mankind continue to pay "national debts," so-called -- that is, so long  
28 as they are such dupes and cowards as to pay for being cheated, plundered, enslaved, and murdered -- so long there will be  
29 enough to lend the money for those purposes; and with that money a plenty of tools, called soldiers, can be hired to keep  
30 them in subjection. But when they refuse any longer to pay for being thus cheated, plundered, enslaved, and murdered, they  
31 will cease to have cheats, and usurpers, and robbers, and murderers and blood-money loan-mongers for masters.

#### 32 **4.7 The U.S.A. is a Republic, not a Democracy**<sup>127</sup>

33 *"The United States shall guarantee to every State in this Union a Republican Form of Government..."*

34 Article 4, Section 4 of the Federal Constitution is particularly interesting because it's one of the few sections of the  
35 Constitution which expressly *mandate* specific obligations for the Federal Government. In contrast, read Article 1, Section  
36 8, Clause 1:

37 *United States Constitution*  
38 *Article 1, Section 8, Clause 1*

39 *"The Congress shall have Power To lay and collect Taxes, duties, Imposts and Excises to pay the Debts and*  
40 *provide for the common Defense and general Welfare of the United States..."*

41 Note that while this section grants Congress the power to "lay and collect Taxes," etc., it does not *mandate* that Congress  
42 shall do so. If Congress wants to "lay and collect taxes," they can; they have the power to do so. But if Congress doesn't  
43 want to "lay and collect taxes," they don't have to; they can refuse to exercise their power of taxation.

<sup>127</sup> Derived and adapted from *Suspicious* magazine, Vol. 11. No. 3 in an article by Alfred Adask entitled "A 'Republican Form of Government'". See <http://www.antishyster.net/>.

1 But under Article 4, Section 4, Congress has no such discretion. They must “guarantee every State in this Union a Republican  
2 Form of Government...” The federal mandate for a “Republican Form of Government” is echoed in Article 1, Section 2 of  
3 the Texas Constitution which reads:

4 *“INHERENT POLITICAL POWER; REPUBLIC FORM OF GOVERNMENT. All political power is inherent in  
5 the people, and all free governments are founded on their authority, and instituted for their benefit. The faith of  
6 the people of Texas stands pledged to the preservation of a republican form of government, and subject to this  
7 limitation only, they have at all times the inalienable right to alter, reform or abolish their government in such  
8 manner as they may think expedient.”*

9 In other words, the *only* form of government that can *ever* be lawful in Texas is a “*republican form of government*”. Texans  
10 can change their State government any way we please, any time we please, “subject to *one limitation only*”—that we preserve  
11 a “republican form of government”—no matter what. Several other state constitutions include similar guarantees of a  
12 “republican form of government”. It seems that early Texans also thought a “republican form of government” was absolutely  
13 vital.

#### 14 **4.7.1 Republican mystery**

15 *Problem is*, what is a “republican form of government”? I’ve been intrigued by that question for several years, but a clear  
16 definition of the concept has persistently eluded me. For example, according to the 1<sup>st</sup> Edition of *Black’s Law Dictionary*  
17 (*published in 1891*):

18 *“REPUBLICAN GOVERNMENT. A government in the republican form; a government of the people; a  
19 government by representatives chosen by the people. Cooley, Const. Law 194.”*  
20 [*Black’s Law Dictionary, First Edition, 1891*]

21 *Gee, that’s about as helpful as defining “black” as a “dark color”. You’d think they could be a bit more precise, no? If  
22 there was a concise definition there, I wasn’t smart enough to see it. I kept wondering why such an important concept was  
23 so poorly defined. After all, isn’t it a fundamental rule of lexicography that definitions don’t include the word being defined?  
24 If so, why did Black’s use “republican form” to define “republican government”? Were they merely negligent or intentionally  
25 trying to obscure the concept?*

26 *Black’s Fourth Edition (published in 1968) provide virtually the same definition of “republican government” as Black’s 1<sup>st</sup>  
27 (1891). Once again, we’re essentially told that “republics” are very “republican”. That’s not very elucidating. I couldn’t  
28 believe that “representation” was all the founders sought to guarantee in Article 4 Section 4 of the Constitution. After all,  
29 virtually every form of government—even dictatorships and communists—have some kind of “representation” for the people.*

30 I simply couldn’t believe the Founders wasted quill and ink on Article 4, Section 4 of the Federal Constitution to simply  
31 mandate that the government allow the people to have representatives. A “Republican form of Government” had to mean  
32 much more. Further, the mysterious failure to concisely define a concept as fundamental and mandatory as “Republican  
33 Form of Government” implied that the meaning might be so important that it was intentionally obscured.

#### 34 **4.7.2 Military Intelligence**

35 I read comparative definitions of “democracy” and “republic” in *U.S. Government Training Manual No. 2000-25* for Army  
36 officers (published by the War Department on November 30, 1928). Those definitions illustrate that in 1928, democracy was  
37 officially viewed as dangerous and our military was sworn to defend our “Republic”:

38 *DEMOCRACY: A government of masses. Authority derived through mass meeting or any other form of “direct”  
39 expression. Results in mobocracy. Attitude toward property is communistic—negating property rights. Attitude  
40 toward law is that the will of the majority shall regulate, whether it be based upon deliberation or governed by  
41 passion, prejudice, and impulse, without restraint or regard to consequences. Results in demagogism, license,  
42 agitation, discontent, anarchy.*

43 *REPUBLIC: Authority is derived through the election by the people of public officials best fitted to represent  
44 them. Attitude toward property is respect for laws and individual rights, and a sensible economic procedure.  
45 Attitude toward law is the administration of justice in accord with fixed principles and established evidence, with  
46 a strict regard to consequences. A great number of citizens and extent of territory may be brought within its  
47 compass. Avoids the dangerous extreme of either tyranny or mobocracy. Results in statesmanship, liberty,  
48 reason, justice, contentment, and progress...[Emph. Add.]*

[U.S. Government Training Manual No. 2000-25 for Army officers (published by the War Department on November 30, 1928)]

These military definitions were improvements over *Black's 1<sup>st</sup>* and Fourth Editions. We can tell that the Army regarded “democracy” as contemptible and “republic” as noble, but otherwise, the essential meaning of “republican form of government” remained elusive.

### 4.7.3 Sovereign Power

My search for the meaning of “republic,” “democracy” and “republican form of government” ended with *Black's 7<sup>th</sup> Edition* (1999). Unlike previous editions, *Black's 7<sup>th</sup>* doesn't even define “republican government”—but it does offer an illuminating definition of:

*“REPUBLIC. N. A system of government in which the people hold sovereign power and elect representatives who exercise that power. It contrasts on the one hand with a pure democracy, in which the people or community as an organized whole wield the sovereign power of government, and on the other with the rule of one person (such as a king, emperor, czar, or sultan).”*

Ohh, that's a *beauty!* I'd read that definition several times since 1999 without recognizing the inherent implications. But once I saw the implied meaning, I was electrified. First, note that definition focuses on “*sovereign power*”. Who “holds” sovereign power? The answer to that question provides the *essential distinction* between a republic, a democracy, and a monarchy (and probably all other forms of government).

But what is “sovereign power”? It's pretty obvious that the words “sovereign,” “king” and “monarchy” are so closely associated as to be almost synonymous. Further, in Western civilization, whenever one or more individuals hold “sovereign power,” it's almost certain that such power flows from *God*. For example, to be an earthly “sovereign” (King), one must gain the authority of sovereignty from *God*. This is the fundamental premise for the “divine right of kings” (sovereigns). God is the source of all “divine” rights. All other sources of authority are transient and simply based on raw power, survival of the fittest, and the idea that “might makes right” (“right” meaning “sovereign power”). Without a claim of *divine* origin of right, such “sovereign” powers are subject to constant challenge by anyone who believes his personal power is comparable or superior to that of the existing King. But gilded with the presumption of *divine* origin and implied Godly approval, “sovereign powers” can't be lawfully challenged by any mortal man. Such powers are, by definition, superior to any form of man-made (secular) political powers.

The idea that sovereign powers flow *directly from God* is consistent with the “Declaration of Independence” which reads in part:

*“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights...” [Emph. Added]*  
[Declaration of Independence]

Clearly, just as the “divine rights” of English kings flowed from God, so did our “unalienable Rights”. Further, if “*all* men [including kings] are created *equal*,” then it follows that whatever “divine rights” were accorded to *kings* by God in 1776 must be *equal* to whatever “unalienable Rights” were simultaneously granted to “all men” by God as established by the “Declaration of Independence”. After all, if all men (kings and commoners) are created equal, their God-given rights must likewise be equal. Ergo, “unalienable Rights” and “divine rights” should be synonymous. If so, any “divine right” that was recognized in English law as belonging to English kings in 1776 should also be included among the bundle of “unalienable Rights” accorded to Americans by the 1776 Declaration.

### 4.7.4 Government's Purpose

The third sentence of the “Declaration of Independence” reads:

*“That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.” [Emph. add.]*

Here we see the primary *purpose* of our “Form of Government”: “to *secure* these rights”. What “rights”?



1 Answer: The “unalienable Rights” (including Life, Liberty and the pursuit of Happiness) mentioned in the Declaration’s  
 2 previous (second) sentence. Thus—if “unalienable,” “divine,” and “sovereign” rights are virtually synonymous—then the  
 3 primary legitimate *purpose* for our government is to “secure” our God-given, unalienable (sovereign) Rights.

4 And who, pray tell, is the recipient of the Declaration’s sovereign/unalienable Rights? Is it We the People in a *collective*  
 5 sense? Or is it We the People in an *individual* sense? The correct answer is “individual”. Below is a U.S. Supreme Court  
 6 cite that backs this conclusion up from *Penhallow v. Doane*’s, 3 U.S. 54, 3 Dall. 54, 1 L.Ed. 507 (1795):

7 *“The great distinction between Monarchies and Republics (at least our Republics) in general is, that in the former*  
 8 *the monarch is considered as the sovereign, and each individual of his nation a subject to him, though in some*  
 9 *countries with many important special limitations: This, I say, is generally the case, for it has not been so*  
 10 *universally. But in a Republic, all the citizens, as such, are equal, and no citizen can rightfully exercise any*  
 11 *authority over another, but in virtue of a power constitutionally given by the whole community, and such*  
 12 *authority when exercised, is in effect an act of the whole community which forms such body politic. In such*  
 13 *governments, therefore, the sovereignty resides in the great body of the people, but it resides in them not as so*  
 14 *many distinct individuals, but in their politic capacity only.”*  
 15 [*Penhallow v. Doane*’s, 3 U.S. 54, 3 Dall. 54, 1 L.Ed. 507 (1795)]

16 God endows *me* with “certain unalienable Rights,” and He endows *you* with “certain unalienable Rights” and He endows  
 17 each of our neighbors with “certain unalienable Rights”. At the moment of creation, *each of us*—as *individuals*—are *equally*  
 18 “endowed by our Creator” with “certain unalienable Rights”. The idea that we are endowed *individually* (rather than  
 19 collectively) with identical sets of sovereign/unalienable Rights is further supported by the State constitutions and the Bill of  
 20 Rights which make it clear that virtually all of our sovereign/unalienable Rights are held as *individuals*.

#### 21 4.7.5 Who holds the sovereign power?

22 OK—big deal, hmm? We hold our unalienable Rights as “individuals”. Someone alert the media. Well, actually, it is a big  
 23 deal because—if you’ll recall—the *Black’s 7<sup>th</sup>* definition of “republic” implies that the essential distinction between a  
 24 monarchy, a republic and a democracy is determined by *who* holds the “sovereign powers”:

25 *“REPUBLIC. n. A system of government in which the people hold sovereign power and elect representatives who*  
 26 *exercise that power. It contrasts on the one hand with a pure democracy, in which the people or community as*  
 27 *an organized whole wield the sovereign power of government, and on the other with the rule of one person (such*  
 28 *as a king, emperor, czar, or sultan). “*  
 29 [Black’s Law Dictionary, Seventh Edition, Emph. added]

30 Therefore, what is a *republic* and (by implication) a “Republican Form of Government”? *Black’s 7<sup>th</sup>* does not expressly  
 31 answer that question but it does provide enough contrasting definitions to allow us to deduce the mysterious meaning of  
 32 “republic”.

33 First, a monarchy is the most easily understood form of government since the sovereign powers are held exclusively by *one*  
 34 individual—the king. He alone has God-given, unalienable Rights. All others are “subjects” who have no legal authority or  
 35 right to resist the King’s will. However, distinguishing between a democracy and a republic is more subtle. *Black’s 7<sup>th</sup>*  
 36 explains that in both a democracy and a republic, the sovereign powers are held by the *people*. Therefore, the first time you  
 37 read that definition, you may be both confused and reassured. In either case, you see that the “people” hold the sovereign  
 38 powers. OK, sounds great. We the People. Of the people, by the people, for the people. People, people, people. Sounds  
 39 just like the all-American answer we’d expect to hear because we’ve been told all our lives that, in this country, the *people*  
 40 are sovereign.

41 Uh-huh. But if you read the phrase defining a democracy again, you’ll see that “people” is qualified by “as an organized  
 42 whole.” I believe that qualification is the key to understanding republic. If the “people” in a democracy hold sovereign  
 43 power as an “organized whole,” they hold that power as a *collective*. Unlike a monarchy where *one* individual (the king)  
 44 holds all sovereign power, in a democracy the sovereign power is held by the collective or as a *group*. But—in a democracy  
 45 *no* individual holds any sovereign power.

46 OK. *Black’s 7<sup>th</sup>* defines “republic” as a system of government in which the “people hold sovereign power.” So if a monarchy  
 47 has *one* sovereign individual...and a democracy *no* sovereign individuals.. then it would seem to follow that in a republic...*all*  
 48 individuals hold sovereign power! Do you see the difference between a democracy and a republic? In both forms of  
 49 government, the *people* hold the sovereign power—but in the democracy those powers are held by the people as a *collective*,  
 50 while in the republic, those powers are held by the people as *individuals*.

#### 4.7.6 Individually-held God-given unalienable Rights

Thus, a “republic” is a system of government which recognizes that each person is *individually* “endowed by his Creator with certain unalienable Rights.” I am individually endowed, you are individually endowed, our neighbors are each *individually* endowed. Why is this *individual* endowment important? Because it doesn’t matter how the majority votes in a republic—they can’t arbitrarily deprive a single individual of his sovereign/unalienable Rights to “Life, Liberty and the pursuit of Happiness” unless some of those unalienable Rights have been expressly delegated to government through the Constitution.

In a republic, the majority can’t vote to incarcerate (or execute) all the Jews, Blacks’ Japanese or patriots. Why? Because in a republic “All men are created equal and endowed by their Creator with certain unalienable Rights”—and no man or collection of men (not even a massive democratic majority) can arbitrarily deprive *any* individual (even if he’s a “kike,” “nigger,” “gook,” “political extremist” or “religious fundamentalist”) of his God-given, unalienable Rights. Why? Because in the American republic, every man holds the position of “sovereign” (one who enjoys the “divine rights of kings”). The American republic is essentially a nation of kings. Thus, as per the Declaration of Independence, a “Republican Form of Government” is one which *recognizes and “secures” each individual’s “sovereign powers”—his individually-held, God-given, unalienable Rights.*<sup>128</sup>

#### 4.7.7 A republic’s covenant

In a republic, every individual’s unalienable Rights cannot be violated or arbitrarily denied by any mortal man or democratic majority—*unless* that individual first violates his covenant with God. This principle is based on the premise that our “unalienable Rights” are *conditional*; they are given to each of us by God on condition that we obey the balance of God’s laws (like “Thou shalt not kill”, “thou shalt not steal”, etc). If an individual chooses to violate God’s law, he breaches his covenant with God, and his claim to God’s protections, blessings, and endowment of “unalienable Rights” is forfeit. For example, if it can be proved in a court of law that a particular individual has broken his covenant with God to “not kill,” that individual forfeits his own unalienable Right to Life and may be lawfully executed. An eye for an eye, a tooth for a tooth...do unto others as you would have government do unto you.

However, in a republic, execution cannot be lawfully imposed on isolated individuals or groups who haven’t *individually* breached their covenant with God. Why? Because that individual has God-given, unalienable Rights. Those individually-held rights are the basis for his defense. That’s the foundation for his presumption of innocence. Why? Because the votes and opinions of all mankind taken together are trivialities when compared to God. If God endows an individual with a particular Right, the whole of mankind lacks sufficient collective authority to arbitrarily revoke or violate that right—unless that individual has first breached his covenant with God.

#### 4.7.8 Divine endowment

This Biblical interpretation may seem like so much “holy rolling,” but it has great significance in a “Republican Form of Government”. For example, in a republic, you can only be charged with a crime if you injure the person or property of another sovereign individual. So long as you don’t injure, rob or kill another sovereign (and thereby violate *his* God-given, unalienable Rights), there is no crime. In a republic, there can be no crimes “against the state” (the collective)—only against God. Likewise, except for certain biblical prohibitions (like working on the Sabbath), there are no “victimless crimes” in a republic. However, in a democracy, the majority (or their presumed agent, the government) can vote that any act is a crime (hate speech, for example) even if no individual’s life, person or property is damaged. Thus, “victimless crimes” and “crimes against the state” (which are almost impossible in a true republic) are common under democracy. Why? Because there are no legitimate *victims* in a democracy. Why? Because, in a democracy, *no individual* has any unalienable Rights.

Without rights, you can’t be a victim; there’s nothing to damage. For example, to shoot a homo sapiens without unalienable Rights is legally indistinguishable from killing a cow. Without God-given, unalienable Rights, there’s nothing intrinsic to violate. Sure, the democracy may vote that murder is wrong (at least when committed against the majority). But that democratic collective can likewise vote that murdering Jews, Blacks, homosexuals, patriots—or even specific individuals like Jesus Christ—is quite alright. As citizens of a democracy, we each have no more *individual* rights than cows. Without individually-held, God-given rights “secured” by a “Republican Form of Government,” we have no intrinsic value and may

<sup>128</sup> Not every “republic” conforms to this definition. For example, the former “Union of Soviet Socialist Republics” claimed to be composed of “Republics,” but merely used that word as a political label. Those “republics” were actually collectives where sovereign power was held by the collective, not individuals.

1 be fairly characterized as “human resources”. In a democracy, we have no individually-held, unalienable Rights to shield us  
2 against the arbitrary will of the majority or their agents: government.

3 Think not? Ask Vickie Weaver about her unalienable Right to Life in our fair “democracy”. FBI hitman Lon Horiuchi  
4 simply shot her in the head like any other dumb animal. Why? Because, as a citizen of a democracy (where the sovereign  
5 powers are held by the *collective*), Vickie Weaver had no *individual* right to Life. Same was true for the Branch Davidians.  
6 Same is true for you and for me. In a democracy, there are no individually-held, unalienable Rights so we are all individually  
7 defenseless against the majority and/or the government. Look at the ranchers and farmers in Klamath Falls, Oregon. They’re  
8 losing their homes to save some suckerfish. They’re shocked to learn that our government doesn’t recognize or secure their  
9 “unalienable Rights to Life, Liberty and pursuit of Happiness” (property).

10 But the truth is that—as citizens of a *democracy*—those individual ranchers don’t have *any* unalienable Rights to their  
11 property. The democracy has “spoken” (if only by its silence). The majority has presumptively ruled (at least, they haven’t  
12 complained loudly) that endangered suckerfish are more important than the “suckers” who allowed themselves to become  
13 citizens of a democracy. The citizens of Klamath Falls are learning that, as a tiny minority in a national democracy, they are  
14 as defenseless as Jews in a Nazi concentration camp.

#### 15 **4.7.9 Democracies must by nature be deceptive to maintain their power**

16 This doesn’t mean that a democratic government can do virtually anything it wants. It has to be careful and crafty. It can’t  
17 murder so many citizens or steal so much property that the majority of citizens of the democracy wake up and vote to stop  
18 government from killing or robbing individuals. So a democratic government has to be sneaky. It has to control public  
19 opinion. It has to follow (almost worship) the public opinion polls. It can only implement so much abuse as the public will  
20 endure without actually getting angry enough to vote the S.O.B.’s out. As a result, the only thing a democracy fears is public  
21 exposure.

22 Conversely, in a republic, it’s simply unlawful for an FBI hitman to kill a woman holding a baby and get away with it. In a  
23 republic, government officials can’t flambe’ a bunch of kids in Waco and walk away with promotions and a fat pension. In  
24 a republic, you can’t effectively “seize” another person’s property by declaring that property can no longer be used to raise  
25 cattle if that use adversely affects the lowly suckerfish. In a republic, *individuals* have unalienable Rights; suckerfish don’t.  
26 Thus, the rights of individuals are superior to the interests of suckerfish. In a republic, neither a 99% democratic majority  
27 nor the Gates of Hell can lawfully prevail over the God-given, unalienable Rights with which every *individual* is endowed.  
28 See the difference?

29 In a monarchy, one individual holds the sovereign powers. In a democracy, *no* individual holds sovereign powers. But in a  
30 republic only, *all* individuals hold “sovereign powers” (God-given, unalienable Rights).

31 Where would you rather live? Where *only one* individual had sovereign powers? Where *no* individual had sovereign powers?  
32 Or where *all* individuals (including you) have sovereign powers?

#### 33 **4.7.10 Democratic disabilities**

34 *“The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political*  
35 *controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles*  
36 *to be applied by the courts. One’s right to life, liberty, and property, to free speech, a free press, freedom of*  
37 *worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome*  
38 *of no elections.”*

39 [*West Virginia State Board of Education v. Barnette, 319 U.S. 624, 63 S.Ct. 1178 (1943)*]

40 *Black’s Law Dictionary, 7<sup>th</sup> Edition* defines “democracy” as a system of government in which, “the people or community as  
41 an organized whole wield the sovereign power”—but do so in the capacity of a single, artificial *collective*—*not as an*  
42 *association of individual “sovereigns”*. Thus, democracy is a *collectivist* political philosophy characterized by a lack of  
43 individually-held, God given, “unalienable Rights”. In other words, it is socialism or worst yet communism, at its extreme.  
44 Also note that the logical correlative of the *collective* rights of the “group” is the *absence of* rights for each *individual*. This  
45 absence of individually-held, God-given rights is the central feature of all collectivist philosophies (communism, socialism,  
46 etc.) since these systems presume that “sovereign power” is held by the *collective*, but not by *any* individuals. Therefore, by  
47 definition, no citizen of a democracy can hold God-given, “unalienable Rights” to Life, Liberty and the pursuit of Happiness”  
48 as an *individual*. Why? Because if a democracy recognized the legitimacy of *individual* rights as God-given and thus superior

1 to any claim of “collective” rights, the power of the democracy and majority rule over specific individuals or minorities would  
 2 disappear. By simply invoking his God-given, unalienable Rights, any individual could thumb his nose at virtually any vote  
 3 by the democratic majority. So long as I have an unalienable Right to Life, it matters not if 250 million Americans all vote  
 4 to hang me. So long as I am *individually* “endowed by my Creator with certain unalienable Rights,” I can tell the whole  
 5 world to “stuff it” by simply invoking my *individually*-held, unalienable Rights.

6 The implications of who holds sovereignty within our system of republican government forms the basis for our system of  
 7 jurisprudence. Because *individuals* rather than collective groups or the government, are the holders of divinely endowed  
 8 *rights*, then they are the *only* ones who can have a legal remedy in the courts for an invasion or injury of those rights. Groups  
 9 and government cannot be identified in a republic as an “injured party”. This is why you can go into court in our country and  
 10 demand a verified affidavit from an injured party, and if the state cannot produce one, then they cannot prosecute you for a  
 11 crime. Stated another way, there must be a real, flesh and blood victim of a crime in order for the state to prosecute for a  
 12 violation of a criminal law. If the state prosecutes someone for any other type of crime, it is called a *malum prohibitum*:

13 *Malum prohibitum.* A wrong prohibited; a thing which is wrong because prohibited; an act which is not  
 14 inherently immoral, but becomes so because its commission is expressly forbidden by positive law; an act  
 15 involving an illegality resulting from positive law. Compare *Malum in se*.  
 16 [Black’s Law Dictionary, Sixth Edition, p. 960]

17 As we will explain later in section 4.5.3, the Supreme Court has ruled in the case of *Downes v. Bidwell*, 182 U.S. 244 (1902)  
 18 that Constitutional rights (the Bill of Rights) and direct taxes on natural people are mutually exclusive and cannot coexist.  
 19 We believe this is because the entire Bill of Rights would have to be destroyed to eliminate all the conflicts of law that would  
 20 result. On the other hand, ask yourself if a tax crime can have a real, flesh and blood individual victim for a tax that is  
 21 voluntary to begin with? The answer is no, and that is one of many reasons why income tax laws consistent with the  
 22 Constitution and the Bill of Rights can never be lawfully imposed against real flesh and blood people, who are the *sovereigns*  
 23 in our society. Furthermore, citizens simply can’t be the sovereigns unless they have *individual* rights. Consequently, public  
 24 servants in our government simply can never be greater than the sovereigns they serve because that would turn the bedrock  
 25 of our political system upside down. The Federalist Paper No. 78 written by Alexander Hamilton, one of our founding fathers,  
 26 clearly explains these observations:

27 “No legislative act contrary to the Constitution can be valid. To deny this would be to affirm that the deputy  
 28 (agent) is greater than his principal; that the servant is above the master; that the representatives of the people  
 29 are superior to the people; that men, acting by virtue of powers may do not only what their powers do not  
 30 authorize, but what they forbid...[text omitted] It is not otherwise to be supposed that the Constitution could  
 31 intend to enable the representatives of the people to substitute their will to that of their constituents. It is far  
 32 more rational to suppose, that the courts were designed to be an intermediate body between the people and the  
 33 legislature, in order, among other things, to keep the latter within the limits assigned to their authority. The  
 34 interpretation of the laws is the proper and peculiar province of the courts. A Constitution is, in fact, and must  
 35 be regarded by judges, as fundamental law. If there should happen to be an irreconcilable variance between the  
 36 two, the Constitution is to be preferred to the statute.” –  
 37 [Alexander Hamilton (*Federalist Paper # 78*) ]

38 Do you now see our point about the implications of who holds sovereign power? By *definition*, a democracy can’t work—  
 39 can’t exercise the arbitrary authority of the majority over the minority—can’t even *exist* where unalienable Rights are granted  
 40 to *individuals* by the supreme authority of *God*. And at least coincidentally, according to Brock Chisholm, former Director  
 41 of the UN’s World Health Organization,

42 “To achieve world government, it is necessary to remove from the minds of men, their individualism, loyalty to  
 43 family traditions, national patriotism and religious dogmas.”

44 Do you see how a democracy—which denies both *individual* rights and the *God* that granted them—could diminish the  
 45 republican forces of individualism and faith that would naturally resist one world government? Do you see how a “democratic  
 46 form of government” might be ideal for implementing a New World Order? In fact, if you’ll read the United Nation’s  
 47 “Universal Declaration of Human Rights” (adopted Dec. 10, 1948), you’ll see that Article 21(b) explains the basis of the  
 48 U.N.’s one-world government:

49 “The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and  
 50 genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent  
 51 free voting procedures.” [Emph. added]  
 52 [Universal Declaration of Human Rights, United Nations, Adopted Dec. 10, 1948, Article 21(b)]

The basis for the authority of all U.N. governments isn't God, but the "will of the people" as expressed in "periodic elections" (rather than fixed constitutions). That's democracy, folks. And that 1948 U.S. "Declaration" is probably the political foundation for the world's 20<sup>th</sup> century march toward our "beloved" democracy. Think not? Read Article 29(2) of the same U.N. "Declaration":

*"In the exercise of his rights and freedoms, everyone shall be subject only to...the rights and freedoms of others...in a democratic society."  
[Universal Declaration of Human Rights, United Nations, Adopted Dec. 10, 1948, Article 21(b)]*

In other words, despite the considerable list of rights which the U.N.'s "Declaration" claims to provide for all individuals, those individually-held "human rights" are absolutely subject to the "rights and freedoms of others". Note that "others" is plural. Thus, the individual's rights are always subject to that of the *group*, of the *collective*. In other words, whenever two or more are gathered in the U.N.'s name, a single person's claim to "individual rights" is meaningless.

A collectivist form of government, the U.N. democracy is fundamentally indistinguishable from communism and socialism.<sup>129</sup> More importantly, by rejecting the concept of individually-held, *unalienable* Rights, every democracy (including the U.N., the New World Order and/ or the United States) must likewise reject the *source* of those unalienable Rights: God.

Like all *collectivist* political systems, democracies must be *atheistic*. Although a particular democracy may allow its subjects to engage in some religious activity, none of those religious principles can be officially recognized or given any authority by the collectivist state. (Can you say "separation of church and state," boys and girls?)

#### 4.7.11 Collective self-destruction

*"Do not follow the crowd [majority] in doing wrong. When you give testimony in a lawsuit, do not pervert justice by siding with the crowd, and do not show favoritism to a poor man in his lawsuit."  
[Exodus 23:2, Bible, NIV]*

But democracies aren't merely dangerous to individuals, they're even dangerous to the collective because—without individually-held, unalienable Rights—there is no defense against unlimited government growth, taxation, regulation or oppression. A massive, unlimited New World Order (or American bureaucracy) is the inevitable expression and consequence of the principles of democracy.

Consider: In 1978, William E. Simon (Secretary of the Treasury in the Nixon and Ford administrations) complained that the federal expenditures exceeded \$1 billion a day. Twenty-three years later, our federal government spends about \$56 billion per day. Of course, our economy has grown since 1978, and inflation has reduced the value of \$56 billion in today's dollars to about \$20 billion in 1978 dollars.

Still, did federal expenditures (and taxes, regulations, and intrusion into private lives) grow at least ten-fold in the last quarter century because the citizens of our "democracy" *voted* for that growth? Or did it grow because in a democracy, we have no claim to the *individual* rights that would automatically inhibit such extraordinary government growth?

In a "Republican Form of Government"—where individually held, God-given rights are presumed and "secured"—government can't grow except by the *express* will of the people as demonstrated through constitutional amendments. But in a democracy, where there are no God-given, individual rights to inhibit government growth, the will of the collective is expressed *only* every two years in the form of elections. Once elected, our "representatives" are endowed to vote for virtually *anything* and *everything* they want since they're presumed to enjoy the support of the majority of the collective. Unless the people complain bitterly and even vote against incumbents—without individually-held, God-given rights, there is not restriction on government growth in a democracy.

In a democracy, government can take your guns. They can take your kids, your property and your cash. In fact, they can take your life. Every one of those "takings" (and thousands more) are possible and absolutely legal because subjects of a democracy have *no* individually-held, unalienable Rights to protect them against arbitrary exercise of government power.

<sup>129</sup> If you read Article 22 of the U.N.'s "Declaration": "Everyone, as a member of society, has the right to *social security*..." Does this imply that modern "social security" is a U.N. program? Is it possible that mere possession of a Social Security card is construed as evidence of your status as subject in an *international* democracy?

If it's lawful for government to take virtually anything it wants from subjects of the democratic collective, then it's certainly lawful for government to create and enlarge as many bureaucracies and enforcement agencies as it deems necessary to implement the unrestricted takings. Do you see my point? God-given, unalienable Rights don't merely protect us as individuals from government oppression, they are the fundamental bulwarks that protects the whole country against the growth of massive, government bureaucracies. The road to world democracy without the restraining influences of republican government is a road to totalitarian socialism and communism and self-destruction. Below is just one example of how that might happen:

*"A democracy cannot exist as a permanent form of government. It can only exist until the voters discover that they can vote themselves money from the Public Treasury. From that moment on, the majority always votes for the candidate promising the most benefits from the Public Treasury with the result that a democracy always collapses over loose fiscal policy always followed by dictatorship."*  
[Alexander Fraser Tytler, "The Decline and Fall of the Athenian Republic"]

#### 4.7.12 The "First" Bill of Rights?

So what is the "Republican Form of Government" that's *mandated* by Article 4, Section 4 of the Federal Constitution?

Answer: A system of government that recognizes the God-given, unalienable Rights of *individuals*. And what did the "Declaration of Independence" say was the fundamental purpose for all just government? "To secure these *rights* ...." Which rights? The "unalienable Rights" given to each *individual* by God and referenced in the previous sentence of the Declaration.

Thus, the first obligation of the "Republican Form of Government" *mandated* by Article 4, Section 4 of the Federal Constitution is to secure God-given, unalienable Rights to *individuals*. Not to secure rights to the *collective* or some king—but to secure unalienable Rights to every *individual*. And note that while, "among these are Life, Liberty and the pursuit of Happiness"—this general list of unalienable Rights is not exhaustive. It is obvious that there are other, unspecified unalienable Rights which must also be "secured" by government. If so, Article 4, section 4 of the Federal Constitution might be viewed as the original "Bill of Rights".

Consider: The Federal Constitution was adopted in 1789. The Bill of Rights (first ten amendments) was adopted in 1791. But, in 1791, some people argued against adopting the Bill of Rights because 1) all unalienable Rights were protected under the Constitution; and 2) by expressly specifying some Rights, government might later be able to argue that other rights which were not specified did not exist or were not protected.

Until recently, I viewed those 18<sup>th</sup> century arguments as unconvincing. But now that I see that a "Republican Form of Government" is one that recognizes and "secures" *all* God-given, unalienable Rights, I also see that Article 4, Section 4 of the Federal Constitution (and similar sections in State constitutions) seem to guarantee *all* unalienable Rights to *all* individuals.

Thus, the 1791 Bill of Rights may have truly been unnecessary, redundant or even counterproductive. Worse, by focusing on the specific rights enumerated in the first ten amendments, we may have lost sight of the "mother lode" of unalienable Rights: the Article 4, Section 4 guarantee of a "Republican Form of Government" (one that "secures" our unalienable Rights).

By focusing on each specific right in the Bill of Rights, it's become possible for democratic government to whittle away at each right whenever political conditions allow them to do so. They don't attack all our rights at once; they simply whittle away a little at "due process" today, "freedom of speech" tomorrow, and the right to "keep and bear arms" next month. In a sense, it's arguable that the Bill of Rights might allow government to "divide and conquer" our rights on a one-by-one basis and thereby slowly "cook" our freedoms like so many frogs. However, such cannibalism seems strictly prohibited under Article 4, Section 4 guarantee of a "Republican Form of Government".

#### 4.7.13 The mandate remains

So far as we know, the last President to refer to this country as a "republic" was John F. Kennedy. Since then, all presidents have referred to the United States only as a "democracy"—a political system which, by definition, *cannot* recognize the unalienable Rights and sovereign powers of *individuals*. Does our current government secure our God-given, unalienable Rights? Obviously not.

1 Obvious conclusion? We no longer live in a republic. Instead, we're entrapped in a democracy where unalienable Rights  
2 are not recognized or "secured" and no individual or minority is safe from the majority's/government's arbitrary exercise of  
3 power or oppression. Nevertheless, Article 4, Section 4 of the Federal Constitution is *still there*, un-amended, and *mandating*  
4 that "The United States *shall* guarantee to every State in this Union a Republican Form of Government..."

5 So we seem to have a constitutional conflict. Our Federal and (some) State constitutions mandate a republic, but our  
6 government only provides a democracy. This conflict between the Article 4, Section 4 mandate for a "Republican Form of  
7 Government" and our modern democracy can successfully be exploited as a defense against government oppression. We  
8 suspect that a defendant who 1) understands the full meaning of a "Republican Form of Government" and 2) demands that  
9 the Article 4, Section 4 guarantee of such government be enforced—may raise a constitutional conflict or "political question"  
10 too embarrassing for most prosecutors to face. If so, cases against defendants might "disappear" if those defendants  
11 essentially argued that, as *individuals* "endowed with certain unalienable Rights," they could not be subject to the statutes,  
12 regulations and enforcement activities of a democracy—which, by definition, denies unalienable Rights.

13 More importantly, any government official who has taken an Oath of Office to support and defend the Constitution is duty  
14 bound to "guarantee" a "Republican Form of Government" and the attendant "unalienable Rights". Therefore, if an official  
15 sought to impose rules or regulation upon you that were based on democratic principles rather than unalienable Rights—that  
16 official might violate his Oath of Office and incur personal liability.

17 So, if you claim you still have the unalienable Rights referenced in the "Declaration of Independence" and seemingly  
18 guaranteed by Article 4, Section 4 of the Federal Constitution, will government *publicly* admit that it's not so? Even if  
19 government can prove that you don't have unalienable Rights, you're not in a "state of this Union," or the Republic is long  
20 dead, they'd be unlikely to make those admissions publicly since doing so could alert the democratic majority that they've  
21 been betrayed. Once "officially alerted of their loss of individual rights, the public might rise up and vote (the democracy's  
22 one remaining "right") to restore the Republican Form of Government.<sup>130</sup>

23 Ironically, democracy only works if the public has no idea of what kind of mess they're really in. If your courtroom defense  
24 threatens to "sound the alarm," gov-co may decline to prosecute. Further, I suspect that most government prosecutions for  
25 minor offenses (traffic, family law, etc.) take place in courts of *equity* rather than law. One axiom of equity jurisdiction is  
26 that the plaintiff must have "clean hands" to initiate a case in equity. So what would happen if the government tried to sue  
27 or indict you in a court of equity and you advised the court that the government's "hands" were "unclean" since it was  
28 operating as a *democracy* rather than the "Republican Form of Government" mandated by the Federal and (possibly) State  
29 constitutions? Could failure to provide a "Republican Form of Government" cost government its standing to sue in equity?

30 Similarly, Article 4, Section 4 might not only offer an intriguing defense against government prosecution, it might even  
31 provide a basis for aggressively *suing* a governmental entity or official that violated or refused to "secure" our unalienable  
32 Rights. Until Federal and State constitutions are amended to remove the republican mandate, there appears to be no wiggle-  
33 room, no excuse for not providing the People with a "Republican Form of Government". If so, any governmental agent or  
34 agency that's put on proper notice of their constitutionally-mandated duty to provide us with a "Republican Form of  
35 Government"—and nevertheless continues to prosecute us as a subject of the unauthorized democracy—might be personally  
36 exposed to financial and even criminal liability. More, intentional failure to provide a "Republican Form of Government" is  
37 arguably treason (a hanging offense). In fact, it's arguable that (like all collectivist political systems) democracy itself is  
38 anathema to the Declaration of Independence, treason to the Constitution, and blasphemy to God.

39 Faced with charges that they've knowingly refused to provide a "Republican Form of Government" and "secure" our  
40 "Unalienable Rights," what could government agents do? Admit to a jury that the American people haven't had any  
41 unalienable Rights since the 1930's? I don't think so. But even if they made that admission, would the jury believe them?  
42 Probably not. And therein lies the great vulnerability of a democracy imposed through deceit and enforced public ignorance.  
43 Government secretly imposed the democracy, because they knew the American people would never accept it, if they  
44 understood that abandoning the republic meant abandoning their unalienable Rights. As a result, government is in the  
45 awkward position of a teenage boy who brings a hooker home while his folks are on vacation. If his parents come home  
46 early, the kid must either hide the whore or pass her off as his history teacher—but he can't possibly admit that he's got a  
47 whore in the house. Likewise, our government can't openly admit it's brought the disease-bearing whore of democracy into

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<sup>130</sup> The "right to vote" is the *only* right guaranteed to the citizens of a democracy. Hence the importance of the Federal Election Commission and enforcement of "voting rights".

1 our republic. Ohh, she's here alright, but all gov-co can do is act innocent, keep a big supply of condoms handy and hope we  
2 don't find out she's not our long-lost Aunt.

#### 3 **4.7.14 What shall we do?**

4 How can we eject the democratic bitch? The "Declaration of Independence" offers guidance:

5 *"That whenever any Form of Government becomes destructive of these ends [securing our unalienable Rights],*  
6 *it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on*  
7 *such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety*  
8 *and Happiness. [Emph. and bracket added]*  
9 *[Declaration of Independence]*

10 In short, we have an unalienable Right (some say, "duty") to *abolish* the democracy which denies our individually-held, God-  
11 given Rights. Based on the Article 4, Section 4 "guarantee," we can *demand* restoration of the "Republican Form of  
12 Government" that secures our unalienable Rights. Such overthrow won't happen soon since a successful referendum against  
13 democracy is a "political question" that will require a massive effort to educate the public to the blessings of a Republic and  
14 the disabilities of democracy.

15 However, for now, we can begin that educational process by simply challenging government to provide the "Republican  
16 Form of Government" that's guaranteed by our Federal and (some) State constitutions. As our understanding grows, and  
17 more people begin to defend themselves based on the constitutional guarantee of a "Republican Form of Government," we  
18 might see atheist democracy begin to crack, then crumble like the Berlin wall did when Communism fell.

#### 19 **4.7.15 Sorry, Mr. Franklin, "We're All Democrats Now"**

20 This section was derived from a speech by Congressman Ron Paul delivered in the House of Representatives on January 29,  
21 2003. It very powerfully illustrates the disabilities of democracies, how we have violated the intent of the founding fathers  
22 in our retreat from the Constitutional Republic they endowed us with, and what we need to do to fix the problem. Ron Paul  
23 has since retired from political life, but you can visit America's Liberty Committee website at the address below:

24 <http://www.thelibertycommittee.org/>

#### 25 **4.7.15.1 Introduction**

26 At the close of the Constitutional Conventional in 1787, Benjamin Franklin told an inquisitive citizen that the delegates to  
27 the Constitutional Convention gave the people "a Republic, if you can keep it." We should apologize to Mr. Franklin. It is  
28 obvious that the Republic is gone, for we are wallowing in a pure democracy against which the Founders had strongly warned.

29 Madison, the father of the Constitution, could not have been more explicit in his fear and concern for democracies.  
30 "Democracies," he said, "have ever been spectacles of turbulence and contention; have ever been found incompatible with  
31 personal security or the rights of property; and have in general been as short in their lives as they have been violent in their  
32 death."

33 If Madison's assessment was correct, it behooves those of us in Congress to take note and decide, indeed, whether the  
34 Republic has vanished, when it occurred, and exactly what to expect in the way of "turbulence, contention, and violence."  
35 And above all else, what can we and what will we do about it?

36 The turbulence seems self-evident. Domestic welfare programs are not sustainable and do not accomplish their stated goals.  
37 State and federal spending and deficits are out of control. Terrorism and uncontrollable fear undermine our sense of well-  
38 being. Hysterical reactions to dangers not yet seen prompt the people- at the prodding of the politicians- to readily sacrifice  
39 their liberties in vain hope that someone else will take care of them and guarantee their security. With these obvious signs of  
40 a failed system all around us, there seems to be more determination than ever to antagonize the people of the world by  
41 pursuing a world empire. Nation building, foreign intervention, preemptive war, and global government drive our foreign  
42 policy. There seems to be complete aversion to defending the Republic and the Constitution that established it.



1 The Founders clearly understood the dangers of a democracy. Edmund Randolph of Virginia described the effort to deal with  
2 the issue at the Constitutional Convention:

3 *"The general object was to produce a cure for the evils under which the United States labored; that in tracing*  
4 *these evils to their origins, every man had found it in the turbulence and follies of democracy."*

5 These strongly held views regarding the evils of democracy and the benefits of a Constitutional Republic were shared by all  
6 the Founders. For them, a democracy meant centralized power, controlled by majority opinion, which was up for grabs and  
7 therefore completely arbitrary.

8 In contrast, a Republic was decentralized and representative in nature, with the government's purpose strictly limited by the  
9 Constitution to the protection of liberty and private property ownership. They believed the majority should never be able to  
10 undermine this principle and that the government must be tightly held in check by constitutional restraints. The difference  
11 between a democracy and a republic was simple. Would we live under the age-old concept of the rule of man or the  
12 enlightened rule of law?

13 A constitution in and by itself does not guarantee liberty in a republican form of government. Even a perfect constitution  
14 with this goal in mind is no better than the moral standards and desires of the people. Although the United States Constitution  
15 was by far the best ever written for the protection of liberty, with safeguards against the dangers of a democracy, it too was  
16 flawed from the beginning. Instead of guaranteeing liberty equally for all people, the authors themselves yielded to the  
17 democratic majority's demands that they compromise on the issue of slavery. This mistake, plus others along the way,  
18 culminated in a Civil War that surely could have been prevented with clearer understanding and a more principled approach  
19 to the establishment of a constitutional republic.

20 Subsequently, the same urge to accommodate majority opinion, while ignoring the principles of individual liberty, led to  
21 some other serious errors. Even amending the Constitution in a proper fashion to impose alcohol prohibition turned out to be  
22 a disaster. Fortunately this was rectified after a short time with its repeal.

23 But today, the American people accept drug prohibition, a policy as damaging to liberty as alcohol prohibition. A majority  
24 vote in Congress has been enough to impose this very expensive and failed program on the American people, without even  
25 bothering to amend the Constitution. It has been met with only minimal but, fortunately, growing dissent. For the first 150  
26 years of our history, when we were much closer to being a true republic, there were no federal laws dealing with this serious  
27 medical problem of addiction.

28 The ideas of democracy, not the principles of liberty, were responsible for passage of the 16th Amendment. It imposed the  
29 income tax on the American people and helped to usher in the modern age of the welfare/warfare state. Unfortunately, the  
30 16th Amendment has not been repealed, as was the 18th. As long as the 16th Amendment is in place, the odds are slim that  
31 we can restore a constitutional republic dedicated to liberty. The personal income tax is more than symbolic of a democracy;  
32 it is a predictable consequence.

#### 33 **4.7.15.2 Transition to Democracy**

34 The transition from republic to democracy was gradual and insidious. Its seeds were sown early in our history. In many ways,  
35 the Civil War and its aftermath laid the foundation for the acute erosion that took place over the entire 20th century. Chronic  
36 concern about war and economic downturns- events caused by an intrusive government's failure to follow the binding  
37 restraints of the Constitution- allowed majority demands to supersede the rights of the minority. By the end of the 20th  
38 century, majority opinion had become the determining factor in all that government does. The rule of law was cast aside,  
39 leaving the Constitution a shell of what it once was- a Constitution with rules that guaranteed a republic with limited and  
40 regional government and protection of personal liberty. The marketplace, driven by voluntary cooperation, private property  
41 ownership, and sound money was severely undermined with the acceptance of the principles of a true democracy.

42 Unfortunately, too many people confuse the democratic elections of leaders of a republic for democracy by accepting the rule  
43 of majority opinion in all affairs. For majorities to pick leaders is one thing. It is something quite different for majorities to  
44 decide what rights are, to redistribute property, to tell people how to manage their personal lives, and to promote undeclared,  
45 unconstitutional wars.

1 The majority is assumed to be in charge today and can do whatever it pleases. If the majority has not yet sanctioned some  
2 desired egregious action demanded by special interests, the propaganda machine goes into operation, and the pollsters relay  
3 the results back to the politicians who are seeking legitimacy in their endeavors. The rule of law and the Constitution have  
4 become irrelevant, and we live by constant polls.

5 This trend toward authoritarian democracy was tolerated because, unlike a military dictatorship, it was done in the name of  
6 benevolence, fairness, and equity. The pretense of love and compassion by those who desire to remold society and undermine  
7 the Constitution convinced the recipients, and even the victims, of its necessity. Since it was never a precipitous departure  
8 from the republic, the gradual erosion of liberty went unnoticed.

9 But it is encouraging that more and more citizens are realizing just how much has been lost by complacency. The resolution  
10 to the problems we face as a result of this profound transition to pure democracy will be neither quick nor painless. This  
11 transition has occurred even though the word “democracy” does not appear in the Constitution or in the Declaration of  
12 Independence, and the Founders explicitly denounced it.

13 Over the last hundred years, the goal of securing individual liberties within the framework of a constitutional republic has  
14 been replaced with incessant talk of democracy and fairness.

15 Rallying support for our ill-advised participation in World War I, Wilson spoke glowingly of “making the world safe for  
16 democracy,” and never mentioned national security. This theme has, to this day, persisted in all our foreign affairs. Neo-  
17 conservatives now brag of their current victories in promoting what they call “Hard Wilsonism.”

18 A true defense of self-determination for all people, the necessary ingredient of a free society, is ignored. Self-determination  
19 implies separation of smaller government from the larger entities that we witnessed in the breakup of the Soviet Union. This  
20 notion contradicts the goal of pure democracy and world government. A single world government is the ultimate goal of all  
21 social egalitarians who are unconcerned with liberty.

#### 22 **4.7.15.3 Current Understanding**

23 Today the concepts of rights and property ownership are completely arbitrary. Congress, the courts, presidents and  
24 bureaucrats arbitrarily “legislate” on a daily basis, seeking only the endorsement of the majority. Although the republic was  
25 designed to protect the minority against the dictates of the majority, today we find the reverse. The republic is no longer  
26 recognizable.

27 Supporters of democracy are always quick to point out one of the perceived benefits of this system is the redistribution of  
28 wealth by government force to the poor. Although this may be true in limited fashion, the champions of this system never  
29 concern themselves with the victims from whom the wealth is stolen. The so-called benefits are short-lived, because  
30 democracy consumes wealth with little concern for those who produce it. Eventually the programs cannot be funded, and the  
31 dependency that has developed precipitates angry outcries for even more “fairness.” Since reversing the tide against liberty  
32 is so difficult, this unworkable system inevitably leads to various forms of tyranny.

33 As our republic crumbles, voices of protest grow louder. The central government becomes more authoritarian with each crisis.  
34 As the quality of education plummets, the role of the federal government is expanded. As the quality of medical care collapses,  
35 the role of the federal government in medicine is greatly increased. Foreign policy failures precipitate cries for more  
36 intervention abroad and an even greater empire. Cries for security grow louder, and concern for liberty languishes.

37 Attacks on our homeland prompt massive increase in the bureaucracy to protect us from all dangers, seen and imagined. The  
38 prime goal and concern of the Founders, the protection of liberty, is ignored. Those expressing any serious concern for  
39 personal liberty are condemned for their self-centeredness and their lack of patriotism.

40 Even if we could defeat al Qaeda- which surely is a worthwhile goal- it would do little to preserve our liberties, while ignoring  
41 the real purpose of our government. Another enemy would surely replace it, just as the various groups of barbarians never  
42 left the Roman Empire alone once its internal republican structure collapsed.

#### 43 **4.7.15.4 Democracy Subverts Liberty and Undermines Prosperity**

1 Once it becomes acceptable to change the rules by majority vote, there are no longer any limits on the power of the  
2 government. When the Constitution can be subverted by mere legislative votes, executive orders or judicial decrees,  
3 constitutional restraints on the government are eliminated. This process was rare in the early years of our history, but now it  
4 is routine.

5 Democracy is promoted in the name of fairness in an effort to help some special-interest group gain a benefit that it claims it  
6 needs or is entitled to. If only one small group were involved, nothing would come of the demands. But coalitions develop,  
7 and the various groups ban together to form a majority to vote themselves all those things that they expect others to provide  
8 for them.

9 Although the motivating factor is frequently the desire for the poor to better themselves through the willingness of others to  
10 sacrifice for what they see as good cause, the process is doomed to failure. Governments are inefficient and the desired goals  
11 are rarely achieved. Administrators, who benefit, perpetuate the programs. Wealthy elites learn to benefit from the system in  
12 a superior fashion over the poor, because they know how to skim the cream off the top of all the programs designed for the  
13 disadvantaged. They join the various groups in producing the majority vote needed to fund their own special projects.

14 Public financing of housing, for instance, benefits builders, bureaucrats, insurance companies, and financial institutions, while  
15 the poor end up in drug-infested, crime-ridden housing projects. For the same reason, not only do business leaders not object  
16 to the system, but they also become strong supporters of welfare programs and foreign aid. Big business strongly supports  
17 programs like the Export/Import Bank, the IMF, the World Bank, farm subsidies, and military adventurism. Tax-code  
18 revisions and government contracts mean big profits for those who are well-connected. Concern for individual liberty is  
19 pushed to the bottom of the priority list for both the poor and rich welfare recipients.

20 Prohibitions placed in the Constitution against programs that serve special interests are the greatest threat to the current system  
21 of democracy under which we operate. In order for the benefits to continue, politicians must reject the rule of law and concern  
22 themselves only with the control of majority opinion. Sadly, that is the job of almost all politicians. It is clearly the motivation  
23 behind the millions spent on constant lobbying, as well as the billions spent on promoting the right candidates in each election.  
24 Those who champion liberty are rarely heard from. The media, banking, insurance, airlines, transportations, financial  
25 institutions, government employees, the military-industrial complex, the educational system, and the medical community are  
26 all dependent on government appropriations, resulting in a high-stakes system of government.

27 Democracy encourages the mother of all political corruption- the use of political money to buy influence. If the dollars spent  
28 in this effort represent the degree to which democracy has won out over the rule of law and the Constitution, it looks like the  
29 American republic is left wanting. Billions are spent on the endeavor.

30 Money in politics is the key to implementing policy and swaying democratic majorities. It is seen by most Americans, and  
31 rightly so, as a negative and a danger. Yet the response, unfortunately, is only more of the same. More laws tinkering with  
32 freedom of expression are enacted, in hopes that regulating sums of private money thrown into the political system will curtail  
33 the abuse. But failing to understand the cause of the problem, lack of respect for the Constitution, and obsession with  
34 legislative relativity dictated by the majority serve only to further undermine the rule of law.

35 We were adequately warned about the problem. Democracies lead to chaos, violence and bankruptcy. The demands of the  
36 majority are always greater than taxation alone can provide. Therefore, control over the monetary and banking system is  
37 required for democracies to operate. It was no accident in 1913, when the dramatic shift toward a democracy became  
38 pronounced, that the Federal Reserve was established. A personal income tax was imposed as well. At the same time, popular  
39 election of Senators was instituted, and our foreign policy became aggressively interventionist. Even with an income tax, the  
40 planners for war and welfare (a guns and butter philosophy) knew that it would become necessary to eliminate restraints on  
41 the printing of money. Private counterfeiting was a heinous crime, but government counterfeit and fractional-reserve banking  
42 were required to seductively pay for the majority's demands. It is for this reason that democracies always bring about currency  
43 debasement through inflation of the money supply.

44 Some of the planners of today clearly understand the process and others, out of ignorance, view central-bank money creation  
45 as a convenience with little danger. That's where they are wrong. Even though the wealthy and the bankers support paper  
46 money- believing they know how to protect against its ill effects- many of them are eventually dragged down in the economic  
47 downturns that always develop.

1 It's not a new era that they have created for us today, but more of the same endured throughout history by so many other  
2 nations. The belief that democratic demands can be financed by deficits, credit creation and taxation is based on false hope  
3 and failure to see how it contributes to the turbulence as the democracy collapses.

4 Once a nation becomes a democracy, the whole purpose of government changes. Instead of the government's goal being that  
5 of guaranteeing liberty, equal justice, private property, and voluntary exchange, the government embarks on the impossible  
6 task of achieving economic equality, micromanaging the economy, and protecting citizens from themselves and all their  
7 activities. The destruction of the wealth-building process, which is inherent in a free society, is never anticipated. Once it's  
8 realized that it has been undermined, it is too late to easily reverse the attacks against limited government and personal liberty.

9 Democracy, by necessity, endorses special-interest interventionism, inflationism, and corporatism. In order to carry out the  
10 duties now expected of the government, power must be transferred from the citizens to the politicians. The only thing left is  
11 to decide which group or groups have the greatest influence over the government officials. As the wealth of the nation  
12 dwindles, competition between the special-interest groups grows more intense and becomes the dominant goal of political  
13 action. Restoration of liberty, the market and personal responsibility are of little interest and are eventually seen as impractical.

14 Power and public opinion become crucial factors in determining the direction of all government expenditures. Although both  
15 major parties now accept the principles of rule by majority and reject the rule of law, the beneficiaries for each party are  
16 generally different- although they frequently overlap. Propaganda, demagoguery, and control of the educational system and  
17 the media are essential to directing the distribution of the loot the government steals from those who are still honestly working  
18 for a living.

19 The greater problem is that nearly everyone receives some government benefit, and at the same time contributes to the  
20 Treasury. Most hope they will get back more than they pay in and, therefore, go along with the firmly entrenched system.  
21 Others, who understand and would choose to opt out and assume responsibility for themselves, aren't allowed to and are  
22 forced to participate. The end only comes with a collapse of the system, since a gradual and logical reversal of the inexorable  
23 march toward democratic socialism is unachievable.

24 Soviet-style communism dramatically collapsed once it was recognized that it could no longer function and a better system  
25 replaced it. It became no longer practical to pursue token reforms like those that took place over its 70-year history.

26 The turmoil and dangers of pure democracy are known. We should get prepared. But it will be the clarity with which we  
27 plan its replacement that determines the amount of pain and suffering endured during the transition to another system.  
28 Hopefully, the United States Congress and other government leaders will come to realize the seriousness of our current  
29 situation and replace the business-as-usual attitude, regardless of political demands and growing needs of a boisterous  
30 majority. Simply stated, our wealth is running out, and the affordability of democracy is coming to an end.

31 History reveals that once majorities can vote themselves largesse, the system is destined to collapse from within. But in order  
32 to maintain the special-interest system for as long as possible, more and more power must be given to an ever-expanding  
33 central government-which of course only makes matters worse.

34 The economic shortcomings of such a system are easily understood. What is too often ignored is that the flip side of delivering  
35 power to government is the loss of liberty to the individual. This loss of liberty causes exactly what the government doesn't  
36 want- less productive citizens who cannot pay taxes.

37 Even before 9/11, these trends were in place and proposals were abundant for restraining liberty. Since 9/11, the growth of  
38 centralized government and the loss of privacy and personal freedoms have significantly accelerated.

39 It is in dealing with homeland defense and potential terrorist attacks that the domestic social programs and the policy of  
40 foreign intervention are coming together and precipitating a rapid expansion of the state and erosion of liberty. Like our social  
41 welfarism at home, our foreign meddling and empire building abroad are a consequence of our becoming a pure democracy.

#### 42 **4.7.15.5 Foreign Affairs and Democracy**

43 The dramatic shift away from republicanism that occurred in 1913, as expected, led to a bold change of purpose in foreign  
44 affairs. The goal of "making the world safe for democracy" was forcefully put forth by President Wilson. Protecting national  
45 security had become too narrow a goal and selfish in purpose. An obligation for spreading democracy became a noble

1 obligation backed by a moral commitment, every bit as utopian as striving for economic equality in an egalitarian society  
2 here at home.

3 With the growing affection for democracy, it was no giant leap to assume that majority opinion should mold personal  
4 behavior. It was no mere coincidence that the 18th Amendment- alcohol prohibition- was passed in 1919.

5 Ever since 1913, all our presidents have endorsed meddling in the internal affairs of other nations and have given generous  
6 support to the notion that a world government would facilitate the goals of democratic welfare or socialism. On a daily basis,  
7 we hear that we must be prepared to spend our money and use our young people to police the entire world in order to spread  
8 democracy. Whether in Venezuela or Columbia, Afghanistan or Pakistan, Iraq or Iran, Korea or Vietnam, our intervention is  
9 always justified with a tone of moral arrogance that “it’s for their own good.”

10 Our policymakers promote democracy as a cure-all for the various complex problems of the world. Unfortunately, the  
11 propaganda machine is able to hide the real reasons for our empire building. “Promoting democracy” overseas merely  
12 becomes a slogan for doing things that the powerful and influential strive to do for their own benefit. To get authority for  
13 these overseas pursuits, all that is required of the government is that the majority be satisfied with the stated goals- no matter  
14 how self-serving they may be. The rule of law, that is, constitutional restraint, is ignored. But as successful as the policy may  
15 be on the short run and as noble as it may be portrayed, it is a major contributing factor to the violence and chaos that  
16 eventually come from pure democracy.

17 There is abundant evidence that the pretense of spreading democracy contradicts the very policies we are pursuing. We preach  
18 about democratic elections, but we are only too willing to accept some for-the-moment friendly dictator who actually  
19 overthrew a democratically elected leader or to interfere in some foreign election.

20 This is the case with Pakistan’s Mushariff. For a temporary alliance, he reaps hundreds of millions of dollars, even though  
21 strong evidence exists that the Pakistanis have harbored and trained al Qaeda terrorists, that they have traded weapons with  
22 North Korea, and that they possess weapons of mass destruction. No one should be surprised that the Arabs are confused by  
23 our overtures of friendship. We have just recently promised \$28 billion to Turkey to buy their support for Persian Gulf War  
24 II.

25 Our support of Saudi Arabia, in spite of its ties to al Qaeda through financing and training, is totally ignored by those obsessed  
26 with going to war against Iraq. Saudi Arabia is the furthest thing from a democracy. As a matter of fact, if democratic elections  
27 were permitted, the Saudi government would be overthrown by a bin Laden ally.

28 Those who constantly preach global government and democracy ought to consider the outcome of their philosophy in a  
29 hypothetical Mid-East regional government. If these people were asked which country in this region possesses weapons of  
30 mass destruction, has a policy of oppressive occupation, and constantly defies UN Security council resolutions, the vast  
31 majority would overwhelmingly name Israel. Is this ludicrous? No, this is what democracy is all about and what can come  
32 from a one-man, one-vote philosophy.

33 U.S. policy supports the overthrow of the democratically elected Chavez government in Venezuela, because we don’t like  
34 the economic policy it pursues. We support a military takeover as long as the new dictator will do as we tell him.

35 There is no creditability in our contention that we really want to impose democracy on other nations. Yet promoting  
36 democracy is the public justification for our foreign intervention. It sounds so much nicer than saying we’re going to risk the  
37 lives of our young people and massively tax our citizens to secure the giant oil reserves in Iraq.

38 After we take over Iraq, how long would one expect it to take until there are authentic nationwide elections in that country?  
39 The odds of that happening in even a hundred years are remote. It’s virtually impossible to imagine a time when democratic  
40 elections would ever occur for the election of leaders in a constitutional republic dedicated for protection of liberty any place  
41 in the region.

#### 42 **4.7.15.6 Foreign Policy, Welfare, and 9/11**

43 The tragedy of 9/11 and its aftermath dramatize so clearly how a flawed foreign policy has served to encourage the  
44 majoritarians determined to run everyone’s life.

1 Due to its natural inefficiencies and tremendous costs, a failing welfare state requires an ever-expanding authoritarian  
2 approach to enforce mandates, collect the necessary revenues, and keep afloat an unworkable system. Once the people grow  
3 to depend on government subsistence, they demand its continuation.

4 Excessive meddling in the internal affairs of other nations and involving ourselves in every conflict around the globe has not  
5 endeared the United States to the oppressed of the world. The Japanese are tired of us. The South Koreans are tired of us. The  
6 Europeans are tired of us. The Central Americans are tired of us. The Filipinos are tired of us. And above all, the Arab  
7 Muslims are tired of us.

8 Angry and frustrated by our persistent bullying and disgusted with having their own government bought and controlled by  
9 the United States, joining a radical Islamic movement was a natural and predictable consequence for Muslims.

10 We believe Bin Laden when he takes credit for an attack on the West, and we believe him when he warns us of an impending  
11 attack. But we refuse to listen to his explanation of why he and his allies are at war with us.

12 Bin Laden's claims are straightforward. The U.S. defiles Islam with military bases on holy land in Saudi Arabia, its initiation  
13 of war against Iraq, with 12 years of persistent bombing, and its dollars and weapons being used against the Palestinians as  
14 the Palestinian territory shrinks and Israel's occupation expands. There will be no peace in the world for the next 50 years or  
15 longer if we refuse to believe why those who are attacking us do it.

16 To dismiss terrorism as the result of Muslims hating us because we're rich and free is one of the greatest foreign-policy frauds  
17 ever perpetrated on the American people. Because the propaganda machine, the media, and the government have restated this  
18 so many times, the majority now accept it at face value. And the administration gets the political cover it needs to pursue a  
19 "holy" war for democracy against the infidels who hate us for our goodness.

20 Polling on the matter is followed closely and, unfortunately, is far more important than the rule of law. Do we hear the pundits  
21 talk of constitutional restraints on the Congress and the administration? No, all we ever hear are reassurances that the majority  
22 supports the President; therefore it must be all right.

23 The terrorists' attacks on us, though never justified, are related to our severely flawed foreign policy of intervention. They  
24 also reflect the shortcomings of a bureaucracy that is already big enough to know everything it needs to know about any  
25 impending attack but too cumbersome to do anything about it. Bureaucratic weaknesses within a fragile welfare state provide  
26 a prime opportunity for those whom we antagonize through our domination over world affairs and global wealth to take  
27 advantage of our vulnerability.

28 But what has been our answer to the shortcomings of policies driven by manipulated majority opinion by the powerful elite?  
29 We have responded by massively increasing the federal government's policing activity to hold American citizens in check  
30 and make sure we are well-behaved and pose no threat, while massively expanding our aggressive presence around the world.  
31 There is no possible way these moves can make us more secure against terrorism, yet they will accelerate our march toward  
32 national bankruptcy with a currency collapse.

33 Relying on authoritarian democracy and domestic and international meddling only move us sharply away from a  
34 constitutional republic and the rule of law and toward the turbulence of a decaying democracy, about which Madison and  
35 others had warned.

36 Once the goal of liberty is replaced by a preconceived notion of the benefits and the moral justifications of a democracy, a  
37 trend toward internationalism and world government follows.

38 We certainly witnessed this throughout the 20th century. Since World War II, we have failed to follow the Constitution in  
39 taking this country to war, but instead have deferred to the collective democratic wisdom of the United Nations.

40 Once it's recognized that ultimate authority comes from an international body, whether the United Nations, NATO, the WTO,  
41 the World Bank, or the IMF, the contest becomes a matter of who holds the reins of power and is able to dictate what is  
42 perceived as the will of the people (of the world). In the name of democracy, just as it is done in Washington, powerful  
43 nations with the most money will control UN policy. Bribery, threats, and intimidation are common practices used to achieve  
44 a "democratic" consensus-no matter how controversial and short-lived the benefits.

1 Can one imagine what it might be like if a true worldwide democracy existed and the United Nations were controlled by a  
2 worldwide, one man/one vote philosophy? The masses of China and India could vote themselves whatever they needed from  
3 the more prosperous western countries. How long would a world system last based on this absurdity? Yet this is the principle  
4 that we're working so hard to impose on ourselves and others around the world.

5 In spite of the great strides made toward one-world government based on egalitarianism, I'm optimistic that this utopian  
6 nightmare will never come to fruition. I have already made the case that here at home powerful special interests take over  
7 controlling majority opinion, making sure fairness in distribution is never achieved. This fact causes resentment and becomes  
8 so expensive that the entire system becomes unstable and eventually collapses.

9 The same will occur internationally, even if it miraculously did not cause conflict among the groups demanding the loot  
10 confiscated from the producing individuals (or countries). Democratic socialism is so destructive to production of wealth that  
11 it must fail, just as socialism failed under Soviet Communism. We have a long way to go before old-fashioned nationalism is  
12 dead and buried. In the meantime, the determination of those promoting democratic socialism will cause great harm to many  
13 people before its chaotic end and we rediscover the basic principle responsible for all of human progress.

#### 14 **4.7.15.7 Paying for Democracy**

15 With the additional spending to wage war against terrorism at home, while propping up an ever-increasing expensive and  
16 failing welfare state, and the added funds needed to police the world, all in the midst of a recession, we are destined to see an  
17 unbelievably huge explosion of deficit spending. Raising taxes won't help. Borrowing the needed funds for the budgetary  
18 deficit, plus the daily borrowing from foreigners required to finance our ever-growing current account deficit, will put  
19 tremendous pressure on the dollar.

20 The time will come when the Fed will no longer be able to dictate low interest rates. Reluctance of foreigners to lend, the  
21 exorbitant size of our borrowing needs, and the risk premium will eventually send interest rates upward. Price inflation will  
22 accelerate, and the cost of living for all Americans will increase. Under these conditions, most Americans will face a decline  
23 in their standard of living.

24 Facing this problem of paying for past and present excess spending, the borrowing and inflating of the money supply has  
25 already begun in earnest. Many retirees, depending on their 401k funds and other retirement programs, are suffering the ill-  
26 effects of the stock market crash- a phenomenon that still has a long way to go. Depreciating the dollar by printing excessive  
27 money, like the Fed is doing, will eventually devastate the purchasing power of those retirees who are dependent on Social  
28 Security. Government cost-of-living increases will never be able to keep up with this loss. The elderly are already unable to  
29 afford the inflated costs of medical care, especially the cost of pharmaceuticals.

30 The reality is that we will not be able to inflate, tax, spend or borrow our way out of this mess that the Congress has delivered  
31 to the American people. The demands that come with pure democracy always lead to an unaffordable system that ends with  
32 economic turmoil and political upheaval. Tragically, the worse the problems get, the louder is the demand for more of the  
33 same government programs that caused the problems in the first place- both domestic and international. Weaning off of  
34 government programs and getting away from foreign meddling because of political pressure are virtually impossible. The  
35 end comes only after economic forces make it clear we can no longer afford to pay for the extravagance that comes from  
36 democratic dictates.

37 Democracy is the most expensive form of government. There is no "king" with an interest in preserving the nation's capital.  
38 Everyone desires something, and the special-interest groups, banding together, dictate to the politicians exactly what they  
39 need and want. Politicians are handsomely rewarded for being "effective," that is, getting the benefits for the groups that  
40 support them. Effectiveness is never measured by efforts and achievements in securing liberty, even though it's the most  
41 important element in a prosperous and progressive world.

42 Spending is predictable in a democracy, especially one that endorses foreign interventionism. It always goes up, both in  
43 nominal terms and in percentage of the nation's wealth. Paying for it can be quite complicated. The exact method is less  
44 consequential than the percent of the nation's wealth the government commands. Borrowing and central-bank credit creation  
45 are generally used and are less noticeable, but more deceitful, than direct taxation to pay as we go. If direct taxation were  
46 accomplished through monthly checks written by each taxpayer, the cost of government would immediately be revealed. And  
47 the democratic con game would end much more quickly.

1 The withholding principle was devised to make paying for the programs the majority demanded seem less painful. Passing  
2 on debt to the next generation through borrowing is also a popular way to pay for welfare and warfare. The effect of inflating  
3 a currency to pay the bills is difficult to understand, and the victims are hard to identify. Inflation is the most sinister method  
4 of payment for a welfare state. It, too, grows in popularity as the demands increase for services that aren't affordable.

5 Although this appears to be a convenient and cheap way to pay the bills, the economic consequences of lost employment,  
6 inflated prices, and economic dislocation make the long-term consequences much more severe than paying as we go. Not  
7 only is this costly in terms of national wealth, it significantly contributes to the political chaos and loss of liberty that  
8 accompany the death throes of a doomed democracy.

9 This does not mean that direct taxes won't be continuously raised to pay for out-of-control spending. In a democracy, all  
10 earned wealth is assumed to belong to the government. Therefore any restraint in raising taxes, and any tax cuts or tax credits,  
11 are considered "costs" to government. Once this notion is established, tax credits or cuts are given only under condition that  
12 the beneficiaries conform to the democratic consensus. Freedom of choice is removed, even if a group is merely getting back  
13 control of that which was rightfully theirs in the first place.

14 Tax-exempt status for various groups is not universal but is conditioned on whether their beliefs and practices are compatible  
15 with politically correct opinions endorsed by the democratic majority. This concept is incompatible with the principles of  
16 private-property ownership and individual liberty. By contrast, in a free society all economic and social decision-making is  
17 controlled by private property owners without government intrusion, as long as no one is harmed in the process.

#### 18 **4.7.15.8 Confusion Regarding Democracy**

19 The vast majority of the American people have come to accept democracy as a favorable system and are pleased with our  
20 efforts to pursue Wilson's dream of "making the world safe for democracy." But the goals of pure democracy and that of a  
21 constitutional republic are incompatible. A clear understanding of the difference is paramount, if we are to remain a free and  
22 prosperous nation.

23 There are certain wonderful benefits in recognizing the guidance that majority opinion offers. It takes a consensus or  
24 prevailing attitude to endorse the principles of liberty and a Constitution to protect them. This is a requirement for the rule of  
25 law to succeed. Without a consensus, the rule of law fails. This does not mean that the majority or public opinion measured  
26 by polls, court rulings, or legislative bodies should be able to alter the constitutional restraints on the government's abuse of  
27 life, liberty, and property. But in a democracy, that happens. And we know that today it is happening in this country on a  
28 routine basis.

29 In a free society with totally free markets, the votes by consumers through their purchases, or refusals to purchase, determine  
30 which businesses survive and which fail. This is free-choice "democracy" and it is a powerful force in producing and bringing  
31 about economic efficiency. In today's democracy by decree, government laws dictate who receives the benefits and who gets  
32 shortchanged. Conditions of employment and sales are taxed and regulated at varying rates, and success or failure is too often  
33 dependent on government action than by consumers' voting in the marketplace by their spending habits. Individual consumers  
34 by their decisions should be in charge, not governments armed with mandates from the majority.

35 Even a system of free-market money (a redeemable gold-coin standard) functions through the principle of consumers always  
36 voting or withholding support for that currency. A gold standard can only work when freely converted into gold coins, giving  
37 every citizen a right to vote on a daily basis for or against the government money.

#### 38 **4.7.15.9 The Way Out**

39 It's too late to avoid the turbulence and violence that Madison warned about. It has already started. But it's important to  
40 minimize the damage and prepare the way for a restoration of the republic. The odds are not favorable, but not impossible.  
41 No one can know the future with certainty. The Soviet system came to an abrupt end with less violence than could have ever  
42 been imagined at the height of the Cold War. It was a pleasant surprise.

43 Interestingly enough, what is needed is a majority opinion, especially by those who find themselves in leadership roles-  
44 whether political, educational, or in the media that rejects democracy- and support the rule of law within the republic. This  
45 majority support is essential for the preservation of the freedom and prosperity with which America is identified.



1 This will not occur until we as a nation once again understand how freedom serves the interests of everyone. Henry Grady  
2 Weaver, in his 1947 classic, “The Mainspring of Human Progress,” superbly explains how it works. His thesis is simple.  
3 Liberty permits progress, while government intervention tends always to tyranny. Liberty releases creative energy;  
4 government intervention suppresses it. This release of energy was never greater than in the time following the American  
5 Revolution and the writing of the U.S. Constitution.

6 Instead of individual activity being controlled by the government or superstitious beliefs about natural and mystical events,  
7 activity is controlled by the individual. This understanding recognizes the immense value in voluntary cooperation and  
8 enlightened self-interests. Freedom requires self-control and moral responsibility. No one owes anyone else anything and  
9 everyone is responsible for his or her own acts. The principle of never harming one’s neighbor, or never sending the  
10 government to do the dirty work, is key to making the system tend toward peaceful pursuits and away from the tyranny and  
11 majority-induced violence. Nothing short of a reaffirmation of this principle can restore the freedoms once guaranteed under  
12 the Constitution. Without this, prosperity for the masses is impossible, and as a nation we become more vulnerable to outside  
13 threats.

14 In a republic, the people are in charge. The Constitution provides strict restraints on the politicians, bureaucrats and the  
15 military. Everything the government is allowed to do is only done with explicit permission from the people or the  
16 Constitution. Today, it’s the opposite. The American people must get permission from the government for their every move,  
17 whether it’s use of their own property or spending their own money.

18 Even the most serious decision, such as going to war, is done while ignoring the Constitution and without a vote of the  
19 people’s representatives in the Congress. Members of the global government have more to say about when American troops  
20 are put in harm’s way than the U.S. Congress.

21 The Constitution no longer restrains the government. The government restrains the people in all that they do. This destroys  
22 individual creative energy, and the “mainspring of human progress” is lost. The consequences are less progress, less  
23 prosperity, and less personal fulfillment.

24 A system that rejects voluntary contracts, enlightened self-interest, and individual responsibilities permits the government to  
25 assume these responsibilities. And the government officials become morally obligated to protect us from ourselves,  
26 attempting to make us better people and setting standards for our personal behavior. That effort is already in full swing. But  
27 if this attitude prevails, liberty is lost.

28 When government assumes the responsibility for individuals to achieve excellence and virtue, it does so at the expense of  
29 liberty, and must resort to force and intimidation. Standards become completely arbitrary, depending on the attitude of those  
30 in power and the perceived opinion of the majority. Freedom of choice is gone. This leads to inevitable conflicts with the  
31 government dictating what one can eat, drink or smoke. One group may promote abstinence, the other tax-supported condom  
32 distribution. Arguments over literature, prayer, pornography, and sexual behavior are endless. It is now not even permissible  
33 to mention the word “God” on public property. A people who allows its government to set personal moral standards, for all  
34 non-violent behavior, will naturally allow it to be involved in the more important aspects of spiritual life. For instance, there  
35 are tax deductions for churches that are politically correct, but not for those whose beliefs that are considered out of the  
36 mainstream. Groups that do not meet the official politically correct standards are more likely to be put on a “terrorist” list.

37 This arbitrary and destructive approach to solving difficult problems must be rejected if we ever hope to live again in a society  
38 where the role of government is limited to that of protecting liberty.

39 The question that I’m most often asked when talking about this subject is, “Why do our elected leaders so easily relinquish  
40 liberty and have such little respect for the Constitution?” The people of whom I speak are convinced that liberty is good and  
41 big government is dangerous. They are also quite certain that we have drifted a long way away from the principles that made  
42 America great, and their bewilderment continuously elicits a big “Why?”

43 There’s no easy answer to this and no single explanation. It involves temptation, envy, greed, and ignorance, but worst of all,  
44 humanitarian zeal. Unfortunately, the greater the humanitarian outreach, the greater the violence required to achieve it. The  
45 greater the desire to perform humanitarian deeds through legislation, the greater the violence required to achieve it. Few  
46 understand this. There are literally no limits to the good deeds that some believe need to be done. Rarely does anyone question  
47 how each humanitarian act by government undermines the essential element of all human progress- individual liberty.

1 Failure of government programs prompts more determined efforts, while the loss of liberty is ignored or rationalized away.  
2 Whether it's the war against poverty, drugs, terrorism, or the current Hitler of the day, an appeal to patriotism is used to  
3 convince the people that a little sacrifice of liberty, here and there, is a small price to pay.

4 The results, though, are frightening and will soon become even more so. Poverty has been made worse, the drug war is a  
5 bigger threat than drug use, terrorism remains a threat, and foreign wars have become routine and decided upon without  
6 congressional approval.

7 Most of the damage to liberty and the Constitution is done by men and women of good will who are convinced they know  
8 what is best for the economy, for others, and foreign powers. They inevitably fail to recognize their own arrogance in  
9 assuming they know what is the best personal behavior for others. Their failure to recognize the likelihood of mistakes by  
10 central planners allows them to ignore the magnitude of a flawed central government directive, compared to an individual or  
11 a smaller unit of government mistake.

12 C. S. Lewis had an opinion on this subject:

13 *"Of all tyrannies a tyranny sincerely exercised for the good of its victim may be the most oppressive. It may be*  
14 *better to live under robber barons than under omnipotent moral busybodies. The robber baron's cruelty may*  
15 *sometimes sleep, his cupidity may at some point be satiated, but those who torment us for our own good will*  
16 *torment us without end for they do so with the approval of their own conscience."*

17 A system that is based on majority vote rather than the strict rule of law encourages the few who thrive on power and exerting  
18 authority over other people's lives, unlike the many driven by sincere humanitarian concerns. Our current system rewards  
19 those who respond to age-old human instincts of envy and greed as they gang up on those who produce. Those individuals  
20 who are tempted by the offer of power are quick to accommodate those who are the most demanding of government-giveaway  
21 programs and government contracts. These special-interest groups notoriously come from both the poor and the rich, while  
22 the middle class is required to pay.

23 It's not just a coincidence that, in the times of rapid monetary debasement, the middle class suffers the most from the inflation  
24 and job losses that monetary inflation brings. When inflation is severe, which it will become, the middle class can be  
25 completely wiped out. The stock market crash gives us a hint as to what is likely to come as this country is forced to pay for  
26 the excesses sustained over the past 30 years while operating under a fiat monetary system.

27 Eric Hoffer, the longshoreman philosopher, commented on this subject as well: "Absolute power corrupts even when  
28 exercised for humane purposes. The benevolent despot who sees himself as a shepherd of the people still demands from  
29 others the submissiveness of sheep."

30 Good men driven by a desire for benevolence encourage the centralization of power. The corruptive temptation of power is  
31 made worse when domestic and international interventions go wrong and feed into the hate and envy that invade men's souls  
32 when the love of liberty is absent.

33 Those of good will who work to help the downtrodden do so not knowing they are building a class of rulers who will become  
34 drunk with their own arrogance and lust for power. Generally only a few in a society yield to the urge to dictate to others,  
35 and seek power for the sake of power and then abuse it. Most members of society are complacent and respond to propaganda,  
36 but they unite in the democratic effort to rearrange the world in hopes of gaining benefits through coercive means and  
37 convince themselves they are helping their fellow man as well. A promise of security is a powerful temptation for many.

38 A free society, on the other hand, requires that these same desires be redirected. The desire for power and authority must be  
39 over one's self alone. The desire for security and prosperity should be directed inward, rather than toward controlling others.  
40 We cannot accept the notion that the gang solution endorsed by the majority is the only option. Self-reliance and personal  
41 responsibility are crucial.

42 But there is also a problem with economic understanding. Economic ignorance about the shortcomings of central economic  
43 planning, excessive taxation and regulations, central bank manipulation of money, and credit and interest rates is pervasive  
44 in our nation's capital. A large number of conservatives now forcefully argue that deficits don't matter. Spending programs  
45 never shrink, no matter whether conservatives or liberals are in charge. Rhetoric favoring free trade is canceled out by special-  
46 interest protectionist measures. Support of international government agencies that manage trade, such as the IMF, the World  
47 Bank, the WTO, and Nafta politicizes international trade and eliminates any hope that free-trade capitalism will soon emerge.

1 The federal government will not improve on its policies until the people coming to Washington are educated by a different  
2 breed of economists than those who dominate our government-run universities. Economic advisors and most officeholders  
3 merely reflect the economics taught to them. A major failure of our entire system will most likely occur before serious thought  
4 is given once again to the guidelines laid out in the Constitution.

5 The current economic system of fiat money and interventionism (both domestic and international) serves to accommodate  
6 the unreasonable demands for government to take care of the people. And this, in turn, contributes to the worst of human  
7 instincts: authoritarian control by the few over the many.

8 We, as a nation, have lost our understanding of how the free market provides the greatest prosperity for the greatest number.  
9 Not only have most of us forgotten about the invisible hand of Adam Smith, few have ever heard of Mises and Hayek- two  
10 individuals who understood exactly why all the economic ups and downs of the 20th century occurred, as well as the cause  
11 of the collapse of the Soviet Union.

12 But worst of all, we have lost our faith in freedom. Materialistic concerns and desire for security drive all national politics.  
13 This trend has sharply accelerated since 9/11.

14 Understanding the connection between liberty, prosperity, and security has been lost. The priorities are backwards. Prosperity  
15 and security come from liberty. Peace and the absence of war come as a consequence of liberty and free trade. The elimination  
16 of ignorance and restraints on do-goodism and authoritarianism in a civilized society can only be achieved through a  
17 contractual arrangement between the people and the government- in our case, the U.S. Constitution. This document was the  
18 best ever devised for releasing the creative energy of a free people while strictly holding in check the destructive powers of  
19 government. Only the rule of law can constrain those who, by human instinct, look for a free ride while delivering power to  
20 those few, found in every society, whose only goal in life is a devilish desire to rule over others.

21 The rule of law in a republic protects free-market activity and private-property ownership and provides for equal justice under  
22 the law. It is this respect for law and rights over government power that protects the mainspring of human progress from the  
23 enemies of liberty. Communists and other socialists have routinely argued that the law is merely a tool of the powerful  
24 capitalists. But they have it backwards. Under democracy and fascism, the pseudo-capitalists write the laws that undermine  
25 the Constitution and jeopardize the rights and property of all citizens. They fail to realize it is the real law, the Constitution  
26 itself, which guarantees rights and equal justice and permits capitalism, thus guaranteeing progress.

27 Arbitrary, ever-changing laws are the friends of dictators. Authoritarians argue constantly that the Constitution is a living  
28 document, and that rigid obedience to ideological purity is the enemy we should be most concerned about. They would have  
29 us believe that those who cherish strict obedience to the rule of law in the defense of liberty are wrong merely because they  
30 demand ideological purity. They fail to mention that their love of relative rights and pure democracy is driven by a rigid  
31 obedience to an ideology as well. The issue is never rigid beliefs versus reasonable friendly compromise. In politics, it's  
32 always competition between two strongly held ideologies. The only challenge for men and women of good will is to decide  
33 the wisdom and truth of the ideologies offered.

34 Nothing short of restoring a republican form of government with strict adherence to the rule of law, and curtailing illegal  
35 government programs, will solve our current and evolving problems.

36 Eventually the solution will be found with the passage of the Liberty Amendment. Once there is serious debate on this  
37 amendment, we will know that the American people are considering the restoration of our constitutional republic and the  
38 protection of individual liberty.

#### 39 **4.7.16 Summary and Conclusion**

40 *"Democracy is indispensable to socialism."*  
41 *[V.I. Lenin]*

42 *"Democracy is the road to socialism."*  
43 *[Karl Marx]*

44 *"The goal of socialism is communism."*  
45 *[V.I. Lenin]*

1 To summarize what we have just learned in this section:

- 2 1. Unlike monarchies and democracies, only a true Republic can “secure” God-given, unalienable Rights to all  
3 *individuals*.
- 4 2. A “Republican Form of Government” is guaranteed to every “State of the Union” by Article 4, Section 4 of the  
5 Federal Constitution (and also some current State constitutions).
- 6 3. Contrary to those constitutional guarantees, our current government operates as a democracy which, by definition,  
7 recognizes the people’s rights as a single *collective*, but denies their God-given unalienable Rights as *individuals*.
- 8 4. The conflict between the *de jure* constitutionally-mandated “Republican Form of Government” and our *de facto*  
9 democracy may provide a powerful strategy for challenging government enforcement programs which—  
10 implemented under the guise of *democracy*—ignore any individual’s claim of God-given, unalienable Rights under  
11 the mandatory *Republic*.
- 12 5. It is in the best interests of our elected officials to claim we have a democracy rather than a Republic, because this  
13 allows them to expand their power and influence and control without the constraints imposed by a constitution that  
14 limits their power.
- 15 6. When transforming a Christian republic into a totalitarian democracy, the sequence of events is as follows:
  - 16 a. Eliminate religious references from public life, politics, and public schools.
  - 17 b. Disconnect us with our Christian heritage and the source of our sovereignty: God
  - 18 c. Eliminate school choice and vouchers and provide financial incentives to put children in public schools.
  - 19 d. Institute laws to punish individuals for practicing law without a license to make the legal profession into a  
20 priesthood and a monopoly that can charge whatever the market will stand for their services. This will also  
21 effectively deny legal representation to the 2/3 of individuals on average who can’t afford lawyers, so that  
22 when the government legally terrorizes individuals for insisting on their rights, they will be defenseless in  
23 court.
  - 24 e. Institute high taxes so that both parents have to work, which leaves the government free to brain wash the  
25 kids in public schools and keep the parents in financial slavery so they don’t have time to watch their  
26 government and litigate to protect their rights.
  - 27 f. Appoint corrupt judges who will ignore constitutional rights and protections, especially as it pertains to  
28 collection and enforcement of taxes.
  - 29 g. Institute public policy through tax legislation (social engineering).
  - 30 h. Punish those who challenge government authority in court by sanctions, fines, and attorney fee awards,  
31 even though this amounts to a violation of the First Amendment right to petition government for a redress  
32 of grievances.
  - 33 i. Undermine sovereignty of jurors by making them legally ignorant and preventing discussing law in the  
34 courtroom, in order to transform our government from a government of laws to a government of men.

35 The table below summarizes succinctly the implications of this section as extended to various forms of government:

36

Table 4-20: Summary of various forms of government

Attribute	Republic	Democracy	Monarchy	Communism/ Socialism
Purpose of government	“secure” God-given rights	Satisfy the will of the <i>collective</i> no matter how depraved	Satisfy the will of the <b>king</b> , no matter how depraved	Satisfy the will and whims of the <b>ruling officials</b>
Sovereign(s)	Individual	Collective	King	Ruler(s)
Source of sovereignty	God	Constitution/election	God (divine right of kings)	Guns/force
Rights defined by	Constitution	Last election	King’s discretion	Collective discretion
Rights are	Absolute, unchangeable	Relativistic and dependent on the last election	Dependent on king’s discretion	Dependent on last government edict
Protector of rights	1. Jury (sovereigns) 2. Grand jury (sovereigns)	Government (conflict of interest!)	Government (conflict of interest!)	Government (conflict of interest!)
Elected representatives	Represent interest of individuals	Represent interests of collective	Advise king but have little power	None
Means of maintaining power	1. Strong religious faith in God. 2. Public that mistrusts government and jealously guards its rights. “Question authority!” 3. Constitution to limit government’s power that is hard to change. 4. Accountable judiciary bound by the chains of the constitution. 5. Independent media. 6. Private school system and school vouchers so government doesn’t propagandize the kids to expand their power. 7. Stay-at-home mom who home schools and encourages children to question authority and build’s child’s self-esteem.	1. Atheism and “separation of church and state” 2. Strong police force that turns on its “citizens” to enforce the tyrannical will of the collective over that of the individual. 3. Media propaganda 4. Deceit and lies by public officials. 5. Maintaining ignorance of populace about the limits on government authority using the public school system. 6. Bickering and anarchy in the legislature. 7. Corrupt court system. 8. Public fool, I mean school system to keep subjects “ignorant”. 9. Poor individuals burdened by excessive taxes who can’t afford legal advice to defend their rights against state/collective encroachment.	1. Merging of church and state to consolidate power. 2. Severe punishment for wrongdoing. 3. Excessive taxes.	1. Atheism. 2. Strong military that turns on its “citizens” to maintain power at the point of a gun. 3. Control of media and propaganda 4. Public school system. 5. No private property ownership.

And now let’s summarize the strategy we suggest based on the above information and conclusions:

- The “unalienable Rights” granted by God and declared in the “Declaration of Independence” are the constitutionalist’s “holy grail”. These are the rights to travel, to own firearms, to raise your children without government interference, to engage in any occupation that you desire, to worship God without restriction and to enjoy the “freedom” that every patriot seeks but hasn’t found since the 1930’s.
- A “Republican Form of Government” is one that “secures” our God-given, individually-held “unalienable Rights”.
- Article 4, Section 4 of the Federal Constitution mandates that, “The United States shall guarantee to every State in this Union a Republican Form of Government...”
- Virtually every government official has taken an Oath of Office to support and defend the Federal Constitution.
- The Oath of Office should obligate all government officials to support and defend a “Republican Form of Government” that “secures” our “unalienable Rights”.
- Any official who knowingly supports and defends a democracy that denies your unalienable Rights may be personally liable for violating his Oath of Office, violating the Constitution, and committing criminal acts including treason. If two or more officials knowingly work together to deny or deprive you of your unalienable Rights and a Republican Form of Government, they may be guilty of conspiracy.

If the analysis in this section is generally correct, legal arguments based on a thoroughly researched and properly presented demand for a “Republican Form of Government” may be powerful. More research must be done, but for now, it’s likely that this argument will stand up in court.

#### 4.8 Police Powers

To fully understand our Constitutional government of balanced and limited powers, you must understand the concept of “police powers”. First, let’s define the term:

**“Police power.** An authority conferred by the American constitutional system in the Tenth Amendment, U.S. Const., upon the individual states, and, in turn, delegated to local governments, through which they are enabled to establish a special department of police; adopt such laws and regulations as tend to prevent the commission of fraud and crime, and secure generally the comfort, safety, morals, health, and prosperity of the citizens by preserving the public order, preventing a conflict of rights in the common intercourse of the citizens, and insuring to each an uninterrupted enjoyment of all the privileges conferred upon him or her by the general laws.

**The power of the State to place restraints on the personal freedom and property rights of persons for the protection of the public safety, health, and morals or the promotion of the public convenience and general prosperity. The police power is subject to limitations of the federal and State constitutions, and especially to the requirement of due process. Police power is the exercise of the sovereign right of a government to promote order, safety, security, health, morals and general welfare within constitutional limits and is an essential attribute of government. Marshall v. Kansas City, Mo., 355 S.W.2d. 877, 883.”**  
[Black’s Law Dictionary, Sixth Edition, p. 1156]

Police powers:

1. Attach to the territory of the sovereign power who provides them.
2. Are designed to prevent harmful acts which injure the equal rights of all.
3. Are always implemented using the criminal and not civil laws.
4. Cannot be delegated to or shared with any other government or abrogated to private companies.
5. Do not require the “consent” of those against whom the criminal laws are enforced. Civil laws, on the other hand, do require “consent of the governed”.

*“That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.”*  
[Declaration of Independence]

6. Do not require “domicile” or “residence” in order to be enforced against those who are protected.

In nearly all cases, “police powers” and “legislative jurisdiction” are synonymous terms. Nearly all “Acts of Congress” are “private laws” or “special laws” that only apply within federal territories and not to states of the Union. This is discussed in greater detail in section 5.4 of the Tax Fraud Prevention Manual, Form #06.008 and its subsections.

Both state and the federal governments under our Constitutional system possess police powers within their own respective jurisdictions:

1. States within their own borders, but generally not on land ceded to the federal government, including any area within the “federal zone”.
2. Federal government to all its territories and possessions and the enclaves that it owns within the union states consisting of lands ceded by the state legislature to the federal government. These areas are called the “federal zone” in this book. The states of the union are not regarded as “territories” of the federal government. Instead, they are the equivalent of sovereign nations who have delegated a portion of their power to the federal government but who collectively reserve sovereignty over that government.

Below is one of many statements made by the Supreme court confirming the limited nature of federal police powers within the sovereign states of the Union:

*“By the Tenth Amendment, ‘the powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states, respectively, or to the people.’ Among the powers thus reserved to the several states is what is commonly called the ‘police power,’-that inherent and necessary power, essential to the very existence of civil society, and the safeguard of the inhabitants of the state against disorder, disease,*

poverty, and crime. 'The police power belonging to the states in virtue of their general sovereignty,' said Mr. Justice STORY, delivering the judgment of this court, 'extends over all subjects within the territorial limits of the states, and has never been conceded to the United States.' Prigg v. Pennsylvania, 16 Pet. 539, 625. This is well illustrated by the recent adjudications that a statute prohibiting the sale of illuminating oils below a certain fire test is beyond the constitutional power of congress to enact, except so far as it has effect within the United States (as, for instance, in the District of Columbia) and without the limits of any state; but that it is within the constitutional power of a state to pass such a statute, even as to oils manufactured under letters patent from the United States. U.S. v. Dewitt, 9 Wall. 41; Patterson v. Kentucky, [97 U.S. 501](#). [[135 U.S. 100, 128](#)] **The police power includes all measures for the protection of the life, the health, the property, and the welfare of the inhabitants, and for the promotion of good order and the public morals.** It covers the suppression of nuisances, whether injurious to the public health, like unwholesome trades, or to the public morals, like gambling-houses and lottery tickets. Slaughter-House Cases, 16 Wall. 36, 62, 87; Fertilizing Co. v. Hyde Park, [97 U.S. 659](#); Phalen v. Virginia, 8 How. 163, 168; Stone v. Mississippi, [101 U.S. 814](#). **This power, being essential to the maintenance of the authority of local government, and to the safety and welfare of the people, is inalienable.** As was said by Chief Justice WAITE, referring to earlier decisions to the same effect: 'No legislature can bargain away the public health or the public morals. The people themselves cannot do it, much less their servants. The supervision of both these subjects of governmental power is continuing in its nature, and they are to be dealt with as the special exigencies of the moment may require. Government is organized with a view to their preservation, and cannot divest itself of the power to provide for them. For this purpose the largest legislative discretion is allowed, and the discretion cannot be parted with any more than the power itself.' Stone v. Mississippi, [101 U.S. 814](#), 819. See, also, Butchers' Union, etc., Co. v. Crescent City, etc., Co., [111 U.S. 746, 753](#), 4 S.Sup.Ct.Rep. 652; New Orleans Gas Co. v. Louisiana Light Co., [115 U.S. 650, 672](#), 6 S.Sup.Ct.Rep. 252; New Orleans v. Houston, [119 U.S. 265, 275](#), 7 S.Sup.Ct.Rep. 198." [Leisy v. Hardin, [135 U.S. 100](#) (1890)]

An example of the exercise of police powers is the enactment of criminal laws to protect citizens and inhabitants from crime and other injurious activities. Exercise of police powers encompasses such things as the regulation of intoxicating liquors, public health, vaccination programs, healthcare, and many other subjects. Within the federal government, the function of the Bureau of Alcohol, Tobacco, and Firearms (BATF), for instance, is to exercise general police powers within the federal zone only over alcohol, tobacco, and firearms and this power is conferred under Title 27 of the U.S. Code. At one time, federal police powers over alcohol extended into states of the Union under the Eighteenth Amendment, but this amendment was subsequently repealed with the passage of the 21<sup>st</sup> Amendment. The Drug Enforcement Agency, or DEA, has exclusive federal jurisdiction over drug trafficking inside the federal zone. These federal agencies, however, have no jurisdiction over such activities that are exclusively within a state. The minute that such activities cross state borders and become interstate commerce, these agencies obtain jurisdiction under the Commerce Clause found in the Constitution under Article 1, Section 8, Clause 3.

In some cases, a delegation of authority to enforce criminal or tax code may occur by the federal government, whereby federal legislation is enacted to permit the laws of federal "States" laws to apply to federal enclaves within a federal "State". These federal "States" are in fact territories of the United States, as shown in 4 U.S.C. §110(d). An example of such legislation is the Buck Act of 1940, codified in 5 U.S.C. §105-113. This Act gave authority to federal territories (called federal "States" in federal law) only to impose their income taxes on business activities exclusively within federal enclaves located within federal territories. The act DID NOT and CANNOT authorize states of the Union to impose direct taxes within federal enclaves, because this would:

1. Break down the separation of powers between the state and federal governments.
2. Violate the mandate in Article 4, Section 4 of the Constitution to provide a "Republican form of government".
3. Force people in federal territories to serve two masters (state and federal), which violates God's laws found in Luke 16:13.
4. Create collusion and conspiracy against the rights of people in federal territories by the state and federal government. It also incentivizes states of the Union to pretend like their citizens live in federal enclave so that they can steal money from them. This coordinated theft of the sovereign people's income is done using the Agreements on Coordination of Tax Administration (A.C.T.A.) between the Secretary of the Treasury and states of the Union. All the states now have been bribed by the federal government to pretend like their citizens live in federal territories and come under the Buck Act.

The Buck Act, in fact, is the exclusive authority for the income and sales taxes in most states of the Union. That's right, income and sales taxes in most states are only authorized inside the federal zone on nonresidents of each state! A person who lives in a federal enclave within a state is "nonresident" to the state.

The important thing that you need to know about police powers is that they are required in order to enforce tax laws. You can't outlaw something by passing a criminal statute against it unless you have police powers within the region you are trying

to tax. An example of such criminal statutes are 26 U.S.C. §§7201-7217, which are the criminal provisions of the Internal Revenue Code that most people in the states of the union “think” apply to them but in fact do not. Why? Because the federal government has no police powers within the borders of the states unless they are exercising powers specifically granted to them by the Constitution. Even the Supreme Court agrees with this conclusion:

***“It should never be held that Congress intends to supersede or by its legislation suspend the exercise of the police powers of the States, even when it may do so, unless its purpose to effect that result is clearly manifested.”***  
 [Reid v. Colorado, [187 U.S. 137](#), 148 (1902)]

*“The principle thus applicable has been frequently stated. It is that the Congress may circumscribe its regulation and occupy a limited field, and that the intention to supersede the exercise by the State of its authority as to matters not covered by the federal legislation is not to be implied unless the Act of Congress fairly interpreted is in conflict with the law of the State. See Savage v. Jones, [225 U.S. 501, 533.](#)”*  
 [Atchison, T. & S. F. R. Co. v. Railroad Commission, [283 U.S. 380, 392–393](#) (1931)]

***“If Congress is authorized to act in a field, it should manifest its intention clearly. It will not be presumed that a federal statute was intended to supersede the exercise of the power of the state unless there is a clear manifestation of intention to do so. The exercise of federal supremacy is not lightly to be presumed.”***  
 [Schwartz v. Texas, [344 U.S. 199](#), 202-203 (1952)]

*“While states are not sovereign in true sense of term but only quasi sovereign, yet in respect of all powers reserved to them they are supreme and independent of federal government as that government within its sphere is independent of the states.”*

***“It is no longer open to question that the general government, unlike the states, Hammer v. Dagenhart, [247 U.S. 251, 275](#), 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, possesses no inherent power in respect of the internal affairs of the states; and emphatically not with regard to legislation.”***  
 [Carter v. Carter Coal Co., [298 U.S. 238](#), 56 S.Ct. 855 (1936)]

With regard to that last quote, the Internal Revenue Code is classified as “legislation”. The ability to directly tax natural persons within the 50 states of the union was *never* conferred upon the federal government anywhere in the Constitution, Sixteenth Amendment or otherwise. As a matter of fact, in Chapter 3, we cited several Supreme Court rulings stating specifically that the Sixteenth Amendment “conferred no new powers of taxation” (see *Stanton v. Baltic Mining*, 240 U.S. 103 (1916) and many others). We will reiterate this fact for you later in section 5.2.11 and we will also show in section 5.1.1 that the *only* type of taxation authorized by the Constitution within states of the Union is indirect excise taxes on privileged artificial entities such as corporations and partnerships who are involved *only* in foreign or interstate commerce under Art. 1, Section 8, Clause 3 of the U.S. Constitution.

To summarize the findings of this section on police powers, we will present in the table below a list of definitions. This table clarifies the distinctions between the various terms relating to “States”, “states”, and “United States” in the various state and federal laws so that the impact of the separation of police powers between federal and state governments can be clearly seen in a meaningful way:

**Table 4-21: Summary of the meaning of various terms**

Law	Federal constitution	Federal statutes	Federal regulations	State constitutions	State statutes	State regulations
Author	Union States/ “We The People”	Federal Government		“We The People”	State Government	
“state”	Foreign country	Union state	Union state	Other Union state or federal government	Other Union state or federal government	Other Union state or federal government
“State”	Union state	Federal state	Federal state	Union state	Union state	Union state



Law	Federal constitution	Federal statutes	Federal regulations	State constitutions	State statutes	State regulations
Author	Union States/ "We The People"	Federal Government		"We The People"	State Government	
"in this State" or "in the State" <sup>131</sup>	NA	NA	NA	NA	Federal enclave within state	Federal enclave within state
"State" <sup>132</sup> (State Revenue and taxation code only)	NA	NA	NA	NA	Federal enclave within state	Federal enclave within state
"several States"	Union states collectively <sup>133</sup>	Federal "States" collectively	Federal "States" collectively	Federal "States" collectively	Federal "States" collectively	Federal "States" collectively
"United States"	states of the Union collectively	Federal United States**	Federal United States**	United States* the country	Federal United States**	Federal United States**

## 4.9 "Domicile" and "Residence"

A very important subject to study as the origin of all government civil statutory jurisdiction is the subject of domicile. Domicile is an EXTREMELY important subject to learn because it defines and circumscribes:

1. The boundary between what is legislatively "foreign" and legislatively "domestic" in relation to a specific jurisdiction. Everyone domiciled OUTSIDE a specific jurisdiction is legislatively and statutorily "foreign" in relation to that civil jurisdiction. Note that you can be DOMESTIC from a CONSTITUTIONAL perspective and yet ALSO be FOREIGN from a legislative jurisdiction AT THE SAME TIME. This is true of the relationship of most Americans with the national government.
2. The boundary between what is LEGAL speech and POLITICAL speech. For everyone not domiciled in a specific jurisdiction, the civil law of that jurisdiction is POLITICAL and unenforceable. Since real constitutional courts cannot entertain political questions, then they cannot act in a political capacity against nonresidents.

So let us begin our coverage of this MOST important subject.

### 4.9.1 Domicile: You aren't subject to civil statutory law without your explicit voluntary consent

The purpose of establishing government is solely to provide "protection". Those who wish to be protected by a specific government under the civil law must expressly consent to be protected by choosing a domicile within the civil jurisdiction of that specific government.

1. Those who have made such a choice and thereby become "customers" of the protection afforded by government are called by any of the following names under the civil laws of the jurisdiction they have nominated to protect them:
  - 1.1. "citizens", if they were born somewhere within the country which the jurisdiction is a part.
  - 1.2. "residents" (aliens) if they were born within the country in which the jurisdiction is a part
  - 1.3. "inhabitants", which encompasses both "citizens", and "residents" but excludes foreigners
  - 1.4. "persons".
  - 1.5. "individuals".
2. Those who have not become "customers" or "protected persons" of a specific government are called by any of the following names within the civil laws of the jurisdiction they have refused to nominate as their protector and may NOT

<sup>131</sup> See California Revenue and Taxation Code, Section 6017.

<sup>132</sup> See California Revenue and Taxation Code, Section 17018.

<sup>133</sup> See, for instance, U.S. Constitution Article IV, Section 2.

1 be called by any of the names in item 1 above:

- 2 2.1. "nonresidents"
- 3 2.2. "transient foreigners"
- 4 2.3. "stateless persons"
- 5 2.4. "in transitu"
- 6 2.5. "transient"
- 7 2.6. "sojourner"

8 In law, the process of choosing a domicile within the jurisdiction of a specific government is called "*animus manendi*". That  
 9 choice makes you a consenting party to the "civil contract", "social compact", and "private law" that attaches to and therefore  
 10 protects all "inhabitants" and things physically situated on or within that specific territory, venue, and jurisdiction. In a sense  
 11 then, your consent to a specific jurisdiction by your choice of domicile within that jurisdiction is what creates the "person",  
 12 "individual", "citizen", "resident", or "inhabitant" which is the only proper subject of the civil laws passed by that government.  
 13 In other words, choosing a domicile within a specific jurisdiction causes an implied waiver of sovereign immunity, because  
 14 the courts admit that the term "person" does not refer to the "sovereign":

15 "*Since in common usage, the term person does not include the sovereign, statutes not employing the phrase are*  
 16 *ordinarily construed to exclude it.*"  
 17 [*United States v. Cooper Corporation, 312 U.S. 600 (1941)*]

18 "*Sovereignty itself is, of course, not subject to law for it is the author and source of law;*"  
 19 [*Yick Wo v. Hopkins, 118 U.S. 356 (1886)*]

20 "*There is no such thing as a power of inherent Sovereignty in the government of the United States. In this country*  
 21 *sovereignty resides in the People, and Congress can exercise no power which they have not, by their Constitution*  
 22 *entrusted to it: All else is withheld.*"  
 23 [*Juilliard v. Greenman, 110 U.S. 421 (1884)*]

24 Those who have become customers of government protection by choosing a domicile within a specific government then owe  
 25 a duty to pay for the support of the protection they demand. The method of paying for said protection is called "taxes". In  
 26 earlier times this kind of sponsorship was called "tribute".

27 Even for civil laws that are enacted with the consent of the majority of the governed, we must *still* explicitly and individually  
 28 consent to be subject to them as a person "among those governed" before they can be enforced against us.

29 "*When a change of government takes place, from a monarchial to a republican government, the old form is*  
 30 *dissolved. Those who lived under it, and did not choose to become members of the new, had a right to refuse their*  
 31 *allegiance to it, and to retire elsewhere. By being a part of the society subject to the old government, they had not*  
 32 *entered into any engagement to become subject to any new form the majority might think proper to adopt. That*  
 33 *the majority shall prevail is a rule posterior to the formation of government, and results from it. It is not a rule*  
 34 *upon mankind in their natural state. There, every man is independent of all laws, except those prescribed by*  
 35 *nature. He is not bound by any institutions formed by his fellowmen without his consent*"  
 36 [*Cruden v. Neale, 2 N.C., 2 S.E. 70 (1796)*]

37 This requirement for the consent to the protection afforded by government is the foundation of our system of government,  
 38 according to the Declaration of Independence: consent of the governed. The U.S. Supreme Court admitted this when it said:

39 "*The people of the United States resident within any State are subject to two governments: one State, and the*  
 40 *other National; but there need be no conflict between the two. The powers which one possesses, the other does*  
 41 *not. They are established for different purposes, and have separate jurisdictions. Together they make one whole,*  
 42 *and furnish the people of the United States with a complete government, ample for the protection of all their rights*  
 43 *at home and abroad. True, it may sometimes happen that a person is amenable to both jurisdictions for one and*  
 44 *the same act. Thus, if a marshal of the United States is unlawfully resisted while executing the process of the*  
 45 *courts within a State, and the resistance is accompanied by an assault on the officer, the sovereignty of the United*  
 46 *States is violated by the resistance, and that of the State by the breach of peace, in the assault. So, too, if one*  
 47 *passes counterfeit coin of the United States within a State, it may be an offence against the United States and*  
 48 *the State: the United States, because it discredits the coin; and the State, because of the fraud upon him to whom*  
 49 *it is passed. This does not, however, necessarily imply that the two governments possess powers in common, or*  
 50 *bring them into conflict with each other. It is the natural consequence of a citizenship [92 U.S. 542, 551] which*  
 51 *owes allegiance to two sovereignties, and claims protection from both. **The citizen cannot***

52 ***complain, because he has voluntarily submitted himself***

**to such a form of government.** *He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws. In return, he can demand protection from each within its own jurisdiction.*"  
 [United States v. Cruikshank, [92 U.S. 542](#) (1875) [emphasis added]

How, then, did you “voluntarily submit” yourself to such a form of government and thereby contract with that government for “protection”? If people fully understood how they did this, many of them would probably immediately withdraw their consent and completely drop out of the corrupted, inefficient, and usurious system of government we have, now wouldn’t they? We have spent six long years researching this question, and our research shows that it wasn’t your citizenship as a “national” but not statutory “citizen” pursuant to 8 U.S.C. §1101(a)(21) that made you subject to their civil laws. Well then, what was it?

### ***It was your voluntary choice of domicile!***

In fact, the “citizen” the Supreme Administrative Court is talking about above is a statutory “citizen” and not a constitutional “citizen”, and the only way you can become subject to statutory civil law is to have a domicile within the jurisdiction of the sovereign. Below is a legal definition of “domicile”:

*“domicile. A person's legal home. That place where a man has his true, fixed, and **permanent home** and principal establishment, and to which whenever he is absent he has **the intention of** returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and **the intention** to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he **intends to** return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. **The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.**”*  
 [Black's Law Dictionary, Sixth Edition, p. 485]

*“This right to protect persons having a domicile, though not native-born or naturalized citizens, rests on the firm foundation of justice, and the **claim to be protected** is earned by considerations which the protecting power is not at liberty to disregard. Such domiciled citizen pays the same price for his protection as native-born or naturalized citizens pay for theirs. **He is under the bonds of allegiance to the country of his residence, and, if he breaks them, incurs the same penalties. He owes the same obedience to the civil laws.** His property is, in the same way and to the same extent as theirs, liable to contribute to the support of the Government. In nearly all respects, his and their condition as to the duties and burdens of Government are undistinguishable.”*  
 [Fong Yue Ting v. United States, [149 U.S. 698](#) (1893)]

Notice the phrase “civil laws” above and the term “claim to be protected”. What they are describing is a contract to procure the protection of the government, from which a “claim” arises. Those who are not party to the domicile/protection contract have no such claim and are immune from the civil jurisdiction of the government. In fact, there are only three ways to become subject to the civil jurisdiction of a specific government. These ways are:

1. Choosing domicile within a specific jurisdiction.
2. Representing an entity that has a domicile within a specific jurisdiction even though not domiciled oneself in said jurisdiction. For instance, representing a federal corporation as a public officer of said corporation, even though domiciled outside the federal zone. The authority for this type of jurisdiction is, for instance, Federal Rule of Civil Procedure 17(b).
3. Engaging in commerce within the civil legislative jurisdiction of a specific government and thereby waiving sovereign immunity under:
  - 3.1. The Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. §1605.
  - 3.2. The Minimum Contacts Doctrine, U.S. Supreme Court, which implements the Fourteenth Amendment. See International Shoe Co. v. Washington, 326 U.S. 310 (1945) .
  - 3.3. The Longarm Statutes of the state jurisdiction where you are physically situated at the time. For a list of such state statutes, see:
    - 3.3.1. [SEDM Jurisdictions Database](#), Litigation Tool #09.003  
<http://sedm.org/Litigation/LitIndex.htm>
    - 3.3.2. [SEDM Jurisdictions Database Online](#), Litigation Tool #09.004  
<http://sedm.org/Litigation/LitIndex.htm>

We allege that if the above rules are violated then the following consequences are inevitable:

1. A crime has been committed. That crime is identity theft against a nonresident party and it involves using a person's legal identity as a "person" for the commercial benefit of someone else without their express consent. Identity theft is a crime in every jurisdiction within the USA. The SEDM Jurisdictions Database, Litigation Tool #09.003 indicated above lists identity theft statutes for every jurisdiction in the USA.
2. If the entity disregarding the above rules claims to be a "government" then it is acting instead as a private corporation and must waive sovereign immunity and approach the other party to the dispute in EQUITY rather than law, and do so in OTHER than a franchise court. Franchise courts include U.S. District Court, U.S. Circuit Court, Tax Court, Traffic Court, and Family Court, etc. Equity is impossible in a franchise court.

See also *Clearfield Trust Co. v. United States*, 318 U.S. 363, 369 (1943) ("The United States does business on business terms") (quoting *United States v. National Exchange Bank of Baltimore*, 270 U.S. 527, 534 (1926)); *Perry v. United States*, supra at 352 (1935) ("When the United States, with constitutional authority, makes contracts for franchises, it has rights and incurs responsibilities similar to those of individuals who are parties to such instruments. There is no difference . . . except that the United States cannot be sued without its consent") (citation omitted); *United States v. Bostwick*, 94 U.S. 53, 66 (1877) ("The United States, when they contract with their citizens, are controlled by the same laws that govern the citizen in that behalf"); *Cooke v. United States*, 91 U.S. 389, 398 (1875) (explaining that when the United States "comes down from its position of sovereignty, and enters the domain of commerce, it submits itself to the same laws that govern individuals there").

See *Jones*, 1 Cl.Ct. at 85 ("Wherever the public and private acts of the government seem to commingle, a citizen or corporate body must by supposition be substituted in its place, and then the question be determined whether the action will lie against the supposed defendant"); *O'Neill v. United States*, 231 Ct.Cl. 823, 826 (1982) (sovereign acts doctrine applies where, "[w]ere [the] contracts exclusively between private parties, the party hurt by such governing action could not claim compensation from the other party for the governing action"). The dissent ignores these statements (including the statement from *Jones*, from which case *Horowitz* drew its reasoning literally verbatim), when it says, post at 931, that the sovereign acts cases do not emphasize the need to treat the government-as-contractor the same as a private party. [*United States v. Winstar Corp.* 518 U.S. 839 (1996)]

Below are some interesting facts about domicile that we have discovered through our extensive research on this subject:

1. Domicile is based on where you currently live or have lived in the past. You can't choose a domicile in a place that you have never physically been to.
2. Domicile is a voluntary choice that only you can make. It acts as the equivalent of a "protection contract" between you and the government. All such contracts require your voluntary "consent", which the above definition calls "intent". That "intent" expresses itself as "allegiance" to the people and the laws of the place where you maintain a domicile.

"Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes. Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter. Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located."

[*Miller Brothers Co. v. Maryland*, 347 U.S. 340 (1954)]

3. Domicile cannot be established without a coincidence of living or having lived in a place and voluntarily consenting to live there "permanently".
4. Domicile is a protected First Amendment choice of political association. Since the government may not lawfully interfere with your right of association, they cannot lawfully select a domicile for you or interfere with your choice of domicile.
5. Domicile is what is called the "seat" of your property. It is the "state" and the "government" you voluntarily nominate to protect your property and your rights. In effect, it is the "weapon" you voluntarily choose that will best protect your property and rights, not unlike the weapons that early cavemen crafted and voluntarily used to protect themselves and their property.
6. The government cannot lawfully coerce you to choose a domicile in a place. A government that coerced you into choosing a domicile in their jurisdiction is engaging in a "protection racket", which is highly illegal. A coerced domicile it is not a domicile of your choice and therefore lawfully confers no jurisdiction or rights upon the government:

**"Similarly, when a person is prevented from leaving his domicile by circumstances not of his doing and beyond his control, he may be relieved of the consequences attendant on domicile at that place.** In *Roboz* (USDC D.C. 1963) [*Roboz v. Kennedy*, 219 F.Supp. 892 (D.D.C. 1963), p. 24], a federal statute was involved which precluded the return of an alien's property if he was found to be domiciled in Hungary prior to a certain date. It was found that Hungary was Nazi-controlled at the time in question and that the persons involved would have left Hungary (and lost domicile there) had they been able to. Since they had been precluded from leaving because of the political privations imposed by the very government they wanted to escape (the father was in prison there), the court would not hold them to have lost their property based on a domicile that circumstances beyond their control forced them to retain."

[*Conflicts in a Nutshell*, David D. Siegel and Patrick J. Borchers, West Publishing, p. 24]

7. Domicile is a method of lawfully delegating authority to a "sovereign" to protect you. That delegation of authority causes you to voluntarily surrender some of your rights to the government in exchange for "protection". That protection comes from the civil and criminal laws that the sovereign passes, because the purpose of all government and all law is "protection". The U.S. Supreme Court calls this delegation of authority "allegiance". To wit:

**"Allegiance and protection [by the government from harm] are, in this connection, reciprocal obligations. The one is a condition for the other; allegiance for protection and protection for allegiance."**

[*Minor v. Happersett*, 88 U.S. (21 Wall.) 162, 166-168 (1874)]

8. All allegiance must be voluntary, which is why only consenting adults past the age of majority can have a legal domicile. The following facts confirm this conclusion:
- 8.1. Minors cannot choose a domicile, but by law assume the domicile of their parents.
- 8.2. Incompetent or insane persons assume the domicile of their caregivers.
9. It is perfectly lawful to have a domicile in a place OTHER than the place you currently live. Those who find themselves in this condition are called "transient foreigners", and the only laws they are subject to are the criminal laws in the place they are at.

"Transient foreigner. One who visits the country, without the intention of remaining."

[*Black's Law Dictionary*, Sixth Edition, p. 1498]

10. There are many complicated rules of "presumption" about how to determine the domicile of an individual:
- 10.1. You can read these rules on the web at:

**28 Corpus Juris Secundum (C.J.S.), Domicile (2003)**

**<http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf>**

- 10.2. The reason that the above publication about domicile is so complicated and long, is that its main purpose is to disguise the *voluntary, consensual* nature of domicile or remove it entirely from the decisions of courts and governments so that simply being present on the king's land makes one into a "subject" of the king. This is not how a republican form of government works and we don't have a monarchy in this country that would allow this abusive approach to law to function.

**"Yet, it is to be remembered, and that whether in its real origin, or in its artificial state, allegiance, as well as fealty, rests upon lands, and it is due to persons. Not so, with respect to Citizenship, which has arisen from the dissolution of the feudal system and is a substitute for allegiance, corresponding with the new order of things. Allegiance and citizenship, differ, indeed, in almost every characteristic. Citizenship is the effect of compact [CONTRACT!]; allegiance is the offspring of power and necessity. Citizenship is a political tie; allegiance is a territorial tenure. Citizenship is the charter of equality; allegiance is a badge of inferiority. Citizenship is constitutional; allegiance is personal. Citizenship is freedom; allegiance is servitude. Citizenship is communicable; allegiance is repulsive. Citizenship may be relinquished; allegiance is perpetual. With such essential differences, the doctrine of allegiance is inapplicable to a system of citizenship; which it can neither serve to controul, nor to elucidate. And yet, even among the nations, in which the law of allegiance is the most firmly established, the law most pertinaciously enforced, there are striking deviations that demonstrate the invincible power of truth, and the homage, which, under every modification of government, must be paid to the inherent rights of man.....The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous, sovereign...."**

[*Talbot v. Janson*, 3 U.S. 133 (1795); From the syllabus but not the opinion; SOURCE:

**[http://www.law.cornell.edu/supct/search/display.html?terms=choice%20or%20conflict%20and%20law&url=/supct/html/historics/USSC\\_CR\\_0003\\_0133\\_ZS.html](http://www.law.cornell.edu/supct/search/display.html?terms=choice%20or%20conflict%20and%20law&url=/supct/html/historics/USSC_CR_0003_0133_ZS.html)**

- 10.3. These rules of presumption relating to domicile may only lawfully act in the *absence of express declaration* of your domicile provided to the government in written form or when various sources of evidence conflict with each other about your choice of domicile.

1 **"This [government] right of domicile, he continues, is not established unless the person makes sufficiently**  
 2 **known his intention of fixing there, either tacitly or by an express declaration.** Vatt. Law Nat. pp. 92, 93."  
 3 [*Fong Yue Ting v. United States*, 149 U.S. 698 (1893)]

4 10.4. The purpose for these rules are basically to manufacture the "presumption" that courts can use to "ASSUME" or  
 5 "PRESUME" that you consented to their jurisdiction, even if in fact you did not explicitly do so. All such  
 6 prejudicial presumptions which might adversely affect your Constitutionally guaranteed rights are  
 7 unconstitutional, according to the U.S. Supreme Court:

8 1) [8:4993] **Conclusive presumptions affecting protected interests:** *A conclusive presumption may be defeated*  
 9 *where its application would impair a party's constitutionally-protected liberty or property interests. In such*  
 10 *cases, conclusive presumptions have been held to violate a party's due process and equal protection*  
 11 *rights. [Vlandis v. Kline (1973) 412 U.S. 441, 449, 93 S.Ct. 2230, 2235; Cleveland Bd. of Ed. v. LaFleur (1974)*  
 12 *414 U.S. 632, 639-640, 94 S.Ct. 1208, 1215-presumption under Illinois law that unmarried fathers are unfit*  
 13 *violates process]*  
 14 [*Federal Civil Trials and Evidence, Rutter Group, paragraph 8:4993, p. 8K-34]*

15 10.5. The purpose for these complicated rules of presumption is to avoid the real issue, which is whether you  
 16 voluntarily consent to the civil statutory jurisdiction of the government and the courts in an area, because they  
 17 cannot proceed civilly without your express consent manifested as a voluntary choice of domicile. In most cases,  
 18 if litigants knew that all they had to do to avoid the jurisdiction of the court was to not voluntarily select a  
 19 domicile within the jurisdiction of the court, most people would become "transient foreigners" so the government  
 20 could do nothing other than just "leave them alone".

21 11. You can choose a domicile any place you want, so long as you have physically been present in that place at least once  
 22 in the past. The only requirement is that you must ensure that the government or sovereign who controls the place  
 23 where you live has received "reasonable notice" of your choice of domicile and of their corresponding obligation to  
 24 protect you.

25 *The writers upon the law of nations distinguish between a temporary residence in a foreign country for a special*  
 26 *purpose and a residence accompanied with an intention to make it a permanent place of abode. The latter is*  
 27 *styled by Vattel [in his book The Law of Nations as] "domicile," which he defines to be "a habitation fixed in any*  
 28 *place, with an intention of always staying there." Such a person, says this author, becomes a member of the new*  
 29 *society at least as a permanent inhabitant, and is a kind of citizen of the inferior order from the native citizens,*  
 30 *but is, nevertheless, united and subject to the society, without participating in all its advantages. **This right of***  
 31 ***domicile, he continues, is not established unless the person makes sufficiently known his intention of fixing***  
 32 ***there, either tacitly or by an express declaration.*** Vatt. Law Nat. pp. 92, 93. *Grotius nowhere uses the word*  
 33 *"domicile," but he also distinguishes between those who stay in a foreign country by the necessity of their*  
 34 ***affairs, or from any other temporary cause, and those who reside there from a permanent cause. The former***  
 35 ***he denominates "strangers," and the latter, "subjects."** The rule is thus laid down by Sir Robert Phillimore:*

36 *There is a class of persons which cannot be, strictly speaking, included in either of these denominations of*  
 37 *naturalized or native citizens, namely, the class of those who have ceased to reside [maintain a domicile] in their*  
 38 *native country, and have taken up a permanent abode in another. **These are domiciled inhabitants. They have***  
 39 ***not put on a new citizenship through some formal mode enjoined by the law or the new country. They are de***  
 40 ***facto, though not de jure, citizens of the country of their [new chosen] domicile.***  
 41 [*Fong Yue Ting v. United States*, 149 U.S. 698 (1893)]

42 Notice the phrase "This right of domicile. . . is not established unless the person makes sufficiently known his intention  
 43 of fixing there, either tacitly or by an express declaration."

44 12. The process of notifying the government that you have nominated them as your protector occurs based on how you fill  
 45 out usually government and financial forms that you fill out such as:

46 12.1. Driver's license applications. You cannot get a driver's license in most states without selecting a domicile in the  
 47 place that you want the license from. See:

*Defending Your Right to Travel*, Form #06.010

<https://sedm.org/ItemInfo/Ebooks/DefYourRightToTravel/DefYourRightToTravel.htm>

48 12.2. Voter registration. You cannot register to vote without a domicile in the place you are voting.

49 12.3. Jury summons. You cannot serve as a jurist without a domicile in the jurisdiction you are serving in.

50 12.4. On financial forms, any form that asks for your "residence", "permanent address", or "domicile".

51 13. If you want to provide unambiguous legal notice to the state of your choice to disassociate with them and become a  
 52 "transient foreigner" in the place where you live who is not subject to the civil laws, you can use the following free  
 53 form:

*Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001  
<http://sedm.org/Forms/FormIndex.htm>

We emphasize that there is no method OTHER than domicile available in which to **consent** to the civil statutory laws of a specific place. None of the following conditions, for instance, may form a basis for a prima facie presumption that a specific human being consented to be civilly governed by a specific municipal government:

1. Simply being born and thereby becoming a statutory “national” (per 8 U.S.C. §1101(a)(21)) of a specific country is NOT an exercise of personal discretion or an express act of consent.
2. Simply living in a physical place WITHOUT choosing a domicile there is NOT an exercise of personal discretion or an express act of consent.

The subject of domicile is a complicated one. Consequently, we have written a separate memorandum of law on the subject if you would like to investigate this fascinating subject further:

*Why Domicile and Becoming a “Taxpayer” Require Your Consent*, Form #05.002  
<http://sedm.org/Forms/FormIndex.htm>

#### 4.9.2 **“Subject to THE jurisdiction” in the Fourteenth Amendment**

The phrase “Subject to THE jurisdiction” is found in the Fourteenth Amendment:

*U.S. Constitution:  
 Fourteenth Amendment*

*Section. 1. All persons **born or naturalized in the United States**[\*\*\*] and subject to the jurisdiction thereof, are **citizens of the United States**[\*\*\*] and of the State wherein they reside.*

The phrase “subject to THE jurisdiction” in the context of ONLY the Fourteenth Amendment:

1. Means “subject to the POLITICAL and not LEGISLATIVE jurisdiction”.

*“This section contemplates two sources of citizenship, and two sources only,—birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof.' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States, **but completely subject to their [plural, not singular, meaning states of the Union] political jurisdiction, and owing them [the state of the Union] direct and immediate allegiance.** And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired.”*  
*[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

2. Requires domicile, which is voluntary, in order to be subject ALSO to the civil LEGISLATIVE jurisdiction of the municipality one is in. Civil status always has domicile as a prerequisite.

*In Udney v. Udney (1869) L. R. 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: **‘The question of naturalization and of allegiance is distinct from that of domicile.’** Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: **‘The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,—one by virtue of which he becomes the subject [NATIONAL] of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.’** And then, while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which **‘the personal rights of the party—that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy—must depend,’** he yet distinctly recognized that **a man’s political status, his country (patria), and his ‘nationality,—that is, natural allegiance,—‘may depend on different laws in different countries.’** Pages 457, 460. He evidently used the word ‘citizen,’ not as equivalent to ‘subject,’ but rather*

1 to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British  
2 dominion are natural-born subjects.

3 [United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ;

4 SOURCE: [http://scholar.google.com/scholar\\_case?case=3381955771263111765](http://scholar.google.com/scholar_case?case=3381955771263111765)]

- 5 3. Is a POLITICAL status that does not carry with it any civil status to which PUBLIC rights or franchises can attach.  
6 Therefore, the term "citizen" as used in Title 26 is NOT this type of citizen, since it imposes civil obligations. All tax  
7 obligations are civil in nature and depend on DOMICILE, not NATIONALITY. See District of Columbia v. Murphy,  
8 314 U.S. 441 (1941) and:

*Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002, Section 11.7

<https://sedm.org/Forms/FormIndex.htm>

- 9 4. Is a product of PERMANENT ALLEGIANCE that is associated with the political status of "nationals" as defined in 8  
10 U.S.C. §1101(a)(21). The only thing that can or does establish a political status is such allegiance.

11 [8 U.S.C. §1101](#): Definitions

12 (a) As used in this chapter—

13 (21) The term "national" means a person owing permanent allegiance to a state.

14  
15 **"Allegiance and protection [by the government from harm] are, in this connection, reciprocal obligations. The**  
16 **one is a compensation for the other; allegiance for protection and protection for allegiance."**

17 [Minor v. Happersett, [88 U.S. \(21 Wall.\) 162](#), 166-168 (1874)]

- 18 5. Is NOT a product of TEMPORARY allegiance owed by aliens who are sojourners temporarily in the United States and  
19 subject to the laws but do not have PERMANENT allegiance. Note the phrase "temporary and local allegiance" in the  
20 ruling below:

21 *The reasons for not allowing to other aliens exemption 'from the jurisdiction of the country in which they are*  
22 *found' were stated as follows: **"When private individuals of one nation [states of the Unions are "nations" under***  
23 ***the law of nations] spread themselves through another as business or caprice may direct, mingling***  
24 ***indiscriminately with the inhabitants of that other, or when merchant vessels enter for the purposes of trade,***  
25 ***it would be obviously inconvenient and dangerous to society, and would subject the laws to continual***  
26 ***infraction, and the government to degradation, if such individuals or merchants did not owe temporary and***  
27 ***local allegiance, and were not amenable to the jurisdiction of the country.** Nor can the foreign sovereign have*  
28 *any motive for wishing such exemption. His subjects thus passing into foreign countries are not employed by him,*  
29 *nor are they engaged in national pursuits. Consequently, there are powerful motives for not exempting persons*  
30 *of this description from the jurisdiction of the country in which they are found, and no one motive for requiring*  
31 *it. **The implied license, therefore, under which they enter, can never be construed to grant such exemption.**' 7*  
32 ***Cranch, 144.***

33 *In short, the judgment in the case of The Exchange declared, as incontrovertible principles, that the jurisdiction*  
34 *of every nation within its own territory is exclusive and absolute, and is susceptible of no limitation not imposed*  
35 *by the nation itself; that all exceptions to its full and absolute territorial jurisdiction must be traced up to its own*  
36 *consent, express or implied; that upon its consent to cede, or to waive the exercise of, a part of its territorial*  
37 *jurisdiction, rest the exemptions from that jurisdiction of foreign sovereigns or their armies entering its territory*  
38 *with its permission, and of their foreign ministers and public ships of war; and that **the implied license, under***  
39 ***which private individuals of another nation enter the territory and mingle indiscriminately with its inhabitants,***  
40 ***for purposes of business or pleasure, can never be construed to grant to them an exemption from the***  
41 ***jurisdiction of the country in which they are found.** See, also, Carlisle v. U.S. (1872) 16 Wall. 147, 155; Radich*  
42 *v. Hutchins (1877) 95 U.S. 210; Wildenhuss' Case (1887) 120 U.S. 1, 7 Sup.Ct. 385; Chae Chan Ping v. U.S.*  
43 *(1889) 130 U.S. 581, 603, 604, 9 Sup.Ct. 623.*

44 [United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]

45  
46 "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the  
47 United States and of the State wherein they reside."

48 *The first observation we have to make on this clause is, that it puts at rest both the questions which we stated to*  
49 *have been the subject of differences of opinion. It declares that persons may be citizens of the United States*  
50 *without regard to their citizenship of a particular State, and it overturns the Dred Scott decision by making all*  
51 *persons born within the United States and subject to its jurisdiction citizens of the United States. That its main*  
52 *purpose was to establish the citizenship of the negro can admit of no doubt. **The phrase, "subject to its***



jurisdiction" was intended to exclude from its operation children of ministers, consuls, and citizens or subjects of foreign States born within the United States.  
[Slaughterhouse Cases, 83 U.S. 36 (1873)]

6. Relates only to the time of birth or naturalization and not to one's CIVIL status at any time AFTER birth or naturalization.
7. Is a codification of the following similar phrase found in the Civil Rights Act of 1866, 14 Stat. 27-30.

Civil Right Act of 1866, 14 Stat. 27

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That **all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States;** and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom, to the contrary notwithstanding.*  
[SOURCE: <http://teachingamericanhistory.org/library/document/the-civil-rights-act-of-1866/>]

The only way one could be "not subject to any foreign power" as indicated above is to not owe ALLEGIANCE to a foreign power and to be a CONSTITUTIONAL "citizen of the United States".

8. Does NOT apply to people in unincorporated territories such as Puerto Rico, Guam, American Samoa, etc.

"The Naturalization Clause has a geographic limitation: it applies "throughout the United States." The federal courts have repeatedly construed similar and even identical language in other clauses to include states and incorporated territories, but not unincorporated territories. In Downes v. Bidwell, 182 U.S. 244, 21 S.Ct. 770, 45 L.Ed. 1088 (1901), one of the Insular Cases, the Supreme Court held that the Revenue Clause's identical explicit geographic limitation, "throughout the United States," did not include the unincorporated territory of Puerto Rico, which for purposes of that Clause was "not part of the United States." Id. at 287, 21 S.Ct. 770. The Court reached this sensible result because unincorporated territories are not on a path to statehood. See Boumediene v. Bush, 553 U.S. 723, 757-58, 128 S.Ct. 2229, 171 L.Ed.2d. 41 (2008) (citing Downes, 182 U.S. at 293, 21 S.Ct. 770). In Rabang v. I.N.S., 35 F.3d. 1449 (9th Cir.1994), this court held that the Fourteenth Amendment's limitation of birthright citizenship to those "born ... in the United States" did not extend citizenship to those born in the Philippines during the period when it was an unincorporated territory. U.S. Const., 14th Amend., cl. 1; see Rabang, 35 F.3d. at 1451. Every court to have construed that clause's geographic limitation has agreed. See Valmonte v. I.N.S., 136 F.3d. 914, 920-21 (2d Cir.1998); Lacap v. I.N.S., 138 F.3d. 518, 519 (3d Cir.1998); Licudine v. Winter, 603 F.Supp.2d. 129, 134 (D.D.C.2009).

Like the constitutional clauses at issue in Rabang and Downes, the Naturalization Clause is expressly limited to the "United States." This limitation "prevents its extension to every place over which the government exercises its sovereignty." Rabang, 35 F.3d. at 1453. Because the Naturalization Clause did not follow the flag to the CNMI when Congress approved the Covenant, the Clause does not require us to apply federal immigration law to the CNMI prior to the CNRA's transition date.  
[Eche v. Holder, 694 F.3d. 1026 (2012)]

If you would like to learn more about the important differences between POLITICAL jurisdiction and LEGISLATIVE jurisdiction, please read:

Political Jurisdiction, Form #05.004  
<http://sedm.org/Forms/FormIndex.htm>

If you would like a complete explanation from eminent legal scholars at the Heritage Foundation of the phrase "subject to THE jurisdiction" in the context of the Fourteenth Amendment, see:

1. Tucker Carlson Tonight 20181030 Birthright Citizenship Debate, SEDM Exhibit #01.018  
<https://sedm.org/Exhibits/ExhibitIndex.htm>
2. The Case Against Birthright Citizenship, Heritage Foundation  
<https://youtu.be/ujqYBldkdq0>
3. Does the Fourteenth Amendment Require Birthright Citizenship?, Heritage Foundation  
<https://youtu.be/wZGzbVrvoy4>
4. The Heritage Guide to the Constitution, Citizenship, Heritage Foundation  
<https://www.heritage.org/constitution/#!/amendments/14/essays/167/citizenship>

- 1 5. *The Terrible Truth About Birthright Citizenship*, Stefan Molyneux, SEDM Exhibit #01.020  
 2 <https://sedm.org/Exhibits/ExhibitIndex.htm>  
 3 6. *Family Guardian Forum 7.1.1: Meaning of "subject to the jurisdiction" in the Fourteenth Amendment*  
 4 <https://famguardian.org/forums/forums/topic/meaning-of-subject-to-the-jurisdiction-in-the-fourteenth-amendment/>

5 Lastly, the subject of this section is such an important and pervasive one in the freedom community that we have prepared  
 6 an entire presentation on the subject matter which we highly recommend that you view, if any questions at all remain about  
 7 the meaning of the phrase "subject to the jurisdiction" in the Fourteenth Amendment:

*Why the Fourteenth Amendment is Not a Threat to Your Freedom*, Form #08.015  
<https://sedm.org/Forms/FormIndex.htm>

### 8 4.9.3 "reside" in the Fourteenth Amendment

9 "reside" in the Fourteenth Amendment means DOMICILE, not mere physical presence.

10 *That newly arrived citizens "have two political capacities, one state and one federal," adds special force to their*  
 11 *claim that they have the same rights as others who share their citizenship.*<sup>17</sup> *Neither mere rationality nor some*  
 12 *intermediate standard of review should be used to judge the constitutionality of a state rule that discriminates*  
 13 *against some of its citizens because they have been domiciled in the State for less than a year.* *The appropriate*  
 14 *standard may be more categorical than that articulated in Shapiro, see supra, at 8 9, but it is surely no less strict.*

15 [. . .]

16 *A bona fide residence requirement simply requires that the person does establish residence before demanding*  
 17 *the services that are restricted to residents.* *The Martinez Court explained that "residence" requires "both*  
 18 *physical presence and an intention to remain [domicile]."* *see id., at 330, and approved a Texas law that*  
 19 *restricted eligibility for tuition-free education to families who met this minimum definition of residence, id., at*  
 20 *332 333.*

21 *While the physical presence element of a bona fide residence is easy to police, the subjective intent element is*  
 22 *not. It is simply unworkable and futile to require States to inquire into each new resident's subjective intent to*  
 23 *remain. Hence, States employ objective criteria such as durational residence requirements to test a new resident's*  
 24 *resolve to remain before these new citizens can enjoy certain in-state benefits. Recognizing the practical appeal*  
 25 *of such criteria, this Court has repeatedly sanctioned the State's use of durational residence requirements before*  
 26 *new residents receive in-state tuition rates at state universities. Starns v. Malkerson, 401 U.S. 985 (1971),*  
 27 *summarily aff'g 326 F. Supp. 234 (Minn. 1970) (upholding 1-year residence requirement for in-state tuition);*  
 28 *Sturgis v. Washington, 414 U.S. 1057, summarily aff'g 368 F. Supp. 38 (WD Wash. 1973) (same). The Court has*  
 29 *declared: "The State can establish such reasonable criteria for in-state status as to make virtually certain that*  
 30 *students who are not, in fact, bona fide residents of the State, but have come there solely for educational purposes,*  
 31 *cannot take advantage of the in-state rates." See Vlandis v. Kline, 412 U.S. 441, 453 454 (1973). The Court has*  
 32 *done the same in upholding a 1-year residence requirement for eligibility to obtain a divorce in state courts, see*  
 33 *Sosna v. Iowa, 419 U.S. 393, 406 409 (1975), and in upholding political party registration restrictions that*  
 34 *amounted to a durational residency requirement for voting in primary elections, see Rosario v. Rockefeller, 410*  
 35 *U.S. 752, 760 762 (1973).*  
 36 *[Saenz v. Roe, 526 U.S. 489, 119 S.Ct. 1430, 143 L.Ed.2d. 635 (1999)]*

37 The implication of the above is that since DOMICILE is voluntary, even CONSTITUTIONAL nationality and state  
 38 citizenship is voluntary. It also implies that one can be BORN in a place without being a STATUTORY "citizen" there, if  
 39 one does not have a domicile there. See:

*Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002  
<http://sedm.org/Forms/FormIndex.htm>

### 40 4.9.4 "Domicile" and "residence" compared

41 Now we'll examine and compare the word "domicile" with "residence" to put it into context within our discussion:

42 *domicile.* *A person's legal home. That place where a man has his true, fixed, and permanent home and principal*  
 43 *establishment, and to which whenever he is absent he has the intention of returning. Smith v. Smith, 206 Pa.Super.*  
 44 *310, 213 A.2d. 94. Generally, physical presence within a state and the intention to make it one's home are the*  
 45 *requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he*  
 46 *intends to return even though he may actually reside elsewhere. A person may have more than one residence but*

1 *only one domicile. The legal domicile of a person is important since it, rather than the actual residence, often*  
 2 *controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of*  
 3 *voting and other legal rights and privileges. The established, fixed, permanent, or ordinary dwellingplace or*  
 4 *place of residence of a person, as distinguished from his temporary and transient, though actual, place of*  
 5 *residence. It is his legal residence, as distinguished from his temporary place of abode; or his home, as*  
 6 *distinguished from a place to which business or pleasure may temporarily call him. See also Abode; Residence.*

7 *"Citizenship," "habitanacy," and "residence" are severally words which in particular cases may mean precisely*  
 8 *the same as "domicile," while in other uses may have different meanings.*

9 *"Residence" signifies living in particular locality while "domicile" means living in that locality with intent to*  
 10 *make it a fixed and permanent home. Schreiner v. Schreiner, Tex.Civ.App., 502 S.W.2d. 840, 843.*

11 *For purpose of federal diversity jurisdiction, "citizenship" and "domicile" are synonymous. Hendry v. Masonite*  
 12 *Corp., C.A.Miss., 455 F.2d. 955.*  
 13 *[Black's Law Dictionary, Sixth Edition, p. 485]*

14 Note the word "permanent" used in several places above. Note also that in the above definition that the taxes one pays are  
 15 based on their "domicile" and "residence". Here is what it says again:

16 *"The legal domicile of a person is important since it, rather than the actual residence, often controls the*  
 17 *jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and*  
 18 *other legal rights and privileges."*

19 Below is what a famous legal publisher has to say about the term "residence" in relation to "domicile" and "citizenship":

20 *The general rule is that a person can maintain as many residences in as many states or nations as he pleases,*  
 21 *and can afford, but that only place can qualify as that person's "domicile". This is because the law must*  
 22 *often have, or in any event has come to insist on, one place to point to for any of a variety of legal purposes.*

23 *A person's "domicile" is almost always a question of intent. A competent adult can, in our free society, live*  
 24 *where she pleases, and we will take her "domicile" to be wherever she does the things that we ordinarily*  
 25 *associate with "home": residing, working, voting, schooling, community activity, etc.*

26 *One resides in one's domicile indefinitely, that is, with no definite end planned for the stay. While we hear*  
 27 *"permanently" mentioned, the better word is "indefinitely". This is best seen in the context of a change of*  
 28 *domicile.*

29 *In the United States, "domicile" and "residence" are the two major competitors for judicial attention, and the*  
 30 *words are almost invariably used to describe the relationship that the person has to the state rather than the*  
 31 *nation. We use "citizenship" to describe the national relationship, and we generally eschew "nationality"*  
 32 *(heard more frequently among European nations) as a descriptive term.*  
 33 *[Conflicts in a Nutshell, Second Edition; David D. Siegel, West Publishing, 1994, ISBN 0-314-02952-4, pp. 14-*  
 34 *15]*

35 These issues are very important. To summarize the meaning of "domicile" succinctly then, one's "domicile" is their "legal  
 36 home". One's "domicile" is the place where we claim to have political and legal allegiance to the courts and the laws. Since  
 37 allegiance must be exclusive, then we can have only one "domicile", because no man can serve more than one master as  
 38 revealed in Luke 16:13. Since the first four Commandments of the Ten Commandments say that Christians can only have  
 39 allegiance to "God" and His laws in the Holy Book, then their only "domicile" is Heaven based on allegiance alone.

#### 40 **4.9.5 Christians cannot have an earthly "domicile" or "residence"**

41 We said earlier that the word "domicile" implied a "permanent legal home". Now for the \$64,000 question: "If you are a  
 42 Christian and God says you are a citizen of heaven and not of earth, then where is your permanent domicile from a legal  
 43 perspective? Where is it that you should 'intend' to live as a Christian?" The answer is that it is in heaven, and not anywhere  
 44 on earth! Here are some reasons why:

45 *"For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ"*  
 46 *[Philippians 3:20]*

47 *"Now, therefore, you are no longer strangers and foreigners, but fellow citizens with the saints and members of*  
 48 *the household of God."*  
 49 *[Ephesians 2:19, Bible, NKJV]*

1 *"These all died in faith, not having received the promises, but having seen them afar off were assured of them,*  
 2 *embraced them **and confessed that they were strangers and pilgrims on the earth.**"*  
 3 *[Hebrews 11:13]*

4 *"Beloved, I beg you **as sojourners and pilgrims**, abstain from fleshly lusts which war against the soul..."*  
 5 *[1 Peter 2:11]*

6 Furthermore, if "the wages of sin is death" (see Romans 6:23) and you are guaranteed to *die* eventually and soon because of  
 7 your sin, then can *anything* here on earth be called "permanent" in the context of God's eternal plan? Why would anyone  
 8 want to "intend" to reside permanently in a place controlled mainly by Satan and which is doomed to eventual destruction?  
 9 If you look in the book of Revelation, you will find that the earth will be completely transformed when Jesus returns to  
 10 become a *new* and *different* earth, so can our present earth even be called "permanent"? The answer is NO. To admit that  
 11 your physical or spiritual "domicile" or your "residence" is here on earth and/or is "permanent" is to admit that there is *no*  
 12 *God* and *no Heaven* and that life ends both spiritually and physically when you die! You are also admitting that the only  
 13 thing even close to being permanent is the short life that you have while you are here. Therefore, as a Christian, you can't  
 14 have a "domicile" or a "residence" anywhere on the present earth from a legal perspective without blaspheming God.  
 15 Consequently, it also means that you can't be *subject to* taxes upon your person based on having a "domicile" or "residence"  
 16 in any earthly jurisdiction: state or federal. You are a child of God and you are His "bondservant" and "fiduciary" while you  
 17 are here. Unless the government can tax "God", then it can't tax you acting as His agent and fiduciary:

18 *"For this is the will of God, that by doing good you may put to silence the ignorance of foolish men— as free, yet*  
 19 *not using liberty as a cloak for vice, **but as bondservants of God.**"*  
 20 *[1 Peter 2:15-16, Bible, NKJV]*

21 You are "just passing through". This life is only a *temporary* test to see whether you will evidence by your works the saving  
 22 faith you have which will allow you to gain entrance into Heaven and the new earth God will create for you to dwell in  
 23 mentioned in Rev. 21:1.

24 The definition of "domicile" above establishes also that "intent" is an important means of determining domicile as follows:

25 *"...the place to which he **intends** to return even though he may actually reside elsewhere".*  
 26 *[Black's Law Dictionary, Sixth Edition, p. 485, under "domicile"]*

27 So once again as a Christian, the only place you should want to inhabit or "intend" to return to is Heaven, because the present  
 28 earth is a temporal place full of sin and death that is ruled exclusively by Satan. Your proper biblical and legal "intent" as a  
 29 person whose exclusive allegiance is to God should therefore be to return to *Heaven* and to leave the present corrupted *earth*  
 30 as soon as possible and as God in His sovereignty allows. God has prepared a mansion for you to live in with the Father, and  
 31 that mansion cannot be part of the present corrupted earth:

32 *"In My [Jesus'] Father's house are many mansions; if it were not so, I would have told you. I go to prepare a*  
 33 *place for you. And if I go and prepare a place for you, I will come again and receive you to Myself; that where I*  
 34 *am, there you may be also. And where I go you know, and the way you know."*  
 35 *[John 14:2-4, Bible, NKJV]*

36 So why don't they teach these things in school? Remember who runs the *public* schools?: Your wonderful *state government*.  
 37 Do you think they are going to *volunteer* to clue you in to the fact that you're the sovereign in charge of the government and  
 38 don't have to put up with being their *slave*, which is what their legal treachery has made you into? The only kind of  
 39 volunteering they want you to do is to volunteer to be subject to their corrupt laws and become a "taxpayer", which is a person  
 40 who voluntarily enlisted to become a whore for the government as you will find out in chapter 5. Even many of our Christian  
 41 schools have lost sight of the great commission and awesome responsibility they have to teach our young people the profound  
 42 truths in the Bible and this book in a way that honors and glorifies God and allows them to be the salt and light of the world.

#### 43 **4.10 "Citizen" and "Resident"**

44 Next, we must analyze the civil status of people in states of the Union. We will prove that they are not "citizens" or "residents"  
 45 under the laws of Congress and consequently, that the only thing left for them to be is "non-resident non-persons".

##### 46 **4.10.1 "Resident" defined generally**

1 We are all the time being asked “are you a resident of the state of Illinois?” (or whatever State) and we always answer “yes”.  
2 But are we really? Let us take a much closer look and see.

3 Black’s Law Dictionary Sixth Edition, page 1309:

4 **Resident.** “Any person who occupies a dwelling within the State, has a present intent to remain within the State  
5 for a period of time, and manifests the genuineness of that intent by establishing an ongoing physical presence  
6 within the State together with indicia that his presence within the State is something other than merely transitory  
7 in nature. The word “resident” when used as a noun means a dweller, habitant or occupant; one who resides or  
8 dwells in a place for a period of more, or less, duration; it signifies one having a residence, or one who resides  
9 or abides. *Hanson v. P.A. Peterson Home Ass’n*, 35 Ill.App2d. 134, 182 N.E.2d. 237, 240 [Underlines added]

10 Word “resident” has many meanings in law, largely determined by statutory context in which it is used. *Kelm v.*  
11 *Carlson*, C.A.Ohio, 473, F.2d. 1267, 1271[Underline added]

12 Did you notice the distinct use of “the State” in the above definition? That was no accident. Below are a few clues to its  
13 meaning from federal statutes, which is where the above definition says we should look:

14 [26 U.S.C. Sec. 7701\(a\)\(10\)](#): State

15 The term “State” shall be construed to include the District of Columbia, where such construction is necessary to  
16 carry out provisions of this title.  
17

18 [8 U.S.C. Sec. 1101\(a\)\(36\)](#): State [citizenship and naturalization]

19 The term “State” includes the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United  
20 States.  
21

22 TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES

23 CHAPTER 4 - THE STATES

24 [Sec. 110. Same](#); definitions

25 (d) The term “State” includes any Territory or possession of the United States.

26 The above cites are definitions of “State” from federal law, but even most state income tax statutes agree with this definition!  
27 Below is the California Revenue and Taxation Code definition of “State”:

28 California Revenue and Taxation Code

29 [6017](#). “In this State” or “in the State” means within the exterior [outside] limits of the [Sovereign] state of  
30 California and includes [only] all territory within these limits owned by or ceded to the United States

31 [17018](#). “State” includes the District of Columbia, and the possessions of the United States.  
32 [which don’t include the 50 sovereign states but do include federal areas within those states]

33 The sovereign 50 Union states are NOT territories or possessions of the “United States”. The states are sovereign over their  
34 own territories. The “State” mentioned above in the California Revenue and Taxation Code is a federal enclave within the  
35 exterior boundaries of the California Republic. People living within these areas are “residents” under the Internal Revenue  
36 Code and in that condition, they live in the “federal zone”.

37 The document upon which the founders wrote our Constitution, and which is mentioned in Article 1, Section 8, Clause 10,  
38 confirms that the term “resident” refers ONLY to aliens domiciled within the territory of a nation. Below is what it says in  
39 Book 1, Chapter 19, section 213, page 87:

40 “Residents, as distinguished from citizens, are aliens who are permitted to take up a permanent abode in the  
41 country. Being bound to the society by reason of their dwelling in it, they are subject to its laws so long as they  
42 remain there, and, being protected by it, they must defend it, although they do not enjoy all the rights of citizens.  
43 They have only certain privileges which the law, or custom, gives them. Permanent residents are those who have  
44 been given the right of perpetual residence. They are a sort of citizen of a less privileged character, and are  
45 subject to the society without enjoying all its advantages. Their children succeed to their status; for the right of  
46 perpetual residence given them by the State passes to their children.”

[The Law of Nations, Book I, Chapter 19, Section 213, Vattel, p. 87]

You can read excerpts from the above book pertaining to the term “resident” for yourself at:

<http://famguardian.org/TaxFreedom/CitesByTopic/Resident-LawOfNations.pdf>

#### **4.10.2 You’re NOT a STATUTORY “resident” if you were born or naturalized in America and are domiciled in a state of the Union protected by the Constitution**

There is much which can be said about our earlier legally acceptable definition of the term “resident” from Black’s Law Dictionary, but one thing which is perfectly clear, nowhere does it say a word about a “resident” being a Citizen, of anything. As a matter of fact if you are not a citizen, then there is only one other thing you can be, and that is an alien. It does not matter what other name they might decide to call it. Here then is an example of its usage:

Let’s say, for whatever reason, you move to France for a time. First, it is obvious you are an alien to France. Right? After having moved to France you then become a resident of France.

Why are you a resident of France? Because you are now living there, but you still are not a citizen. Why are you not a citizen of France? Because you are an alien. So, it goes that a resident is an alien. Why? Because he is not a citizen, hence the term resident alien. Get it?

Now, the question becomes: what are you when you answer to the question “are you a resident of the state of Illinois?” like we do when we go to the Motor Vehicle Dept. Are you not declaring that you are an privileged person domiciled on federal territory or representing an office domiciled on federal territory and therefore devoid of rights? Well that is exactly what you are doing. Why is this important? Because, by either wrongfully declaring your domicile or citizenship or signing up for franchises only available to those who are ALREADY public offices in the government, we are surrendering all of our constitutional rights. [Whoops]

So, if you are a Citizen of any one of the several states of the Union, then you are not an alien and therefore not a “resident”. You then have your full Constitutional Rights, which includes the Right to “Liberty”, which is the Right to travel FREELY amongst the several States, untaxed and unlicensed.

You simply cannot regulate a Right. If you could it wouldn’t be a Right, it would be a privilege. Our Creator granted these Rights to us, and no man or government can legislate or regulate an (unalienable) Right. The government can only legislate and regulate the exercise of benefits offered by their “statutes”, which can only offer immunities and privileges, but not bona fide Rights. Hence all the trickery to coerce you into saying you are something you are not.

We must stop looking to Webster’s Dictionary for the legal definitions. Buy a copy of Black’s Law Dictionary – it is there that you will find a whole new world of meaning. The biggest trick of all has been to redefine common, every day terms to mean something else within the statute-laws, and you didn’t know they did it [to you], did you.. that is, until you read this book?

*“The sovereignty has been transferred from one man to the collective body of the people - and he who before was a 'subject of the king' is now 'a citizen of the State'.”*  
[State v. Manuel, North Carolina, Vol. 20, Page 121 (1838)] [Underline added]

Think about it. The Constitution talks about Citizens. Why then do state governments feel the need to change it to “residents”? It just seems that to be clear and unambiguous, they would have used the same words and phrases already understood and accepted and stated as part of the Constitution and the Bill of Rights.

Oh, by the way, here is the definition of a resident alien:

*Resident alien. “One, not yet a citizen of this country, who has come into the country from another with the intent to abandon his former citizenship and to reside here.”*  
[Black’s Law Dictionary Sixth Edition, p. 1309, underlines added]

Remember the phrase “transitory in nature” in the above definition of a resident? The nature part is the Creator. As a child of God we are merely traveling through life (“Liberty”), hopefully on our way to the great beyond, which is the transitory part.

1 But, if you claim to be a “resident” you are not a child of God and therefore not a Sovereign American of the State, and  
 2 therefore an alien of God, who has NO CONSTITUTIONAL RIGHTS. This is accomplished when we accept the term  
 3 “person” as underlined in the above definition of the term “resident”, and as you will also come to realize, this too is a trick  
 4 to coerce you into subjection to government regulation.

#### 5 **4.10.3 You’re not a STATUTORY “citizen” under the Internal Revenue Code<sup>134</sup>**

6 *"Unless the defendant can prove he is not a citizen of the United States\*\* [under 8 U.S.C. §1401 and NOT the*  
 7 *constitution], the IRS has the right to inquire and determine a tax liability."*  
 8 *[U.S. v. Slater, 545 Fed.Supp. 179,182 (1982).]*

9 There are TWO contexts in which one may be a "citizen", and these two contexts are mutually exclusive and not overlapping:

- 10 1. *Statutory*: Relies on statutory definitions of "United States", which mean federal territory that is no part of any state of  
 11 the Union.
- 12 2. *Constitutional*. Relies on the Constitutional meaning of "United States", which means states of the Union and excludes  
 13 federal territory.

14 Within the field of citizenship, CONTEXT is everything in discerning the meaning of geographical terms. By “context”, we  
 15 mean ONE of the two contexts as indicated above:

16 *"Citizenship of the United States is defined by the Fourteenth Amendment and federal statutes, **but the***  
 17 *requirements for citizenship of a state generally depend not upon*  
 18 *definition but the constitutional or statutory context in which the term is*  
 19 *used. **Risewick v. Davis, 19 Md. 82, 93 (1862); Halaby v. Board of***  
 20 *Directors of University of Cincinnati, 162 Ohio St. 290, 293, 123 N.E.2d*  
 21 *3 (1954) and authorities therein cited.*

22 *The decisions illustrate the diversity of the term's usage. In Field v. Adreon, 7 Md. 209 (1854), our predecessors*  
 23 *held that an unnaturalized foreigner, residing and doing business in this State, was a citizen of Maryland within*  
 24 *the meaning of the attachment laws. The Court held that the absconding debtor was a citizen of the State for*  
 25 *commercial or business purposes, although not necessarily for political purposes. Dorsey v. Kyle, 30 Md. 512,*  
 26 *518 (1869), is to the same effect. Judge Alvey, for the Court, said in that case, that 'the term citizen, used in the*  
 27 *formula of the affidavit prescribed by the 4th section of the Article of the Code referred to, is to be taken as*  
 28 *synonymous with inhabitant or permanent resident.'*

29 *Other jurisdictions have equated residence with citizenship of the state for political and other non-commercial*  
 30 *purposes. In re Wehlitz, 16 Wis. 443, 446 (1863), held that the Wisconsin statute designating 'all able-bodied,*  
 31 *white, male citizens' as subject to enrollment in the militia included an unnaturalized citizen who was a resident*  
 32 *of the state. 'Under our complex system of government,' the court said, 'there may be a citizen of a state, who*  
 33 *is not a citizen of the United States in the full sense of the term.' McKenzie v. Murphy, 24 Ark. 155, 159 (1863),*  
 34 *held that an alien, domiciled in the state for over ten years, was entitled to the homestead exemptions provided*  
 35 *by the Arkansas statute to 'every free white citizen of this state, male or female, being a householder or head*  
 36 *of a family \* \* \*.' The court said: 'The word 'citizen' is often used in common conversation and writing, as*  
 37 *meaning only an inhabitant, a resident of a town, state, or county, without any implication of political or civil*  
 38 *privileges; and we think it is so used in our constitution.' Halaby v. Board of Directors of University, supra,*  
 39 *involved the application of a statute which provided free university instruction to citizens of the municipality*  
 40 *in which the university is located. The court held that the plaintiff, an alien minor whose parents were residents*  
 41 *of and conducted a business in the city, was entitled to the benefits of that statute, saying: 'It is to be observed*  
 42 *that the term, 'citizen,' is often used in legislation where 'domicile' is meant and where United States citizenship*  
 43 *has no reasonable relationship to the subject matter and purpose of the legislation in question.'*

44 *Closely in point to the interpretation of the constitutional provision here involved is a report of the Committee of*  
 45 *Elections of the House of Representatives, made in 1823. A petitioner had objected to the right of a Delegate to*  
 46 *retain his seat from what was then the Michigan Territory. One of the objections was that the Delegate had not*  
 47 *resided in the Territory one year previous to the election in the status of a citizen of the United States. An act of*  
 48 *Congress passed in 1819, 3 Stat. 483 provided that 'every free white male citizen of said Territory, above the age*  
 49 *of twenty-one years, who shall have resided therein one year next preceding' an election shall be entitled to vote*  
 50 *at such election for a delegate to Congress. An act of 1823, 3 Stat. 769 provided that all citizens of the United*  
 51 *States having the qualifications set forth in the former act shall be eligible to any office in the Territory. The*

<sup>134</sup> Adapted with permission from *Great IRS Hoax*, Form #11.302, Section 5.2.19.

1 Committee held that the statutory requirement of citizenship of the Territory for a year before the election did not  
 2 mean that the aspirant for office must also have been a United States citizen during that period. The report said:  
 3 'It is the person, the individual, the man, who is [221 A.2d 435] spoken of, and who is to possess the qualifications  
 4 of residence, age, freedom, &c. at the time he offers to vote, or is to be voted for \* \* \*.' Upon the filing of the  
 5 report, and the submission of a resolution that the Delegate was entitled to his seat, the contestant of the  
 6 Delegate's election withdrew his protest, and the sitting Delegate was confirmed. *Biddle v. Richard, Clarke and*  
 7 *Hall, Cases of Contested Elections in Congress (1834) 407, 410.*

8 There is no express requirement in the Maryland Constitution that sheriffs be United States citizens. Voters must  
 9 be, under Article I, Section 1, but Article IV, Section 44 does not require that sheriffs be voters. A person does  
 10 not have to be a voter to be a citizen of either the United States or of a state, as in the case of native-born minors.  
 11 In Maryland, from 1776 to 1802, the Constitution contained requirements of property ownership for the exercise  
 12 of the franchise; there was no exception as to native-born citizens of the State. *Steiner, Citizenship and Suffrage*  
 13 *in Maryland (1895) 27, 31.*

14 The Maryland Constitution provides that the Governor, Judges and the Attorney General shall be qualified voters,  
 15 and therefore, by necessary implication, citizens of the United States. Article II, Section 5, Article IV, Section 2,  
 16 and Article V, Section 4. The absence of a similar requirement as to the qualifications of sheriffs is significant.  
 17 So also, in our opinion, is the absence of any period of residence for a sheriff except that he shall have been a  
 18 citizen of the State for five years. The Governor, Judges and Attorney General in addition to being citizens of the  
 19 State and qualified voters, must have been a resident of the State for various periods. The conjunction of the  
 20 requisite period of residence with state citizenship in the qualifications for sheriff strongly indicates that, as in  
 21 the authorities above referred to, state citizenship, as used in the constitutional qualifications for this office, was  
 22 meant to be synonymous with domicile, and that citizenship of the United States is not required, even by  
 23 implication, as a qualification for this office. The office of sheriff, under our Constitution, is ministerial in nature;  
 24 a sheriff's function and province is to execute duties prescribed by law. See *Buckeye Dev. Crop. v. Brown &*  
 25 *Schilling, Inc., Md., 220 A.2d. 922*, filed June 23, 1966 and the concurring opinion of *Le Grand, C. J. in Mayor*  
 26 *& City Council of Baltimore v. State, ex rel. Bd. of Police, 15 Md. 376, 470, 488-490 (1860).*

27 It may well be that the phrase, 'a citizen of the State,' as used in the constitutional provisions as to qualifications,  
 28 implies that a sheriff cannot owe allegiance to another nation. By the naturalization act of 1779, the Legislature  
 29 provided that, to become a citizen of Maryland, an alien must swear allegiance to the State. The oath or  
 30 affirmation provided that the applicant renounced allegiance 'to any king or prince, or any other State or  
 31 Government.' Act of July, 1779, Ch. VI; *Steiner, op. cit.* 15. In this case, on the admitted facts, there can be no  
 32 question of the appellant's undivided allegiance.

33 The court below rested its decision on its conclusion that, under the Fourteenth Amendment, no state may confer  
 34 state citizenship upon a resident alien until such resident alien becomes a naturalized citizen of the United States.  
 35 The court relied, as does not Board in this appeal, upon *City of Minneapolis v. Reum, 56 F. 576, 581 (8th Cir.*  
 36 *1893)*. In that case, an alien resident of Minnesota, who had declared his intention to become a citizen of the  
 37 United States but had not been naturalized, brought a suit, based on diversity of citizenship, against the city in  
 38 the Circuit Court of the United States for the District of Minnesota under Article III, Section 2 of the United States  
 39 Constitution which provides that the federal judicial power shall extend to 'Controversies between \* \* \* a State,  
 40 or the Citizens thereof, and foreign States, Citizens or Subjects.' At the close of the evidence, the defendant moved  
 41 to dismiss the action for want of jurisdiction, on the [221 A.2d 436] ground that the evidence failed to establish  
 42 the allegation that the plaintiff was an alien. The court denied the motion, the plaintiff recovered judgment, and  
 43 the defendant claimed error in the ruling on jurisdiction. The Circuit Court of Appeals affirmed. Judge Sanborn,  
 44 for the court, stated that even though the plaintiff were a citizen of the state, that fact could not enlarge or restrict  
 45 the jurisdiction of the federal courts over controversies between aliens and citizens of the state. The court said:  
 46 'It is not in the power of a state to denationalize a foreign subject who has not complied with the federal  
 47 naturalization laws, and constitute him a citizen of the United States or of a state, so as to deprive the federal  
 48 courts of jurisdiction \* \* \*'

49 *Reum* dealt only with the question of jurisdiction of federal courts under the diversity of citizenship clause of the  
 50 federal Constitution. That a state cannot affect that jurisdiction by granting state citizenship to an unnaturalized  
 51 alien does not mean it cannot make an alien a state citizen for other purposes. Under the Fourteenth Amendment  
 52 all persons born or naturalized in the United States are citizens of the United States and of the state in which they  
 53 reside, but we find nothing in *Reum* of any other case which requires that a citizen of a state must also be a citizen  
 54 of the United States, if no question of federal rights or jurisdictions is involved. As the authorities referred to in  
 55 the first portion of this opinion evidence, the law is to the contrary.

56 Absent any unconstitutional discrimination, a state has the right to extend qualification for state office to its  
 57 citizens, even though they are not citizens of the United States. This, we have found, is what Maryland has done  
 58 in fixing the constitutional qualifications for the office of sheriff. The appellant meets the qualifications which our  
 59 Constitution provides."

60 [*Crosse v. Board of Sup'rs of Elections of Baltimore City, 221 A.2d. 431, 243 Md. 555 (Md., 1966) ]*



1 The confusion over citizenship prevalent today is caused by a deliberate confusion of the above two contexts with each other  
 2 so as to make every American appear to be a statutory citizen and therefore an public officer of the "United States Inc"  
 3 government corporation. This fact was first identified by the U.S. Supreme Court as follows:

4 *"Under our own systems of polity, the term 'citizen', implying the same or similar relations to the government and  
 5 to society which appertain to the term, 'subject' in England, is familiar to all. Under either system, the term used  
 6 is designed to apply to man in his individual character and to his natural capacities -- to a being or agent  
 7 [PUBLIC OFFICER!] possessing social and political rights and sustaining social, political, and moral  
 8 obligations. It is in this acceptation only, therefore, that the term 'citizen', in the article of the Constitution,  
 9 can be received and understood. When distributing the judicial power, that article extends it to controversies  
 10 between 'citizens' of different states. This must mean the natural physical beings composing those separate  
 11 communities, and can by no violence of interpretation be made to signify artificial, incorporeal, theoretical,  
 12 and invisible creations. A corporation, therefore, being not a natural person, but a mere creature of the mind,  
 13 invisible and intangible, cannot be a citizen of a state, or of the United States, and cannot fall within the terms  
 14 or the power of the above mentioned article, and can therefore neither plead nor be impleaded in the courts of  
 15 the United States."*

16 *"Sir Edward Coke has declared, that a corporation cannot commit treason, felony, or other crime; neither is  
 17 it capable of suffering a traitor's or felon's punishment, for it is not liable to corporeal penalties -- that it can  
 18 perform no personal duties, for it cannot take an oath for the due execution of an office; neither can it be  
 19 arrested or committed to prison, for its existence being ideal, no man can arrest it; neither can it be  
 20 excommunicated, for it has no soul. But these doctrines of Lord Coke were founded upon an apprehension of  
 21 the law now treated as antiquated and obsolete. His lordship did not anticipate an improvement by which a  
 22 corporation could be transformed into a citizen, and by that transformation be given a physical existence, and  
 23 endowed with soul and body too. The incongruities here attempted to be shown as necessarily deducible from  
 24 the decisions of the cases of Bank of the United States v. Deveaux and of Cincinnati & Louisville Railroad  
 25 Company v. Letson afford some illustration of the effects which must ever follow a departure from the settled  
 26 principles of the law. These principles are always traceable to a wise and deeply  
 27 founded experience; they are therefore ever consentaneous and in  
 28 harmony with themselves and with reason, and whenever abandoned as  
 29 guides to the judicial course, the aberration must lead to bewildering  
 30 uncertainty and confusion."*

31 [*Rundle v. Delaware & Raritan Canal Company* 55 U.S. 80, 99 (1852) from dissenting opinion by Justice Daniel]

32  
 33 *"The principal issue in this petition is the territorial scope of the term "the United States" in the Citizenship  
 34 Clause of the Fourteenth Amendment. U.S. Const. amend. XIV, § 1 ("All persons born or naturalized in the  
 35 United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein  
 36 they reside." (emphasis added)). Petitioner, who was born in the Philippines in 1934 during its status as a United  
 37 States territory, argues she was "born ... in the United States" and is therefore a United States citizen.<sup>135</sup>*

38 *Petitioner's argument is relatively novel, having been addressed previously only in the Ninth Circuit. See Rabang  
 39 v. INS, 35 F.3d 1449, 1452 (9th Cir.1994) ("No court has addressed whether persons born in a United States  
 40 territory are born 'in the United States,' within the meaning of the Fourteenth Amendment."), cert. denied sub  
 41 nom. Samidad v. INS, 515 U.S. 1130, 115 S.Ct. 2554, 132 L.Ed.2d. 809 (1995). In a split decision, the Ninth  
 42 Circuit held that "birth in the Philippines during the territorial period does not constitute birth 'in the United  
 43 States' under the Citizenship Clause of the Fourteenth Amendment, and thus does not give rise to United States  
 44 citizenship." Rabang, 35 F.3d at 1452. We agree.<sup>136</sup>*

<sup>135</sup> Although this argument was not raised before the immigration judge or on appeal to the BIA, it may be raised for the first time in this petition. See INA, supra, § 106(a)(5), 8 U.S.C. § 1105a(a)(5).

<sup>136</sup> For the purpose of deciding this petition, we address only the territorial scope of the phrase "the United States" in the Citizenship Clause. We do not consider the distinct issue of whether citizenship is a "fundamental right" that extends by its own force to the inhabitants of the Philippines under the doctrine of territorial incorporation. *Dorr v. United States*, 195 U.S. 138, 146, 24 S.Ct. 808, 812, 49 L.Ed. 128 (1904) ("Doubtless Congress, in legislating for the Territories would be subject to those fundamental limitations in favor of personal rights which are formulated in the Constitution and its amendments." (citation and internal quotation marks omitted)); Rabang, 35 F.3d at 1453 n. 8 ("We note that the territorial scope of the phrase 'the United States' is a distinct inquiry from whether a constitutional provision should extend to a territory." (citing *Downes v. Bidwell*, 182 U.S. 244, 249, 21 S.Ct. 770, 772, 45 L.Ed. 1088 (1901))). The phrase "the United States" is an express territorial limitation on the scope of the Citizenship Clause. Because we determine that the phrase "the United States" did not include the Philippines during its status as a United States territory, we need not determine the application of the Citizenship Clause to the Philippines under the doctrine of territorial incorporation. Cf. *United States v. Verdugo-Urquidez*, 494 U.S. 259, 291 n. 11, 110 S.Ct. 1056, 1074 n. 11, 108 L.Ed.2d 222 (1990) (Brennan, J., dissenting) (arguing that the Fourth Amendment may be applied extraterritorially, in part, because it does not contain an "express territorial limitation[ ]").

Despite the novelty of petitioner's argument, the Supreme Court in the Insular Cases<sup>137</sup> provides authoritative guidance on the territorial scope of the term "the United States" in the Fourteenth Amendment. The Insular Cases were a series of Supreme Court decisions that addressed challenges to duties on goods transported from Puerto Rico to the continental United States. Puerto Rico, like the Philippines, had been recently ceded to the United States. The Court considered the territorial scope of the term "the United States" in the Constitution and held that this term as used in the uniformity clause of the Constitution was territorially limited to the states of the Union. U.S. Const. art. I, § 8 ("[A]ll Duties, Imposts and Excises shall be uniform throughout the United States." (emphasis added)); see *Downes v. Bidwell*, 182 U.S. 244, 251, 21 S.Ct. 770, 773, 45 L.Ed. 1088 (1901) ("It can nowhere be inferred that the territories were considered a part of the United States. The Constitution was created by the people of the United States, as a union of States, to be governed solely by representatives of the States; ... In short, the Constitution deals with States, their people, and their representatives."); *Rabang*, 35 F.3d at 1452. Puerto Rico was merely a territory "appurtenant and belonging to the United States, but not a part of the United States within the revenue clauses of the Constitution." *Downes*, 182 U.S. at 287, 21 S.Ct. at 787.

The Court's conclusion in *Downes* was derived in part by analyzing the territorial scope of the Thirteenth and Fourteenth Amendments. The Thirteenth Amendment prohibits slavery and involuntary servitude "within the United States, or any place subject to their jurisdiction." U.S. Const. amend. XIII, § 1 (emphasis added). The Fourteenth Amendment states that persons "born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." U.S. Const. amend XIV, § 1 (emphasis added). The disjunctive "or" in the Thirteenth Amendment demonstrates that "there may be places within the jurisdiction of the United States that are no[t] part of the Union" to which the Thirteenth Amendment would apply. *Downes*, 182 U.S. at 251, 21 S.Ct. at 773. Citizenship under the Fourteenth Amendment, however, "is not extended to persons born in any place 'subject to [the United States'] jurisdiction," "but is limited to persons born or naturalized in the states of the Union. *Downes*, 182 U.S. at 251, 21 S.Ct. at 773 (emphasis added); see also *id.* at 263, 21 S.Ct. at 777 ("In dealing with foreign sovereignties, the term 'United States' has a broader meaning than when used in the Constitution, and includes all territories subject to the jurisdiction of the Federal government, wherever located.").<sup>138</sup>

Following the decisions in the Insular Cases, the Supreme Court confirmed that the Philippines, during its status as a United States territory, was not a part of the United States. See *Hooven & Allison Co. v. Evatt*, 324 U.S. 652, 678, 65 S.Ct. 870, 883, 89 L.Ed. 1252 (1945) ("As we have seen, [the Philippines] are not a part of the United States in the sense that they are subject to and enjoy the benefits or protection of the Constitution, as do the states which are united by and under it."); see *id.* at 673-74, 65 S.Ct. at 881 (Philippines "are territories belonging to, but not a part of, the Union of states under the Constitution," and therefore imports "brought from the Philippines into the United States ... are brought from territory, which is not a part of the United States, into the territory of the United States.").

Accordingly, the Supreme Court has observed, without deciding, that persons born in the Philippines prior to its independence in 1946 are not [CONSTITUTIONAL] citizens of the United States. See *Barber v. Gonzales*, 347 U.S. 637, 639 n. 1, 74 S.Ct. 822, 823 n. 1, 98 L.Ed. 1009 (1954) (stating that although the inhabitants of the Philippines during the territorial period were "nationals" of the United States, they were not "United States citizens"); *Rabang v. Boyd*, 353 U.S. 427, 432 n. 12, 77 S.Ct. 985, 988 n. 12, 1 L.Ed.2d. 956 (1957) ("The inhabitants of the Islands acquired by the United States during the late war with Spain, not being citizens of the United States, do not possess right of free entry into the United States." (emphasis added) (citation and internal quotation marks omitted)).  
[*Valmonte v. I.N.S.*, 136 F.3d. 914 (C.A.2, 1998)]

The STATUTORY context for the term "citizen" described in 26 C.F.R. §1.1-1(c) and 26 U.S.C. §3121(e) relies on the geographical term "United States" found in 26 U.S.C. §7701(a)(9) and (a)(10) and 4 U.S.C. §110(d), which means federal territory and not a state of the Union. Therefore, the "citizen" and "U.S. person" found in the Internal Revenue Code is a TERRITORIAL rather than a STATE citizen. For details on why STATUTORY "citizens" are all public officers and not private humans, read:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

The U.S. Supreme Court has held in [Hooven & Allison Co. v. Evatt, 324 U.S. 652 \(1945\)](#) that there are THREE different meanings and contexts for the word "United States". Hence, there are THREE different types of "citizens of the United

<sup>137</sup> *De Lima v. Bidwell*, 182 U.S. 1, 21 S.Ct. 743, 45 L.Ed. 1041 (1901); *Dooley v. United States*, 182 U.S. 222, 21 S.Ct. 762, 45 L.Ed. 1074 (1901); *Armstrong v. United States*, 182 U.S. 243, 21 S.Ct. 827, 45 L.Ed. 1086 (1901); and *Downes v. Bidwell*, 182 U.S. 244, 21 S.Ct. 770, 45 L.Ed. 1088 (1901).

<sup>138</sup> Congress, under the Act of February 21, 1871, ch. 62, § 34, 16 Stat. 419, 426, expressly extended the Constitution and federal laws to the District of Columbia. See *Downes*, 182 U.S. at 261, 21 S.Ct. at 777 (stating that the "mere cession of the District of Columbia" from portions of Virginia and Maryland did not "take [the District of Columbia] out of the United States or from under the aegis of the Constitution.").

States" as used in federal statutes and the Constitution. All three types of citizens are called "citizens of the United States", but each relies on a different meaning of the "United States". The meaning that applies depends on the context. For instance, the meaning of "United States" as used in the Constitution implies states of the Union and excludes federal territory, while the term "United States" within federal statutory law means federal territory and excludes states of the Union. Here is an example demonstrating the Constitutional context. Note that they use "part of the United States within the meaning of the Constitution", and the word "the" and the use of the singular form of "meaning" implies only ONE meaning, which means states of the Union and excludes federal territory:

*"As the only judicial power vested in Congress is to create courts whose judges shall hold their offices during good behavior, it necessarily follows that, **if Congress authorizes the creation of courts and the appointment of judges for limited time, it must act independently of the Constitution upon territory which is not part of the United States within the meaning of the Constitution.**"*  
*[O'Donoghue v. United States, 289 U.S. 516, 53 S.Ct. 740 (1933)]*

The U.S. Supreme Court and lower courts have also held specifically that:

1. The statutes conferring citizenship in Title 8 of the U.S. Code are a PRIVILEGE and not a CONSTITUTIONAL RIGHT, and are therefore not even necessary in the case of state citizens.

***"Finally, this Court is mindful of the years of past practice in which territorial citizenship has been treated as a statutory [PRIVILEGE!], and not a constitutional, right. In the unincorporated territories of Puerto Rico, Guam, the U.S. Virgin Islands, and the Northern Mariana Islands, birthright citizenship was conferred upon their inhabitants by various statutes many years after the United States acquired them. See Amicus Br. at 10-11. **If the Citizenship Clause guaranteed birthright citizenship in unincorporated territories, these statutes would have been unnecessary.**"***  
*[Tuaua v. U.S.A., 951 F.Supp.2d. 88 (2013)]*

2. A citizen of the District of Columbia is NOT equivalent to a constitutional citizen. Note also that the "United States" as defined in the Internal Revenue Code, for instance, includes the "District of Columbia" and nowhere expressly includes states of the Union in 26 U.S.C. §7701(a)(9) and (a)(10). We therefore conclude that the statutory term "citizen of the United States" as used in 8 U.S.C. §1401 includes District of Columbia citizens and all those domiciled on federal territory "statutory citizens" and EXCLUDES those domiciled within states of the Union:

*"The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[\*\*\*], but citizenship of the states. **No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress.** It had been the occasion of much discussion in the courts, by the executive departments and in the public journals. **It had been said by eminent judges that no man was a citizen of the United States[\*\*\*] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[\*], were not citizens.**"*  
*[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

3. An 8 U.S.C. §1401 "national and citizen of the United States\*\* at birth" born on federal territory is NOT a CONSTITUTIONAL citizen mentioned in the Fourteenth Amendment when it held:

***"The Court today holds that Congress can indeed rob a citizen of his citizenship just so long as five members of this Court can satisfy themselves that the congressional action was not 'unreasonable, arbitrary,' ante, at 831; 'misplaced or arbitrary,' ante, at 832; or 'irrational or arbitrary or unfair,' ante, at 833. My first comment is that not one of these 'tests' appears in the Constitution. Moreover, it seems a little strange to find such 'tests' as these announced in an opinion which condemns the earlier decisions it overrules for their resort to cliches, which it describes as 'too handy and too easy, and, like most cliches, can be misleading'. Ante, at 835. That description precisely fits those words and clauses which the majority uses, but which the Constitution does not.***

*The Constitution, written for the ages, cannot rise and fall with this Court's passing notions of what is 'fair,' or 'reasonable,' or 'arbitrary.'[. . .]*

***The Court today holds that the Citizenship Clause of the Fourteenth Amendment has no application to Bellei.** The Court first notes that Afroyim was essentially a case construing the Citizenship Clause of the Fourteenth Amendment. Since the Citizenship Clause declares that: 'All persons born or naturalized in the United States \* \* \* are citizens of the United States \* \* \*,' the Court reasons that the protections against involuntary expatriation declared in Afroyim do not protect all American citizens, but only those 'born or naturalized in the United States.' Afroyim, the argument runs, was naturalized in this country so he was protected by the Citizenship Clause, but Bellei, since he acquired his American citizenship at birth in Italy as a foreignborn child of an American citizen, was neither born nor naturalized in the United States and, hence, falls outside the scope of the Fourteenth*

Amendment guarantees declared in *Afroyim*. One could hardly call this a generous reading of the great purposes the Fourteenth Amendment was adopted to bring about. **While conceding that Bellei is an American citizen**, the majority states: 'He simply is not a Fourteenth-Amendment-first-sentence citizen.' Therefore, the majority reasons, the congressional revocation of his citizenship is not barred by the Constitution. **I cannot accept the Court's conclusion that the Fourteenth Amendment protects the citizenship of some Americans and not others.**  
[ . . . ]

**The Court today puts aside the Fourteenth Amendment as a standard by which to measure congressional action with respect to citizenship, and substitutes in its place the majority's own vague notions of 'fairness.'** **The majority takes a new step with the recurring theme that the test of constitutionality is the Court's own view of what is 'fair, reasonable, and right.'** **Despite the concession that Bellei was admittedly an American citizen, and despite the holding in *Afroyim* that the Fourteenth Amendment has put citizenship, once conferred, beyond the power of Congress to revoke, the majority today upholds the revocation of Bellei's citizenship on the ground that the congressional action was not 'irrational or arbitrary or unfair.'** **The majority applies the 'shock-the-conscience' test to uphold, rather than strike, a federal statute. It is a dangerous concept of constitutional law that allows the majority to conclude that, because it cannot say the statute is 'irrational or arbitrary or unfair,' the statute must be constitutional.**

[ . . . ]

Since the Court this Term has already downgraded citizens receiving public welfare, *Wyman v. James*, 400 U.S. 309, 91 S.Ct. 381, 27 L.Ed.2d. 408 (1971), and citizens having the misfortune to be illegitimate, *Labine v. Vincent*, 401 U.S. 532, 91 S.Ct. 1917, 28 L.Ed.2d. 288, I suppose today's decision downgrading citizens born outside the United States should have been expected. Once again, as in *James* and *Labine*, the Court's opinion makes evident that its holding is contrary to earlier decisions. Concededly, petitioner was a citizen at birth, not by constitutional right, but only through operation of a federal statute.  
[*Rogers v. Bellei*, 401 U.S. 815 (1971)]

The Internal Revenue Code relies on the statutory definition of "[United States](#)", which means federal territory. The term "citizen" is nowhere defined within the Internal Revenue Code and is defined twice within the implementing regulations at 26 C.F.R. §1.1-1 and 26 C.F.R. §31.3121(e)-1 . Below is the first of these two definitions:

26 C.F.R. §1.1-1 Income tax on individuals

(c) **Who is a citizen.**

Every person born or naturalized in the United States and subject to **its** jurisdiction is a citizen. **For other rules governing the acquisition of citizenship, see chapters 1 and 2 of title III of the Immigration and Nationality Act (8 U.S.C. 1401-1459).** For rules governing loss of citizenship, see sections 349 to 357, inclusive, of such Act (8 U.S.C. 1481-1489), *Schneider v. Rusk*, (1964) 377 U.S. 163, and Rev.Rul. 70-506, C.B. 1970-2, 1. For rules pertaining to persons who are nationals but not citizens at birth, e.g., a person born in American Samoa, see section 308 of such Act (8 U.S.C. 1408). For special rules applicable to certain expatriates who have lost citizenship with a principal purpose of avoiding certain taxes, see section 877. A foreigner who has filed his declaration of intention of becoming a citizen but who has not yet been admitted to citizenship by a final order of a naturalization court is an alien.

Notice the term "born or naturalized in the United States and subject to **its** jurisdiction", which means the exclusive legislative jurisdiction of the federal government within the District of Columbia and its territories and possessions under Article 1, Section 8, Clause 17 of the Constitution and Title 48 of the U.S. Code. If they meant to include states of the Union, they would have used "**their** jurisdiction" or "**the** jurisdiction" as used in section 1 of the Fourteenth Amendment instead of "**its** jurisdiction".

"The 13th Amendment to the Constitution, prohibiting slavery and involuntary servitude 'within the United States, or in any place **subject to their jurisdiction,**' is also significant as showing that there may be places within the **jurisdiction of the United States that are no part of the Union.** To say that the phraseology of this amendment was due to the fact that it was intended to prohibit slavery in the seceded states, under a possible interpretation that those states were no longer a part of the Union, is to confess the very point in issue, since it involves an admission that, if these states were not a part of the Union, they were still subject to the jurisdiction of the United States.

Upon the other hand, the 14th Amendment, upon the subject of citizenship, declares only that 'all persons born or naturalized in the United States, and subject to **the** jurisdiction thereof, are citizens of the United States, and of the state wherein they reside.' **Here there is a limitation to persons born or naturalized in the United States, which is not extended to persons born in any place 'subject to their jurisdiction.'**  
[*Downes v. Bidwell*, 182 U.S. 244 (1901)]

The above definition of “citizen” applying exclusively to the Internal Revenue Code reveals that it depends on 8 U.S.C. §1401, which we said earlier in section 4.11.3 and its subsections means a human being and NOT artificial person born anywhere in the country but domiciled in the federal United States\*\*/federal zone, which includes territories or possessions and excludes states of the Union. These people possess a special "non-constitutional" class of citizenship that is not covered by the Fourteenth Amendment or any other part of the Constitution.

People born in states of the Union are technically not STATUTORY “nationals and citizens of the United States” under 8 U.S.C. §1401, but instead are STATUTORY “non-resident non-persons” with a legislatively but not constitutionally foreign domicile under 8 U.S.C. §1101(a)(21). The term "national" is defined in 8 U.S.C. §1101(a)(21) as follows:

(a) (21) The term "national" means a person owing permanent allegiance to a state.

In the case of "nationals" who are also statutory “non-resident non-persons” under 8 U.S.C. §1101(a)(21), these are people who owe their permanent allegiance to the confederation of states in the Union called the "United States of America\*\*\*" and NOT the "United States\*\*\*\*", which is the government and legal person they created to preside ONLY over community property of states of the Union and foreign affairs but NOT internal affairs within the states..

The definition of “citizen of the United States” found in 26 C.F.R. §31.3121(e)-1 corroborates the above conclusions, keeping in mind that “United States” within that definition means the federal zone instead of the states of the Union. Remember: “United States” or “United States of America” in the Constitution means the states of the Union while “United States” in federal statutes means the federal zone only and excludes states of the Union.

26 C.F.R. §31.3121(e)-1 State, United States, and citizen

(e)...The term 'citizen of the United States' includes a citizen of the Commonwealth of Puerto Rico or the Virgin Islands, and, effective January 1, 1961, a citizen of Guam or American Samoa.

Puerto Rico, the Virgin Islands, Guam, and American Samoa are all U.S. *territories* and federal “States” that are within the federal zone. They are not “states” under the Internal Revenue Code. The proper subjects of Internal Revenue Code, Subtitle A are only the people who are born in these federal “States”, and these people are the only people who are in fact “citizens and nationals of the United States” under 8 U.S.C. §1401 and under 26 C.F.R. §1.1-1(c).

The basis of citizenship in the United States is the English doctrine under which nationality meant “birth within allegiance of the king”. The U.S. Supreme Court helped explain this concept precisely in the case of *U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898) :

*“The supreme court of North Carolina, speaking by Mr. Justice Gaston, said: 'Before our Revolution, all free persons born within the dominions of the king of Great Britain, whatever their color or complexion, were native-born British subjects; those born out of his allegiance were aliens.' Upon the Revolution, no other change took place in the law of North Carolina than was consequent upon the transition from a colony dependent on an European king to a free and sovereign [169 U.S. 649, 664] state. 'British subjects in North Carolina became North Carolina freemen; and all free persons born within the state are born citizens of the state.' The term 'citizen,' as understood in our law, is precisely analogous to the term 'subject' in the common law, and the change of phrase has entirely resulted from the change of government. The sovereignty has been transferred from the man to the collective body of the people; and he who before was a 'subject of the king' is now 'a citizen of the state.' *State v. Manuel* (1838) 4 Dev. & b. 20, 24-26. “ [U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]*

In our country following the victorious Revolution of 1776, the “king” was therefore replaced by “the people”, who are collectively and individually the “sovereigns” within our republican form of government. The group of people within whatever “body politic” one is referring to who live within the territorial limits of that “body politic” are the thing that you claim allegiance to when you claim “nationality” to any one of the following three distinctive political bodies:

1. A state of the Union.
2. The country “United States”, as defined in our Constitution.
3. The municipal government of the federal zone called the “District of Columbia”, which was chartered as a federal corporation under 16 Stat. 419 §1 and 28 U.S.C. §3002(15)(A).

Each of the three above political bodies have “citizens” who are distinctively their own. When you claim to be a “citizen” of any one of the three, you aren’t claiming allegiance to the government of that “body politic”, but to the people (the sovereigns)

1 that the government serves. If that government is rebellious to the will of the people, and is outside the boundaries of the  
 2 Constitution that defines its authority so that it becomes a “de facto” government rather than the original “de jure” government  
 3 it was intended to be, then your allegiance to the people must be superior to that of the government that serves the people. In  
 4 the words of Jesus Himself in John 15:20:

5 “Remember the word that I said to you, ‘A servant is not greater than his master.’”  
 6 [John 15:20, Bible, NKJV]

7 The “master” or “sovereign” in this case, is the people, who have expressed their sovereign will through a written and  
 8 unchangeable Constitution.

9 “The glory of our American system of government is that it was created by a written constitution which protects  
 10 the people against the exercise of arbitrary, unlimited power, and the limits of which instrument may not be  
 11 passed by the government it created, or by any branch of it, or even by the people who ordained it, except by  
 12 amendment or change of its provisions.”  
 13 [Downes v. Bidwell, 182 U.S. 244, 21 S.Ct. 770 (1901)]

14 This is a crucial distinction you must understand in order to fully comprehend the foundations of our republican system of  
 15 government. Let’s look at the definition of “citizen” according to the U.S. Supreme Court in order to clarify the points we  
 16 have made so far on what it means to be a “citizen” of our glorious republic:

17 “There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies  
 18 an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons  
 19 associated becomes a member of the nation formed by the association. He owes it allegiance and is entitled to  
 20 its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a  
 21 compensation for the other; allegiance for protection and protection for allegiance.”

22 “For convenience it has been found necessary to give a name to this membership. The object is to designate by a  
 23 title the person and the relation he bears to the nation. For this purpose the words ‘subject,’ ‘inhabitant,’ and  
 24 ‘citizen’ have been used, and the choice between them is sometimes made to depend upon the form of the  
 25 government. Citizen is now more commonly employed, however, and as it has been considered better suited to  
 26 the description of one living under a republican government, it was adopted by nearly all of the States upon  
 27 their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the  
 28 Constitution of the United States. When used in this sense it is understood as conveying the idea of membership  
 29 of a nation, and nothing more.”

30 “To determine, then, who were citizens of the United States before the adoption of the amendment it is  
 31 necessary to ascertain what persons originally associated themselves together to form the nation, and what  
 32 were afterwards admitted to membership.”

33 “Looking at the Constitution itself we find that it was ordained and established by ‘the people of the United  
 34 States,’<sup>3</sup> and then going further back, we find that these were the people of the several States that had before  
 35 dissolved the political bands which connected them with Great Britain, and assumed a separate and equal station  
 36 among the powers of the earth,<sup>4</sup> and that had by Articles of Confederation and Perpetual Union, in which they  
 37 took the name of ‘the United States of America,’ entered into a firm league of [88 U.S. 162, 167] friendship with  
 38 each other for their common defence, the security of their liberties and their mutual and general welfare, binding  
 39 themselves to assist each other against all force offered to or attack made upon them, or any of them, on account  
 40 of religion, sovereignty, trade, or any other pretence whatever. 5”

41 “Whoever, then, was one of the people of either of these States when the Constitution of the United States was  
 42 adopted, became ipso facto a citizen-a member of the nation created by its adoption. He was one of the persons  
 43 associating together to form the nation, and was, consequently, one of its original citizens. As to this there has  
 44 never been a doubt. Disputes have arisen as to whether or not certain persons or certain classes of persons  
 45 were part of the people at the time, but never as to their citizenship if they were.”  
 46 [Minor v. Happersett, 88 U.S. 162 (1874), emphasis added]

47 The thing to focus on in the above is the phrase “he owes allegiance and is entitled to its protection”. People domiciled in  
 48 states of the Union have dual allegiance and dual nationality: They owe allegiance to two governments not one, so they are  
 49 “dual-nationals”. They are “dual nationals” because the states of the Union are independent nations<sup>139</sup>:

<sup>139</sup> See *Bank of Augusta v. Earle*, 38 U.S. (13 Pet.) 519, 10 L.Ed. 274 (1839), in which the Supreme Court ruled:

“The States between each other are sovereign and independent. They are distinct and separate sovereignties, except so far as they have parted with  
 some of the attributes of sovereignty by the Constitution. They continue to be nations, with all their rights, and under all their national obligations.”

**Dual citizenship.** *Citizenship in two different countries.* Status of citizens of United States who reside within a state; i.e., person who are born or naturalized in the U.S. are citizens of the U.S. and the state wherein they reside. [Black's Law Dictionary, Sixth Edition, p. 498]

Likewise, those people who live in a federal "State" like Puerto Rico also owe dual allegiance: one to the District of Columbia, which is their municipal government and which possesses the police powers that protect them, and the other allegiance to the government of the United States of America, which is the general government for the whole country. As we said before, Congress wears two hats and operates in two capacities or jurisdictions simultaneously, each of which covers a different and mutually exclusive geographical area:

1. As the municipal government for the District of Columbia and all U.S. territories. All "acts of Congress" or federal statutes passed in this capacity are referred to as "private international law". This political community is called the "National Government".
2. As the general government for the states of the Union. All "acts of Congress" or federal statutes passed in this capacity are called "public international law". This political community is called the "Federal Government."

Each of the two capacities above has different types of "citizens" within it and each is a unique and separate "body politic". Most laws that Congress writes pertain to the first jurisdiction above only. Below is a summary of these two classes of "citizens":

**Table 4-22: Types of citizens**

#	Jurisdiction	Land area	Name of "citizens"
1	Municipal government of the District of Columbia and all U.S. territories. Also called the "National Government"	"Federal zone" (District of Columbia + federal "States")	"Statutory citizens" or "citizens and nationals of the United States" as defined in 8 U.S.C. §1401
2	General government for the states of the Union. Also called the "Federal Government"	"United States of America" ( <u>50 Union "states"</u> )	"Constitutional citizens", "nationals but not citizens of the United States" as defined in 8 U.S.C. §1101(a)(21), "non-resident non-persons" under federal law

The U.S. Supreme Court recognized the above two separate political and legislative jurisdictions and their respective separate types of "citizens" when it held the following:

*"The 1<sup>st</sup> section of the 14<sup>th</sup> article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[\*\*\*], but citizenship of the states. No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the public journals. It had been said by eminent judges that no man was a citizen of the United States[\*\*\*] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[\*], were not citizens. Whether this proposition was sound or not had never been judicially decided."*  
[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

Federal statutes and "acts of Congress" do not and cannot prescribe the STATUTORY citizenship status of human beings born in and domiciled in states of the Union and outside of the exclusive or general legislative jurisdiction of Congress. 8 U.S.C. §1408(2) comes the closest to defining their citizenship status, but even that definition doesn't address most persons born in states of the Union neither of whose parents ever resided in the federal zone. No federal statute or "act of Congress" directly can or does prescribe the citizenship status of people born in states of the Union because state law, and not federal law, prescribes their status under the Law of Nations.<sup>140</sup> The reason is because no government may write civil laws that apply outside of their subject matter or exclusive territorial jurisdiction, and states of the Union are STATUTORILY but not CONSTITUTIONALLY "foreign" to the United States government for the purposes of police powers and legislative jurisdiction. Here is confirmation of that fact which the geographical definitions within federal also CONFIRM:

*"Judge Story, in his treatise on the Conflict of Laws, lays down, as the basis upon which all reasonings on the law of comity must necessarily rest, the following maxims: First, 'that every nation possesses an exclusive sovereignty and jurisdiction within its own territory'; secondly, 'that no state or nation can by its laws directly affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural*

*and with all the rights of nations in every particular; except in the surrender by each to the common purposes and objects of the Union, under the Constitution. The rights of each State, when not so yielded up, remain absolute."*

<sup>140</sup> See *The Law of Nations*, Vattel, available on our website at: <http://famguardian.org/Publications/LawOfNations/vattel.htm>

1 born subjects or others. The learned judge then adds: 'From these two maxims or propositions there follows a  
2 third, and that is that whatever force and obligation the laws of one country have in another depend solely upon  
3 the laws and municipal regulation of the matter; that is to say, upon its own proper jurisdiction and polity, and  
4 upon its own express or tacit consent.' Story on Conflict of Laws, §23."  
5 [Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio.St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]

6 Congress is given the authority under the Constitution, Article 1, Section 8, Clause 4 to write "an uniform Rule of  
7 Naturalization" and they have done this in Title 8 of the U.S. Code called the "Aliens and Nationality", but they were never  
8 given any authority under the Constitution to prescribe laws for the states of the Union relating to citizenship by birth rather  
9 than naturalization. That subject is, and always has been, under the exclusive jurisdiction of states of the Union.  
10 Naturalization is only one of two ways by which a person can acquire citizenship, and Congress has jurisdiction only over  
11 one of the two ways of acquiring citizenship.

12 "The question, now agitated, depends upon another question; whether the State of Pennsylvania, since the 26<sup>th</sup>  
13 of March, 1790, (when the act of Congress was passed) has a right to naturalize an alien? And this must receive  
14 its answer from the solution of a third question; whether, according to the constitution of the United States, the  
15 authority to naturalize is exclusive, or concurrent? We are of the opinion, then, that the States, individually,  
16 still enjoy a concurrent authority upon this subject; but that their individual authority cannot be exercised so  
17 as to contravene the rule established by the authority of the Union.

18 "The true reason for investing Congress with the power of naturalization has been assigned at the Bar: --It  
19 was to guard against too narrow, instead of too liberal, a mode of conferring the rights of citizenship. Thus,  
20 the individual States cannot exclude those citizens, who have been adopted by the United States; but they can  
21 adopt citizens upon easier terms, than those which Congress may deem it expedient to impose.

22 "But the act of Congress itself, furnishes a strong proof that the power of naturalization is concurrent. In the  
23 concluding proviso, it is declared, 'that no person heretofore proscribed by any State, shall be admitted a citizen  
24 as aforesaid, except by an act of the Legislature of the State, in which such person was proscribed.' Here, we  
25 find, that Congress has not only circumscribed the exercise of its own authority, but has recognized the  
26 authority of a State Legislature, in one case, to admit a citizen of the United States; which could not be done  
27 in any case, if the power of naturalization, either by its own nature, or by the manner of its being vested in the  
28 Federal Government, was an exclusive power."  
29 [Collet v. Collet, 2 U.S. 294, 1 L.Ed. 387 (1792)]

30 Many freedom fighters overlook the fact that the STATUTORY "citizen" mentioned in 26 C.F.R. §1.1-1 can also be a  
31 corporation, and this misunderstanding is why many of them think that they are the only proper subject of the Subtitle A  
32 federal income tax. In fact, a corporation is also a STATUTORY "person" and an "individual" and a "citizen" within the  
33 meaning of the Internal Revenue Code.

34 "A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was  
35 created, and of that state or country only."  
36 [19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003); Legal encyclopedia]

37 Corporations, however, cannot be either a CONSTITUTIONAL "person" or "citizen" nor can they have a legal existence  
38 outside of the sovereignty that they were created in.

39 "Citizens of the United States within the meaning of this Amendment must be natural and not artificial  
40 persons; a corporate body is not a citizen of the United States.<sup>14</sup>

41  
42 <sup>14</sup> Insurance Co. v. New Orleans, 13 Fed.Cas. 67 (C.C.D.La. 1870). Not being citizens of the United States,  
43 corporations accordingly have been declared unable "to claim the protection of that clause of the Fourteenth  
44 Amendment which secures the privileges and immunities of citizens of the United States against abridgment or  
45 impairment by the law of a State." Orient Ins. Co. v. Dagg, 172 U.S. 557, 561 (1869). This conclusion was in  
46 harmony with the earlier holding in Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869), to the effect that corporations  
47 were not within the scope of the privileges and immunities clause of state citizenship set out in Article IV, Sec. 2.  
48 See also Selover, Bates & Co. v. Walsh, 226 U.S. 112, 126 (1912); Berea College v. Kentucky, 211 U.S. 45  
49 (1908); Liberty Warehouse Co. v. Tobacco Growers, 276 U.S. 71, 89 (1928); Grosjean v. American Press Co.,  
50 297 U.S. 233, 244 (1936).

51 [Annotated Fourteenth Amendment, Congressional Research Service.

52 SOURCE: [http://www.law.cornell.edu/anncon/html/amdt14a\\_user.html#amdt14a\\_hd1](http://www.law.cornell.edu/anncon/html/amdt14a_user.html#amdt14a_hd1)]



1 Consequently, the only corporations who are “citizens” and the only “corporate profits” that are subject to tax under Internal  
 2 Revenue Code, Subtitle A are those that are formed under the laws of the District of Columbia, and *not* those under the laws  
 3 of states of the Union. Congress can ONLY tax or regulate that which it creates as a VOLUNTARY franchise, and  
 4 corporations are just such a franchise. Here is why:

5 *“Now, a grant of corporate existence is a grant of special privileges to the corporators, enabling them to act for*  
 6 *certain designated purposes as a single individual, and exempting them (unless otherwise specifically provided)*  
 7 *from individual liability. The corporation being the mere creation of local law, can have no legal existence*  
 8 *beyond the limits of the sovereignty where created. As said by this court in Bank of Augusta v. Earle, ‘It must*  
 9 *dwell in the place of its creation and cannot migrate to another sovereignty.’ The recognition of its existence*  
 10 *even by other States, and the enforcement of its contracts made therein, depend purely upon the comity of those*  
 11 *States—a comity which is never extended where the existence of the corporation or the exercise of its powers are*  
 12 *prejudicial to their interests or repugnant to their policy.”*  
 13 *[Paul v. Virginia, 8 Wall. (U.S.) 168, 19 L.Ed. 357 (1868)]*

14 In conclusion, you *aren’t* the STATUTORY “citizen” described in 26 C.F.R. §1.1-1 who is the proper subject of Internal  
 15 Revenue Code, Subtitle A, nor are you a “resident” of the “United States” defined in 26 U.S.C. §7701(a)(9) if you were born  
 16 in a state of the Union and are domiciled there. Internal Revenue Code, Subtitle A *only* applies to persons domiciled in the  
 17 federal zone and payments originating from within the United States government. If you are domiciled in a state of the Union,  
 18 then you aren’t domiciled in the federal zone. Consequently, the only type of person you can be as a human born in a state  
 19 of the Union is:

- 20 1. A “national” as defined in 8 U.S.C. §1101(a)(21).
- 21 2. A CONSTITUTIONAL "person".
- 22 3. A statutory “non-resident non-person”.
- 23 4. A common law “national” as described in Perkins v. Elg., 1939, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320.
- 24 5. NOT any of the following:
  - 25 5.1. "a person who, though not a citizen of the United States[\*\*], owes permanent allegiance to the United States[\*\*]"
  - 26 under 8 U.S.C. §1101(a)(22)(B).
  - 27 5.2. A STATUTORY "person".
  - 28 5.3. An “alien” under 8 U.S.C. §1101(a)(3).
  - 29 5.4. A statutory "national and citizen of the United States\*\* at birth” as defined in 8 U.S.C. §1401.
  - 30 5.5. A "National but not citizen of the United States\*\* at birth" under 8 U.S.C. §1408.
  - 31 5.6. A "U.S.[\*\*] non-citizen national" under 8 U.S.C. §1452.

32 We call the confluence of the above a "non-resident non-person " as described below:

*Non-Resident Non-Person Position, Form #05.020*

FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/NonresidentNonPersonPosition.pdf>

33 You only become a statutory "nonresident alien" as defined in 26 U.S.C. §7701(b)(1)(B) when you surrender your PRIVATE,  
 34 sovereign status and sovereign immunity by entering into contracts with the government, such as accepting a public office or  
 35 a government "benefit".

36 The reason most Americans falsely think they owe income tax and why they continue to illegally be the target of IRS  
 37 enforcement activity is because they file the wrong tax return form and thereby create false presumptions about their status  
 38 in relation to the federal government. IRS Form 1040 is only for use by resident aliens, not those who are non-residents such  
 39 as state nationals. The "individual" mentioned in the upper left corner of the form is defined in 26 C.F.R. §1.1441-1(c)(3) as  
 40 an "alien". STATUTORY "citizens" are not included in the definition. The only place this definition is expanded to include  
 41 “citizens” is when they are abroad and accepting treaty benefits as described in 26 U.S.C. §911(d). It also constitutes fraud  
 42 for a state national to declare themselves to be a resident alien. A state national who chooses a domicile in the federal zone  
 43 is classified as a statutory "U.S.\*\* citizen" pursuant to 8 U.S.C. §1101(a)(22)(A) and NOT a "resident" (alien). It is  
 44 furthermore a criminal violation of 18 U.S.C. §911 for a state national to impersonate a statutory "U.S. citizen". The only  
 45 tax return form a state national can file without committing fraud or a crime is IRS Form 1040NR, and even then he or she is  
 46 committing a fraud unless lawfully serving in a public office in the national government.

If you still find yourself confused or uncertain about citizenship in the context of the Internal Revenue Code after having read this section, you might want to go back and reread the following to refresh your memory, because these resources are the foundation to understanding this section:

1. *Citizenship and Sovereignty Course*, Form #12.001- basic introduction  
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
DIRECT LINK: <http://sedm.org/LibertyU/CitAndSovereignty.pdf>  
VIDEO: <http://www.youtube.com/watch?v=xMrSiiAqJAU>
2. *Why You are a "national", "state national", and Constitutional but not Statutory Citizen*, Form #05.006  
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/WhyANational.pdf>
3. *Great IRS Hoax*, Form #11.302, Sections 4.11 through 4.11.11.  
<http://sedm.org/Forms/FormIndex.htm>
4. *Citizenship Status v. Tax Status*, Form #10.011  
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
DIRECT LINK: <http://sedm.org/Forms/10-Emancipation/CitizenshipStatusVTaxStatus/CitizenshipVTaxStatus.htm>

Lastly, this section does NOT suggest the following LIES found on Wikipedia ([click here](#), for instance) about its content:

*Fourteenth Amendment*

*Some tax protesters argue that all Americans are citizens of individual states as opposed to citizens of the United States, and that the United States therefore has no power to tax citizens or impose other federal laws outside of Washington D.C. and other federal enclaves[7][20] The first sentence of Section 1 of the [Fourteenth Amendment](#) states:*

*All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.*

*[Wikipedia: Tax Protester Constitutional Arguments, Downloaded 1/16/2013, [http://en.wikipedia.org/wiki/Tax\\_protester\\_constitutional\\_arguments](http://en.wikipedia.org/wiki/Tax_protester_constitutional_arguments)]*

The power to tax of the national government extends to wherever STATUTORY "citizens" or [federal territory](#) are found, including states of the Union. HOWEVER, those [domiciled](#) in states of the Union are NOT STATUTORY "citizens" under [8 U.S.C. §1401](#) or [26 C.F.R. §1.1-1](#) and the ONLY statutory "citizens" or STATUTORY "taxpayers" described in the Internal Revenue Code Subtitles A or C are in fact PUBLIC OFFICERS within the national but not state government. For exhaustive proof on this subject, see:

*Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes*, Form #05.008  
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/WhyThiefOrPubOfficer.pdf>  
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

We contend that Wikipedia, like most federal judges and prosecutors, are deliberately confusing and perpetuating the confusion between STATUTORY and CONSTITUTIONAL contexts in order to unlawfully enforce federal law in places that they KNOW they have no jurisdiction. The following forms PREVENT them from doing the very thing that Wikipedia unsuccessfully tried to do, and we encourage you to use this every time you deal with priests of the civil religion of socialism called "attorneys" or "judges":

1. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001 (OFFSITE LINK)- use this in administrative correspondence  
<http://sedm.org/Forms/FormIndex.htm>
2. *Citizenship, Domicile, and Tax Status Options*, Form #10.003 (OFFSITE LINK)- use this in all legal settings. Attach to your original complaint or response.  
<http://sedm.org/Forms/FormIndex.htm>

#### **4.10.4 Why all people domiciled in states of the Union are "non-resident non-persons"**

As is explained in later in section 4.12, people born anywhere in America and domiciled or resident within states of the Union are all of the following:

**The Great  IRS Hoax: Why We Don't Owe Income Tax, version 4.54**

**TOP SECRET: For Official Treasury/IRS Use Only (FOUO)**

Copyright Family Guardian Fellowship

<http://famguardian.org/>

1. Statutory status under federal law:

1.1. “nationals” or “state nationals” under 8 U.S.C. §1101(a)(21).

1.2. Not any of the following:

1.2.1. “a person who, though not a citizen of the United States, owes permanent allegiance to the United States[\*\*]” under 8 U.S.C. §1101(a)(22)(B).

1.2.2. Statutory “nationals and citizens of the United States\*\* at birth” under 8 U.S.C. §1401.

1.2.3. “nationals but not citizens of the United States\*\* at birth” under 8 U.S.C. §1408 if not born in a federal possession.

1.2.4. “national of the United States\*\*\*” under 8 U.S.C. §1101(a)(22).

1.3. If they were born in a federal possession, they are a “national, but not a citizen, of the United States” under 8 U.S.C. §1452 if they are domiciled in a federal possession.

1.4. Statutory “non-resident non-persons” relative to the legislative/statutory jurisdiction of the national and not federal government under Titles 4, 5, 26, 42, and 50 of the United States Code, but only if legally or physically present on federal territory. Statutory “non-resident non-person” status is a result of the separation of powers between the state and federal governments. One is “legally present” if they are either consensually conducting commerce within the United States government, have the statutory status of “citizen” or “resident, or are filling a public office within said government.

2. Constitutional status:

2.1. “citizens of the United States\*\*\*” per the Fourteenth Amendment.

2.2. Not “aliens” from EITHER a STATUTORY or CONSTITUTIONAL perspective.

You can also find details on the above in the following pamphlet in our website:

Why You are a “national”, “state national”, and Constitutional but not Statutory Citizen, Form #05.006  
<http://sedm.org/Forms/FormIndex.htm>

The U.S. Supreme Court recognized that state citizens are non-resident non-persons under titles of the U.S. Code OTHER than Title 8 in the following ruling. What they are talking about below is welfare and franchise policy under Title 42 rather than Title 8 of the U.S. Code. The same would be true for “persons” under Title 26, which is a “trade or business” franchise that uses a different statutory definition for “United States” than Title 8:

*The fact that all persons, aliens and citizens alike, are protected by the Due Process Clause does not lead to the further conclusion that all aliens are entitled to enjoy all the advantages of citizenship or, indeed, to the conclusion that all aliens must be placed in a single homogeneous legal classification. **For a host of constitutional and statutory provisions rest on the premise that a legitimate distinction between citizens and aliens may justify attributes and benefits for one class not accorded to the other;<sup>[12]</sup> and the class of aliens is itself a heterogeneous 79\*79 multitude of persons with a wide-ranging variety of ties to this country.<sup>[13]</sup>***

[ . . . ]

*“Insofar as state welfare policy is concerned,<sup>24</sup> there is little, if any, basis for treating persons who are citizens of another State differently from persons who are citizens of another country. Both groups are noncitizens as far as the State’s interests in administering its welfare programs are concerned. Thus, a division by a State of the category of persons who are not citizens of that State into subcategories of United States citizens and aliens has no apparent justification, whereas, a comparable classification by the Federal Government is a routine and normally legitimate part of its business. Furthermore, whereas the Constitution inhibits every State’s power to restrict travel across its own borders, Congress is explicitly empowered to exercise that type of control over travel across the borders of the United States.<sup>25</sup>”*

[ . . . ]

FOOTNOTES

<sup>[12]</sup> The Constitution protects the privileges and immunities only of citizens, Amdt. 14, § 1; see Art. IV, § 2, cl. 1, and the right to vote only of citizens. Amdts. 15, 19, 24, 26. It requires that Representatives have been citizens for seven years, Art. I, § 2, cl. 2, and Senators citizens for nine, Art. I, § 3, cl. 3, and that the President be a “natural born Citizen.” Art. II, § 1, cl. 5.

<sup>[13]</sup> The classifications among aliens established by the Immigration and Nationality Act, 66 Stat. 163, as amended, 8 U.S.C. §1101 et seq. (1970 ed. and Supp. IV), illustrate the diversity of aliens and their ties to this

country. Aliens may be immigrants or nonimmigrants. 8 U.S.C. §1101(a)(15). Immigrants, in turn, are divided into those who are subject to numerical limitations upon admissions and those who are not. The former are subdivided into preference classifications which include: grown unmarried children of citizens; spouses and grown unmarried children of aliens lawfully admitted for permanent residence; professionals and those with exceptional ability in the sciences or arts; grown married children of citizens; brothers and sisters of citizens; persons who perform specified permanent skilled or unskilled labor for which a labor shortage exists; and certain victims of persecution and catastrophic natural calamities who were granted conditional entry and remained in the United States at least two years. 8 U.S.C. §§1153(a)(1)-(7). Immigrants not subject to certain numerical limitations include: children and spouses of citizens and parents of citizens at least 21 years old; natives of independent countries of the Western Hemisphere; aliens lawfully admitted for permanent residence returning from temporary visits abroad; certain former citizens who may reapply for acquisition of citizenship; certain ministers of religion; and certain employees or former employees of the United States Government abroad. 8 U.S.C. §§1101(a)(27), 1151(a), (b). Nonimmigrants include: officials and employees of foreign governments and certain international organizations; aliens visiting temporarily for business or pleasure; aliens in transit through this country; alien crewmen serving on a vessel or aircraft; aliens entering pursuant to a treaty of commerce and navigation to carry on trade or an enterprise in which they have invested; aliens entering to study in this country; certain aliens coming temporarily to perform services or labor or to serve as trainees; alien representatives of the foreign press or other information media; certain aliens coming temporarily to participate in a program in their field of study or specialization; aliens engaged to be married to citizens; and certain alien employees entering temporarily to continue to render services to the same employers. 8 U.S.C. §1101(a)(15). In addition to lawfully admitted aliens, there are, of course, aliens who have entered illegally.

[24] We have left open the question whether a State may prohibit aliens from holding elective or important nonelective positions or whether a State may, in some circumstances, consider the alien status of an applicant or employee in making an individualized employment decision. See *Sugarman v. Dougall*, 413 U.S. 634, 646-649; *In re Griffiths*, 413 U.S. 717, 728-729, and n. 21.

[25] "State alien residency requirements that either deny welfare benefits to noncitizens or condition them on longtime residency, equate with the assertion of a right, inconsistent with federal policy, to deny entrance and abode. Since such laws encroach upon exclusive federal power, they are constitutionally impermissible." *Graham v. Richardson*, 403 U.S. 365, 380.  
[*Mathews v. Diaz*, 426 U.S. 67 (1976)]

For tax purposes, state nationals domiciled in states of the Union are classified as "non-resident non-persons". They become "nonresident alien individuals" as defined in [26 U.S.C. §7701\(b\)\(1\)\(B\)](#) only if they occupy a public office within the national government.

[26 U.S.C. §7701\(b\)\(1\)\(B\) Nonresident alien](#)

An individual is a nonresident alien if such individual is neither a citizen of the [federal] United States nor a resident of the [federal] United States (within the meaning of subparagraph (A)).

The statutory term "United States" as used above means the following:

[TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701. \[Internal Revenue Code\]](#)  
[Sec. 7701. - Definitions](#)

(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—

(9) United States

The term "United States" when used in a geographical sense includes only the [States](#) and the District of Columbia.

(10) State

The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.

A "nonresident alien" is "nonresident" to the statutory "United States\*\*" as defined in the Internal Revenue Code at 26 U.S.C. §7701(a)(9) and (a)(10), which simply means that they do not maintain a domicile in the District of Columbia or any federal territory. We call this area the "federal United States", the "United States\*\*", or simply the "federal zone" for short, in this book. Some payroll people and accountants will try to tell you that it is nonsense to expect that the words mean what they say in the Internal Revenue Code, but you can see that there is no way to interpret the definition of "United States" any way

1 *other* than federal territory for the purposes of Subtitle A federal income taxes. The reason why this also must be the case is  
2 that the Constitution and federal law both confine all persons holding public office to reside in the District of Columbia:

3 **U.S. Constitution, Article I, Section 8, Clause 17**

4 *To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as*  
5 *may, by Cession of Particular States, and the Acceptance of Congress, become the Seat of the Government of the*  
6 *United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the*  
7 *State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful*  
8 *Buildings;--And*  
9

10 [TITLE 4 > CHAPTER 3 > Sec. 72.](#)  
11 [Sec. 72. - Public offices; at seat of Government](#)

12 *All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere,*  
13 *except as otherwise expressly provided by law*

14 A “nonresident” who does not hold a public office in the United States government is *not* a statutory “person” or “individual”  
15 and is not responsible for income tax withholding under Subtitle C of the Internal Revenue Code or for federal income taxes  
16 under [Subtitle A of the Internal Revenue Code](#). People or entities not holding public office also cannot be levied upon under  
17 26 U.S.C. §6331(a). Those in the IRS who argue with this perspective are violating the following rules of statutory  
18 construction and must produce the statute that EXPRESSLY INCLUDES what they want to include within 26 U.S.C.  
19 §6331(a):

20 *"It is apparent that a constitutional prohibition cannot be transgressed indirectly by the creation of a statutory*  
21 *presumption any more than it can be violated by direct enactment. The power to create presumptions is not a*  
22 *means of escape from constitutional restrictions."*  
23 *[Bailey v. Alabama, 219 U.S. 219 (1911)]*

24 *"Expressio unius est exclusio alterius. A maxim of statutory interpretation meaning that **the expression of one***  
25 ***thing is the exclusion of another.** Burgin v. Forbes, 293 Ky. 456, 169 S.W.2d. 321, 325; Newblock v. Bowles,*  
26 *170 Okl. 487, 40 P.2d. 1097, 1100. Mention of one thing implies exclusion of another. **When certain persons or***  
27 ***things are specified in a law, contract, or will, an intention to exclude all others from its operation may be***  
28 ***inferred.** Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects*  
29 *of a certain provision, other exceptions or effects are excluded."*  
30 *[Black's Law Dictionary, Sixth Edition, p. 581]*

31 *"When a statute includes an explicit definition, we must follow that definition, even if it varies from that term's*  
32 ***ordinary meaning.** Meese v. Keene, 481 U.S. 465, 484-485 (1987) ("It is axiomatic that the statutory definition*  
33 *of the term excludes unstated meanings of that term"); Colautti v. Franklin, 439 U.S. at 392-393, n. 10 ("As a*  
34 *rule, `a definition which declares what a term "means" . . . excludes any meaning that is not stated"); Western*  
35 *Union Telegraph Co. v. Lenroot, 323 U.S. 490, 502 (1945); Fox v. Standard Oil Co. of N.J., 294 U.S. 87, 95-96*  
36 *(1935) (Cardozo, J.); see also 2A N. Singer, Sutherland on Statutes and Statutory Construction § 47.07, p. 152,*  
37 *and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read "as a whole," post at 998 [530 U.S.*  
38 *943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include the Attorney*  
39 *General's restriction -- "the child up to the head." Its words, "substantial portion," indicate the contrary."*  
40 *[Stenberg v. Carhart, 530 U.S. 914 (2000)]*

41 Those who refuse to produce legal evidence that the statutes expressly include in 26 U.S.C. §6331(a) what they want to  
42 include are:

- 43 1. Violating the constitutional requirement for reasonable notice. See:

[Requirement for Reasonable Notice](#), Form #05.022  
<http://sedm.org/Forms/FormIndex.htm>

- 44 2. Abusing statutory presumptions to injure constitutional rights, which the U.S. Supreme Court held is a tort. See:

[Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction](#), Form #05.017  
<http://sedm.org/Forms/FormIndex.htm>

45 (1) [8:4993] *Conclusive presumptions affecting protected interests:*

46 *A conclusive presumption [that a "code" is in fact a "law", for instance] may be defeated where its application*  
47 *would impair a party's constitutionally-protected liberty or property interests. In such cases, conclusive*  
48 *presumptions have been held to violate a party's due process and equal protection rights. [Vlandis v. Kline (1973)]*

[412 U.S. 441](#), 449, 93 S.Ct. 2230, 2235; *Cleveland Bd. of Ed. v. LaFleur* (1974) [414 U.S. 632](#), 639-640, 94 S.Ct. 1208, 1215-presumption under Illinois law that unmarried fathers are unfit violates process] [\[Federal Civil Trials and Evidence, Rutter Group, paragraph 8:4993, p. 8K-34\]](#)

To verify the conclusions of this section, we investigated a prominent payroll compliance education book and found the following comments in the book about “nonresident alien” tax withholding:

**“In general, if an employer pays wages to nonresident aliens, it must withhold income tax (unless excepted by regulations), Social Security, and Medicare taxes as it would for a U.S. citizen. A Form W-2 must be delivered to the nonresident alien and filed with the Social Security Administration. Nonresident aliens’ wages are subject to FUTA tax as well.”**  
*[Quick Reference Guide to Payroll Compliance (2002), Payroll Technical Support Services, Panel Publishers, a Division of Aspen Publishers, Inc, p. IV-54. Available at: <http://panelpublishers.com/>]*

The above is true, but very misleading. The above advice says “unless excepted by regulations”, and doesn’t mention what those regulations might be. It also uses the term “must be delivered and filed”. That is true for a public employer, but not a private employer, and it still does not obligate a private employee to do anything. The facts below clarify the comments above and the applicable regulations so that their meaning is crystal clear to the reader:

1. There **are** several regulations that **DO** exempt income of nonresident aliens. Most of these are documented later in section 5.6.13 and following. All income not “effectively connected with a trade or business in the United States” or earned from labor outside the District of Columbia or federal United States is exempt from inclusion as “gross income” by regulation and exempt from withholding, but of course the above book conveniently didn’t mention that:

26 C.F.R. §31.3401(a)(6)-1 Remuneration for services of nonresident alien individuals.

(a) In general.

**All remuneration paid after December 31, 1966, for services performed by a nonresident alien individual, if such remuneration otherwise constitutes wages within the meaning of §31.3401(a)-1 and if such remuneration is effectively connected with the conduct of a trade or business within the United States, is subject to withholding under section 3402 unless excepted from wages under this section. In regard to wages paid under this section after February 28, 1979, the term “nonresident alien individual” does not include a nonresident alien individual treated as a resident under section 6013 (g) or (h).**

(b) Remuneration for services performed outside the [federal] United States.

**Remuneration paid to a nonresident alien individual (other than a resident of Puerto Rico) for services performed outside the [federal] United States is excepted from wages and hence is not subject to withholding.**

A portion of the regulation above is also confirmed by the statutory rules for computing taxable income found in 26 U.S.C. §861:

[TITLE 26 > Subtitle A > CHAPTER 1 > Subchapter N > PART I > Sec. 861.](#)  
[Sec. 861. - Income from sources within the United States](#)

(a) Gross income from sources within United States

The following items of gross income shall be treated as income from sources within the United States:

[...]

(3) Personal services

**Compensation for labor or personal services performed in the United States; except that compensation for labor or services performed in the United States shall not be deemed to be income from sources within the United States if -**

(A) the labor or services are performed by a nonresident alien individual temporarily present in the United States for a period or periods not exceeding a total of 90 days during the taxable year,

(B) such compensation does not exceed \$3,000 in the aggregate, and

(C) the compensation is for labor or services performed as an employee of or under a contract with -

(i) a nonresident alien, foreign partnership, or foreign corporation, not engaged in trade or business within the United States, or

2. That word “trade or business” above is statutorily defined in the Internal Revenue Code as the “functions of a public office”. This public office essentially amount to a business partnership with the federal government, whether as a federal “employee” or otherwise. These observations confirm once again that the only proper subject of the income tax are government employees who hold a public office.

[26 U.S.C. Sec. 7701\(a\)\(26\) : Definitions](#)

*"The term 'trade or business' includes the performance of the functions of a public office."*

**Public Office:**

*"Essential characteristics of a 'public office' are:*

- (1) Authority conferred by law,*
- (2) Fixed tenure of office, and*
- (3) Power to exercise some of the sovereign functions of government.*
- (4) Key element of such test is that "officer is carrying out a sovereign function'.*
- (5) Essential elements to establish public position as 'public office' are:*
  - (a) Position must be created by Constitution, legislature, or through authority conferred by legislature.*
  - (b) Portion of sovereign power of government must be delegated to position,*
  - (c) Duties and powers must be defined, directly or implied, by legislature or through legislative authority.*
  - (d) Duties must be performed independently without control of superior power other than law, and*
  - (e) Position must have some permanency."*

*[Black's Law Dictionary, Sixth Edition, p. 1230]*

3. 26 C.F.R. §31.3401(a)-1 mentioned above also says that a person can only earn “wages” if they are an “employee”, which is a person holding a “public office” in the United States government” under 26 C.F.R. §31.3401(c)-1.

[26 C.F.R. §31.3401\(c\)-1 Employee:](#)

*"...the term [employee] includes officers and employees, whether elected or appointed, of the United States, a [federal] State, Territory, Puerto Rico or any political subdivision, thereof, or the District of Columbia, or any agency or instrumentality of any one or more of the foregoing. The term 'employee' also includes an officer of a corporation."*

[26 C.F.R. §31.3401\(a\)-1 Wages.](#)

*(a) In general. (1) The term "wages" means all remuneration for services performed by an employee for his employer unless specifically excepted under section 3401(a) or excepted under section 3402(e).*

4. Absent a person literally holding a “public office” in the United States government, then the only other way they can earn “wages” is to have a voluntary withholding agreement in place called an IRS Form W-4. If they never volunteered, then they don’t earn “wages”.

[26 C.F.R. §31.3401\(a\)-3 Amounts deemed wages under voluntary withholding agreements.](#)

*(a) In general.*

*Notwithstanding the exceptions to the definition of wages specified in section 3401(a) and the regulations thereunder, the term "wages" includes the amounts described in paragraph (b)(1) of this section with respect to which there is a voluntary withholding agreement in effect under section 3402(p). References in this chapter to the definition of wages contained in section 3401(a) shall be deemed to refer also to this section (§31.3401(a)-3).*

[26 C.F.R. §31.3402\(p\)-1 Voluntary withholding agreements.](#)

1 (a) In general.

2 An employee and his employer may enter into an agreement under section 3402(b) to provide for the  
3 withholding of income tax upon payments of amounts described in paragraph (b)(1) of §31.3401(a)-3, made  
4 after December 31, 1970. An agreement may be entered into under this section only with respect to amounts  
5 which are includible in the gross income of the employee under section 61, and must be applicable to all  
6 such amounts paid by the employer to the employee. The amount to be withheld pursuant to an agreement  
7 under section 3402(p) shall be determined under the rules contained in section 3402 and the regulations  
8 thereunder. See §31.3405(c)-1, Q&A-3 concerning agreements to have more than 20-percent Federal income  
9 tax withheld from eligible rollover distributions within the meaning of section 402.

- 10 5. If the private employer coerces the worker who is NOT a PUBLIC or statutory “employee” to sign an IRS Form W-4,  
11 that doesn’t count as “volunteering”, because in that instance, they had a choice of either starving to death or committing  
12 perjury under penalty of perjury on an IRS Form W-4. They would be committing perjury because they would be  
13 submitting a W-4 that misrepresented their status as a federal “employee” and also misrepresented the fact that they  
14 “volunteered”, when in fact they were simply coerced under threat of being fired or not being hired by their employer.  
15 Here is what Alexander Hamilton said on this subject:

16 “In the general course of human nature, A POWER OVER A MAN’S SUBSISTENCE AMOUNTS TO A POWER  
17 OVER HIS WILL.”  
18 [Alexander Hamilton, *Federalist Paper No. 79*]

19 The tendency of employers to coerce their employees essentially into becoming liars just so they can feed their face may  
20 explain the following comment by Will Rogers:

21 “Income tax has made more liars out of the American people than golf.”  
22 [Will Rogers]

- 23 6. The regulations say a nonresident alien with no earnings connected with a “trade or business” and which do not originate  
24 from federal territory is not subject to tax and not includible in “gross income”.::

25 Title 26: Internal Revenue  
26 [PART 1—INCOME TAXES](#)  
27 [nonresident alien individuals](#)  
28 [§ 1.872-2 Exclusions from gross income of nonresident alien individuals.](#)

29 (f) *Other exclusions.*

30 Income which is from sources without [outside] the United States [federal territory per 26 U.S.C. §7701(a)(9)  
31 and (a)(10)], as determined under the provisions of sections 861 through 863, and the regulations thereunder,  
32 is not included in the gross income of a nonresident alien individual unless such income is effectively  
33 connected for the taxable year with the conduct of a trade or business in the United States by that individual.  
34 To determine specific exclusions in the case of other items which are from sources within the United States, see  
35 the applicable sections of the Code. For special rules under a tax convention for determining the sources of  
36 income and for excluding, from gross income, income from sources without the United States which is effectively  
37 connected with the conduct of a trade or business in the United States, see the applicable tax convention. For  
38 determining which income from sources without the United States is effectively connected with the conduct of a  
39 trade or business in the United States, see section 864(c)(4) and §1.864-5.

40 Examining the above [Quick Reference to Payroll Compliance \(2002\)](#) book once again, we find the following comments:

41 “In some cases, an Internal Revenue Code (IRC) section or a U.S. tax treaty provision will exclude payments to  
42 a nonresident alien from wages. Such payments are not subject to the regular income tax withholding, so a Form  
43 W-2 is not required. Instead, the payments are subject to withholding at a flat 30 percent or lower treaty rate,  
44 unless exempt from tax because of a Code or treaty provision.”  
45 [Quick Reference Guide to Payroll Compliance (2002), Payroll Technical Support Services, Panel Publishers, a  
46 Division of Aspen Publishers, Inc, p. IV-54. Available at: <http://panelpublishers.com/>]

47 The above comment is based on the content of 26 U.S.C. §871(a), which “appears” to impose a 30% flat rate on the “taxable  
48 income” of nonresident aliens not “effectively connected with a trade or business” in the United States, which we said means  
49 a “public office” in the United States government. As we said above, however, the underlying regulations at 26 C.F.R.  
50 §1.872-2 exclude earnings of nonresident aliens originating outside federal territory. Therefore, such persons would be  
51 “nontaxpayers” who do not need to withhold.



A number of other payroll reference books have exactly the same problem as this one. There are two other primary payroll reference books recommended by the American Payroll Association (APA), which are listed below, and both of them have exactly the same problem as the one we examined in this section.

1. The [American Payroll Association \(APA\)](#) publishes information for payroll clerks that is flat out wrong on the subject of nonresident withholding in the case of those not engaged in a “trade or business”. See the book entitled: *The Payroll Source*, 2002; American Payroll Association; Michael P. O’Toole, Esq.; ISBN 1-930471-24-6.
2. The other main source of payroll trade publications is [RIA](#), which also publishes flat out wrong information about the subject of “nonresident aliens” not engaged in a “trade or business” in the following publications: *Principles of Payroll Administration*; 2004 Edition; Debra J. Salam, CPA & Lucy Key Price, CPP; [RIA](#), 117 West Stevens Ave; Valhalla, NY 10595; ISBN 0-7913-5230-7.

Why don’t most payroll industry compliance books properly or completely address nonresident aliens not engaged in a “trade or business” with no earnings from federal territory or the United States government so as to tell the WHOLE truth about their lack of liability to withhold or report? Below are some insightful reasons that you will need to be intimately familiar with if you wish to educate the payroll department at your job without making enemies out of them:

1. They are bowing to IRS pressure and taking the least confrontational approach. If they told the WHOLE truth, they would probably be audited and attacked, so they omit the WHOLE truth from their manuals.
2. They are trying to make the payroll clerk’s job easy (cook book), so that everyone looks the same. Many payroll software programs don’t know what to do about nonresident aliens who have no Social Security Number, which can add considerably to the workload of the payroll clerk by forcing them to process these people manually.
3. The IRS Form W-8BEN can be used to stop withholding, but those who use it for this purpose must read and understand the regulations, which few payroll clerks have either the time or interest to do. The W-4, however, is the easiest and most convenient to use for the payroll clerks.
4. The IRS Publications conveniently do not discuss the loopholes in the regulations, because they want people to pay tax. Therefore, you must read, study, and understand the law yourself if you want to be free from the system, which few Americans are willing or even able to do.
5. Few Americans read or study the law and even among those who do bring up the issues raised in this book with payroll clerks and bosses. Therefore, those informed private employees who bring up such issues are looked upon as troublemakers and brushed off by payroll and management personnel.
6. Those payroll personnel who call the IRS to ask about the issues in this pamphlet are literally lied to by malicious and uninformed IRS personnel and told that they have to withhold at single zero rate. In fact, IRS employees are not even allowed to give advice and the federal courts have said that you can be *penalized* for relying on ANYTHING the IRS says, including on the subject of withholding. Read the fascinating truth for yourself:

*Federal Courts and the IRS’ Own IRM Say IRS is NOT RESPONSIBLE for Its Actions or Its Words or For Following Its Own Written Procedures*, Family Guardian Fellowship  
<http://famguardian.org/Subjects/Taxes/Articles/IRSNotResponsible.htm>

Therefore, those non-resident non-persons who do not hold public office in the United States government and receive no payments from the U.S. government originating from federal territory do not earn taxable income, need not withhold, and need not file any federal tax return. Some people hear the word “nonresident alien” and assume that it means only “foreigners”. But we must ask the question how a foreigner from another country can serve in a public office of the United States government when the Constitution requires that the President can only be a “Natural Born Citizen” and senators and representatives must be “Citizens of the United States\*\*\*”?

**U.S. Constitution, Article II, Section 1, Clause 5**

*No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.*

**U.S. Constitution, Article I, Section 3, Clause 3**

*No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.*

U.S. Constitution, Article I, Section 2, Clause 2

*No Person shall be a Representative who shall not have attained to the age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.*

Based on the foregoing discussion, the income taxes collected under the authority of Subtitle A of the Internal Revenue Code are simply a federal public officer kickback program disguised to “look” like a lawful tax. But in fact, the legislative intent of the Sixteenth Amendment revealed by President Taft’s written address before Congress clearly shows the purpose of Subtitle A of the Internal Revenue Code as simply a tax on federal government “employees” and nothing more. This federal employee kickback program disguised as a legitimate “income tax” on everyone was begun in 1862 during the exigencies of the Civil War and has continued with us since that day:

CONGRESSIONAL RECORD - SENATE - JUNE 16, 1909  
[From Pages 3344 – 3345]  
The Secretary read as follows:  
To the Senate and House of Representatives:

[. . .]

*Again, it is clear that by the enactment of the proposed law the Congress will not be bringing money into the Treasury to meet the present deficiency. The decision of the Supreme Court in the income-tax cases **deprived the National Government of a power** which, by reason of previous decisions of the court, it was **generally supposed that government had**. It is undoubtedly a power the National Government ought to have. It might be indispensable to the Nation’s life in great crises. Although I have not considered a constitutional amendment as necessary to the exercise of certain phases of this power, a mature consideration has satisfied me that an amendment is the only proper course for its establishment to its full extent.*

*I therefore recommend to the Congress that both Houses, by a two-thirds vote, **shall propose an amendment to the Constitution conferring the power to levy an income tax upon the National Government** without apportionment among the States in proportion to population.*  
[44 Cong.Rec. 3344-3345]

If you would like to learn more about the federal employee kickback program and exactly how it works, a whole book has been written just on this worthy subject, which you can obtain as follows:

*IRS Humbug: IRS Weapons of Enslavement*, Frank Kowalik, Universalistic Publishers, ISBN 0-9626552-0-1

The Pharisees who wrote the rather deceptive 2002 Quick Reference Guide to Payroll Compliance manual above weren’t telling a lie, but they also certainly left the most important points about tax liability of nonresident aliens undisclosed, and did not explain that people born in states of the Union are nonresident aliens under the tax code IF ANY ONLY IF they lawfully occupy an office in the United States government. This results in a constructive fraud and leaves the average reader, who is a “nonresident alien” and who was born in a state of the Union, with the incorrect presumption that he has a legal obligation to “volunteer” to participate in a corrupt and usurious federal “employee” kickback program. I would also be willing to bet that if you called up the author of the above article and asked him why he didn’t mention all the other details in this section, he would tell you that if he told the truth, he would have his license to practice law or his CPA certification pulled by the IRS or by a federal judge whose retirement benefits depend on maintaining the fraudulent and oppressive tax system we live under.

#### **4.11 The TWO types of “residents”: FOREIGN NATIONAL under the common law or GOVERNMENT CONTRACTOR/PUBLIC OFFICER under a franchise**

##### **4.11.1 Introduction**

As we pointed out earlier in section 4.12:

1. CONTEXT is extremely important in the legal field.
2. There are TWO main contexts in which legal terms can be used:
  - 2.1. CONSTITUTIONAL or common law: This law protects exclusively PRIVATE rights.

2.2. STATUTORY: This law protects primarily PUBLIC rights and franchises.

CONTEXT therefore has a HUGE impact upon the meaning of the legal term “resident”. Because there are two main contexts in which “resident” can be used, then there are TWO possible meanings for the term.

1. CONSTITUTIONAL or COMMON LAW meaning: A foreign national domiciled within the jurisdiction of the municipal government to which the term “resident” relates. One can be a “resident” under constitutional state law and a “nonresident” in relation to the national government because their civil domicile is FOREIGN in relation to that government. This is a product of the Separation of Powers Doctrine, U.S. Supreme Court.
2. STATUTORY meaning: Means a man or woman who consented to a voluntary government civil franchise and by virtue of volunteering, REPRESENTS a public office exercised within and on behalf of the franchise. While on official duty on behalf of the government grantor of the franchise, they assume the effective domicile of the public office they are representing, which is the domicile of the government grantor, pursuant to Federal Rule of Civil Procedure 17(b). For instance, the effective domicile of a state franchisee is within the granting state and the domicile of a federal franchisee is within federal territory.

Most of the civil law passed by state and federal governments are civil franchises, such as Medicare, Social Security, driver licensing, marriage licensing, professional licensing, etc. All such franchises are actually administered as FEDERAL franchises, even by the state governments. Men and women domiciled within a constitutional state have a legislatively foreign domicile outside of federal territory and they are therefore treated as statutory “non-resident non-persons” in relation to the national government. Once they volunteer for a franchise, they consent to represent a public office within that civil franchise and their civil statutory status changes from being a statutory “nonresident alien” (26 U.S.C. §7701(b)(1)(B)) to being a statutory “resident” (26 U.S.C. §7701(b)(1)(A)) in relation to federal territory and the national government under the specific franchise they signed up for.

The legal definition of “resident” within Black’s Law Dictionary tries to hint at the above complexities with the following deliberately confusing language:

***Resident.** “Any person who occupies a dwelling within the State, has a present intent to remain within the State for a period of time, and manifests the genuineness of that intent by establishing an ongoing physical presence within the State together with indicia that his presence within the State is something other than merely transitory in nature. The word “resident” when used as a noun means a dweller, habitant or occupant; one who resides or dwells in a place for a period of more, or less, duration; it signifies one having a residence, or one who resides or abides. Hanson v. P.A. Peterson Home Ass’n, 35 Ill.App.2d. 134, 182 N.E.2d. 237, 240.*

*Word “resident” has many meanings in law, largely determined by statutory context in which it is used. [Kelm v. Carlson, C.A.Ohio, 473, F.2d. 1267, 1271]  
[Black’s Law Dictionary, Sixth Edition, p. 1309]*

Note the following critical statement in the above, admitting that sleight of hand is involved:

***“Word “resident” has many meanings in law, largely determined by statutory context in which it is used.  
[Kelm v. Carlson, C.A.Ohio, 473, F.2d. 1267, 1271]”***

Within the above definition, the term “the State” can mean one of TWO things:

1. A PHYSICAL or GEOGRAPHICAL place. This is the meaning that ignorant people with no legal training would naturally PRESUME that it means.
2. A LEGAL place, meaning a LEGAL PRESENCE as a “person” within a legal fiction called a corporation. For instance, an OFFICER of a federal corporation becomes a “RESIDENT” within the corporation at the moment he or she volunteers for the position and thereby REPRESENTS the corporation. Once they volunteer, Federal Rule of Civil Procedure 17(b) says they become “residents” of the government grantor of the corporation, but only while REPRESENTING said corporation:

*IV. PARTIES > Rule 17.  
Rule 17. Parties Plaintiff and Defendant; Capacity*

*(b) Capacity to Sue or be Sued.*

*Capacity to sue or be sued is determined as follows:*

1 (1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;  
 2 (2) for a corporation, by the law under which it was organized; and  
 3 (3) for all other parties, by the law of the state where the court is located, except that:  
 4 (A) a partnership or other unincorporated association with no such capacity under that state's law may sue  
 5 or be sued in its common name to enforce a substantive right existing under the United States Constitution  
 6 or laws; and  
 7 (B) 28 U.S.C. §§ 754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue  
 8 or be sued in a United States court.  
 9 [SOURCE: <http://www.law.cornell.edu/rules/frcp/Rule17.htm>]

10 All federal corporations are “created” and “organized” under federal law and therefore are considered “residents” and  
 11 “domestic” in relation to the national government.

12 [TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701.](#)  
 13 [Sec. 7701. - Definitions](#)

14 (a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent  
 15 thereof—

16 (4) Domestic

17 The term “domestic” when applied to a corporation or partnership means created or organized in the United  
 18 States or under the law of the United States or of any State unless, in the case of a partnership, the Secretary  
 19 provides otherwise by regulations.

20 It is also important to emphasize that ALL governments are corporations as held by the U.S. Supreme Court:

21 “Corporations are also of all grades, and made for varied objects; all governments are corporations, created by  
 22 usage and common consent, or grants and charters which create a body politic for prescribed purposes; but  
 23 whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise of  
 24 power, they are all governed by the same rules of law, as to the construction and the obligation of the  
 25 instrument by which the incorporation is made. One universal rule of law protects persons and property. It is  
 26 a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all  
 27 persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst.  
 28 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing  
 29 of protection as other persons, and their corporate property secured by the same laws which protect that of  
 30 individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law, is a  
 31 principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal  
 32 government, by the amendments to the constitution.”  
 33 [Proprietors of Charles River Bridge v. Proprietors of Warren Bridge, 36 U.S. 420 (1837)]

34 Consequently, when one volunteers to become a public officer within a government corporation, then they acquire a “LEGAL  
 35 PRESENCE” in the LEGAL AND NOT PHYSICAL PLACE called “United States” as an officer of the corporation. In  
 36 effect, they are “assimilated” into the corporation as a legal “person” as its representative.

37 Earlier versions of the Treasury Regulations reveal the operation of the SECOND method for creating “residents”, which is  
 38 that of converting statutory aliens into statutory residents using government franchises:

39 [26 C.F.R. §301.7701-5 Domestic, foreign, resident, and nonresident persons.](#)

40 A domestic corporation is one organized or created in the United States, including only the States (and during  
 41 the periods when not States, the Territories of Alaska and Hawaii), and the District of Columbia, or under the  
 42 law of the United States or of any State or Territory. A foreign corporation is one which is not domestic. A  
 43 domestic corporation is a resident corporation even though it does no business and owns no property in the  
 44 United States. A foreign corporation engaged in trade or business within the United States is referred to in the  
 45 regulations in this chapter as a resident foreign corporation, and a foreign corporation not engaged in trade  
 46 or business within the United States, as a nonresident foreign corporation. A partnership engaged in trade or  
 47 business within the United States is referred to in the regulations in this chapter as a resident partnership, and a  
 48 partnership not engaged in trade or business within the United States, as a nonresident partnership. Whether a  
 49 partnership is to be regarded as resident or nonresident is not determined by the nationality or residence of its  
 50 members or by the place in which it was created or organized.  
 51 [Amended by T.D. 8813, Federal Register: February 2, 1999 (Volume 64, Number 21), Page 4967-4975]  
 52 [SOURCE: <http://famguardian.org/TaxFreedom/CitesByTopic/Resident-26cfr301.7701-5.pdf>]

53 The key statement in the above is that the status of “resident” does NOT derive from either nationality or domicile, but rather  
 54 from whether one is “purposefully and consensually” engaged in the FRANCHISE ACTIVITY called a “trade or business”.

This is consistent with the Minimum Contacts Doctrine of the U.S. Supreme Court, which requires “purposeful availment” in order to waive sovereign immunity under the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Part 4, Chapter 97:

“A foreign corporation engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident foreign corporation, and a foreign corporation not engaged in trade or business within the United States, as a nonresident foreign corporation. A partnership engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident partnership, and a partnership not engaged in trade or business within the United States, as a nonresident partnership. Whether a partnership is to be regarded as resident or nonresident is not determined by the nationality or residence of its members or by the place in which it was created or organized.”

Incidentally, we were the first people we know of who discovered the above mechanisms and as soon as we exposed them on this website, the above regulation was quickly replaced with a temporary regulation to hide the truth. Scum bags!

The deliberately confusing and evasive definition of “resident” earlier in Black’s Law Dictionary is trying to obfuscate or cover up the above process by inventing new terms called “the State”, which they then refuse to define because if they did, they would probably start the second American revolution and destroy the profitability of the government franchise scam that subsidizes the authors within the legal profession! They are like Judas: Selling the truth for 20 pieces of silver.

What we want to emphasize in this section is that:

1. The word “resident” within most government civil law and ALL franchises actually means a government contractor, and has nothing to do with the domicile or nationality of the parties.
2. The “residence” of the franchisee is that of the OFFICE he or she occupies as a statutory “person”, “citizen”, or “resident”, and not his or her personal or physical location.

Finally, if you would like to know more about how VOLUNTARY participation in government franchises makes one a “resident”, see:

[Government Instituted Slavery Using Franchises](http://sedm.org/Forms/FormIndex.htm), Form #05.030, Sections 9.4, 10, and 13.5.2  
<http://sedm.org/Forms/FormIndex.htm>

#### **4.11.2 Definition of “residence” within civil franchises such as the Internal Revenue Code**

The Treasury Regulations define the meaning of “resident” and “residence” as follows:

*Title 26: Internal Revenue  
PART 1—INCOME TAXES  
nonresident alien individuals  
§ 1.871-2 Determining residence of alien individuals.*

*(B) Residence defined.*

*An alien actually present in the United States\*\*] who is not a mere transient or sojourner is a resident of the United States for purposes of the income tax. Whether he is a transient is determined by his intentions with regard to the length and nature of his stay. A mere floating intention, indefinite as to time, to return to another country is not sufficient to constitute him a transient. If he lives in the United States and has no definite intention as to his stay, he is a resident. One who comes to the United States for a definite purpose which in its nature may be promptly accomplished is a transient but, if his purpose is of such a nature that an extended stay may be necessary for its accomplishment, and to that end the alien makes his home temporarily in the United States, he becomes a resident, though it may be his intention at all times to return to his domicile abroad when the purpose for which he came has been consummated or abandoned. An alien whose stay in the United States is limited to a definite period by the immigration laws is not a resident of the United States within the meaning of this section, in the absence of exceptional circumstances.*

One therefore may only be a “resident” and file resident tax forms such as IRS Form 1040 if they are “present in the United States”, and by “present” can mean EITHER:

1. **PHYSICALLY present**: meaning within the geographical “United States” as defined by STATUTE and as NOT commonly understood. This would be the United States\*\*, which we also call the federal zone. Furthermore:
  - 1.1. Only human “persons” can physically be ANYWHERE. These are called “natural persons”.

- 1.2. Artificial entities, legal fictions, or other “juristic persons” such as corporations and public offices are NOT physical things, and therefore cannot be physically present ANYWHERE.
2. **LEGALLY present:** meaning that:
- 2.1. You have **CONSENSUALLY** contracted with the government as an otherwise **NONRESIDENT** party to acquire an office within the government as a public officer and a legal fiction. This can **ONLY** lawfully occur by availing oneself of 26 U.S.C. §6013(g) and (h) , which allows **NONRESIDENTS** to “elect” to be treated as **RESIDENT ALIENS**, even though not physically present in the “United States”, **IF and ONLY IF** they are married to a **STATUTORY** but not **CONSTITUTIONAL** “U.S. citizen” per 8 U.S.C. §1401, 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c). If you are married to a **CONSTITUTIONAL** citizen who is **NOT** a **STATUTORY** citizen, this option is **NOT** available. Consequently, most of the IRS Form 1040 returns the IRS receives are **FRAUDULENT** in this regard and a criminal offense under 26 U.S.C. §§7206 and 7207.
- 2.2. The **OFFICE** is legally present within the “United States” as a legal fiction and a corporation. It is **NOT** physically present. Anyone representing said office is an extension of the “United States” as a legal person.

For all purposes other than those above, a nonresident cannot lawfully acquire any of the following “statuses” under the civil provisions of the Internal Revenue Code, Subtitles A through C because: 1. Domiciled **OUTSIDE** of the forum in a legislatively foreign state such as either a state of the Union or a foreign country; **AND** 2. Protected by the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Part 4, Chapter 97.

1. “person”.
2. “individual”.
3. “taxpayer”.
4. “resident”.
5. “citizen”.

For more details on the relationship between **STATUTORY** civil statuses such as those above and one’s civil domicile, see:

*Why Domicile and Becoming a “Taxpayer” Require Your Consent*, Form #05.002, Section 11  
<http://sedm.org/Forms/FormIndex.htm>

#### 4.11.3 “Resident” in the Internal Revenue Code “trade or business” civil franchise

The only type of “resident” defined in the Internal Revenue Code is a “resident alien”, as demonstrated below:

[26 U.S.C. §7701\(b\)\(1\)\(A\) Resident alien](#)

(b) Definition of *resident alien* and nonresident alien

(1) In general

For purposes of this title (other than subtitle B) -

(A) *Resident alien*

An alien individual shall be treated as a resident of the [United States](#) with respect to any calendar year if (and only if) such individual meets the requirements of clause (i), (ii), or (iii):

(i) Lawfully admitted for permanent residence

Such individual is a lawful permanent resident of the United States at any time during such calendar year.

(ii) Substantial presence test

Such individual meets the substantial presence test of paragraph (3).

(iii) First year election

Such individual makes the election provided in paragraph (4).

Therefore, the terms “resident”, “alien”, and “resident alien” are all synonymous terms within the Internal Revenue Code. Most state income taxation statutes also use the same definition of “resident”, and therefore the same definition applies for state income taxes as well.

**QUESTION FOR DOUBTERS:** If you believe we are wrong, then please show us a definition of the term “resident” within either the Internal Revenue Code or the implementing regulations that includes “citizens of the United States” as defined under 8 U.S.C. §1401. There simply isn’t one! You are *not* free to “presume” or “assume” that “citizens of the United States” are also “residents” without the authority of a positive law that authorizes it. We’ll also give you the hint, that even the Internal Revenue Code is neither “positive law” nor does it have the “force of law” for most people, so you

can't use it as legally evidence of anything. Presumptions are NOT legal evidence and violate due process of law when they become evidence without at least your consent in some form. To make this or any other assumption in a court of law would violate our right to "due process or law", because "presumption" or "assumption" of anything in the legal realm is a violation of due process. Everything must be proven with evidence, and that which is neither law nor which is explicitly stated cannot be presumed.

The only way you can come under the jurisdiction of Subtitle A of the Internal Revenue Code is to meet one or more of the following criterias below:

1. Be a statutory "U.S. citizen" (8 U.S.C. §1401) or "U.S. resident" 26 U.S.C. §7701(b)(1)(A)) domiciled in the federal zone and temporarily abroad as a "qualified individual" under 26 U.S.C. §911. This person must take a tax treaty exemption under 26 C.F.R. §301.7701(b)-7 and have reportable "trade or business" earnings to even NEED such an exemption.
2. A statutory "U.S. person" as defined under 26 U.S.C. §7701(a)(30) residing on or BEING federal property or situated inside the "federal zone" and failing to take the "exemption" found in 26 C.F.R. §1.1441-1(d)(1) using the Form W-9 "Other" block. [Click here](#) for a summary of withholding and reporting requirements:

[TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701.](#)  
[Sec. 7701. - Definitions](#)

*(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—*

*(30) [United States person](#)*

*The term "United States person" means -*

*(A) a [citizen](#) or [resident](#) of the United States,*

*(B) a domestic partnership,*

*(C) a domestic [corporation](#),*

*(D) any estate (other than a foreign estate, within the meaning of paragraph (31)), and*

*(E) any trust if -*

*(i) a court within the United States is able to exercise primary supervision over the administration of the trust, and*

*(ii) one or more United States persons have the authority to control all substantial decisions of the trust.*

The above statutory "U.S. person" is technically either an "alien" or a federal corporation only. A corporation can also be an "alien" if it was incorporated outside of federal jurisdiction but has a presence inside the federal zone. Under 26 C.F.R. §301.6109-1, these are the only entities who are required to provide any kind of identifying number on their tax return! That regulation requires the furnishing of a "Taxpayer Identification Number" for these legal "persons", but 26 C.F.R. §301.6109-1(d)(3) says that Social Security Numbers are *not* to be treated as "Taxpayer Identification Numbers". Consequently, natural persons with a Social Security Number do not have to provide any kind of identifying number on their return because they aren't the proper subject of Subtitle A of the Internal Revenue Code. See section 5.4.17 later for further details on this scandal.

3. A "nonresident alien" under 26 C.F.R. §1.1-1(a)(2)(ii) who has income "effectively connected with a trade or business", which means a political office in the United States government under 26 U.S.C. §7701(a)(26). See 26 C.F.R. §1.1-1(a)(2)(ii).

Under items 1 & 2 above, the STATUTORY terms "U.S. citizen" and "citizen of the United States" are technically only a federal corporation, as confirmed by the following:

1. The legal encyclopedia, Corpus Juris Secundum confirms that corporations are treated in law as "citizens of the United States":

*"A corporation is a citizen, [resident](#), or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."*

*[19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003)]*

2. The definition of “income” as including only “corporate profit” under our Constitution limits the entire Internal Revenue Code to corporations only. See section 5.6.5 later for complete details on this subject.
3. The fact that “income” is only reportable and therefore taxable if it is received by a public officer within the national government and called “trade or business” earnings. See:

*The “Trade or Business” Scam*, Form #05.001  
<https://sedm.org/Forms/FormIndex.htm>

Human beings (people) who are “citizens of the United States” under the provisions of 8 U.S.C. §1401 are born *only* in the District of Columbia or federal territories or possessions. Federal territories and possessions are the only “States” within the Internal Revenue Code as confirmed by 4 U.S.C. §110(d). These statutory “citizens of the United States” *cannot* legally be classified as “residents”/“aliens” under the Internal Revenue Code and are not authorized by the code to “elect” to be treated as one either. The reason is because the purpose of law is to protect, and a person *cannot* elect to lose their constitutional rights and protection, even if they want to! However, by filing an IRS form 1040 or 1040A, they in effect make this illegal election anyway, and the IRS looks the other way and does not prosecute such unintentional deceit because they benefit financially from it. The pronouncements of the U.S. Supreme Court also identify this kind of constructive fraud on the part of the IRS as an invalid election if this unwitting choice did not involve *fully informed consent*. Did you know that you were agreeing to be treated as an “alien” by the IRS when you signed and sent in your first Form 1040 or 1040A?:

*“Waivers of Constitutional rights not only must be voluntary, but must be knowing, intelligent acts done with sufficient awareness of the relevant circumstances and likely consequences.”*  
 [Brady v. U.S., 397 U.S. 742 (1970)]

The reason Constitutional rights are being waived is because people who are “residents”/“aliens” within the federal zone have no constitutional rights in law. The only way to avoid this involuntary election is to instead either file nothing or to file a 1040NR form with the IRS instead of a 1040 or 1040A form. You will learn starting in the next section that people who are born in states of the Union are not “nationals and citizens of the United States\*\* at birth” under 8 U.S.C. §1401, but are instead the equivalent of “nationals” under 8 U.S.C. §1101(a)(21). They are also “nonresident aliens” under the Internal Revenue Code if serving in a public office and non-resident non-persons if not serving in a public office in the national government. “nonresident aliens” file only the 1040NR form if they file anything with the IRS. The rules for electing to be treated as a “resident” or “resident alien” are found in IRS Publication 54: *Tax Guide for U.S. citizens and Resident Aliens Abroad*. See the following sections for amplification on this subject: 5.5.2, 5.5.3, and 5.4.12.

***IMPORTANT:*** If you were born in a state of the Union, NEVER, EVER file a 1040, 1040A, or 1040EZ form unless you want to throw your Constitutional rights in the toilet and commit a crime! See:

***Why It’s a Crime for a State Citizen to File a 1040 Income Tax Return***, Form #08.021  
<https://sedm.org/Forms/FormIndex.htm>

If you determine that you must file a tax form with the IRS, then the *only* thing you may send without misrepresenting your status, committing perjury, and sacrificing your sovereign “non-resident non-person” status:

1. **1040NR form with MANDATORY Tax Form Attachment**, Form #04.201
2. ***Federal Nonresident Nonstatutory Claim for Return of Funds Unlawfully Paid to the Government-Long***, Form #15.001  
<https://sedm.org/Forms/FormIndex.htm>
3. ***Federal Nonresident Nonstatutory Claim for Return of Funds Unlawfully Paid to the Government-Short***, Form #15.002  
<https://sedm.org/Forms/FormIndex.htm>

Nonresident aliens cannot be penalized under the Internal Revenue Code because they don’t reside there and are not subject! When you send in the 1040NR form, make sure you attach the Tax Form Attachment, Form #04.201 to put yourself outside of federal jurisdiction

You will learn later in section 5.4.16 that the IRS has no legal authority to institute penalties against natural persons because of the prohibition against Bills of Attainder found in Article 1, Section 10 of the Constitution, but they will



try to illegally do it anyway. Since IRS likes to try to illegally penalize people for changing the “jurat” or perjury statement at the end of the 1040NR form, then you can accomplish the equivalent of physically modifying the words in the perjury statement by redefining the words in the statement or redefining the whole statement in its entirety in an attached letter. Physically changing the words in the statement is the only thing IRS incorrectly “thinks” they can penalize for, and especially if the return was completed and submitted *outside* of federal jurisdiction in a state of the Union and the perjury statement accurately reflects that fact. Remember that *crimes* can only be punished based on where they are committed, and if your perjury statement reflects the fact that you are *outside* of federal jurisdiction, then IRS can’t penalize you no matter how hard they try or how many threats they make.

So being a “resident of the State” under federal statutes above makes you a *nonresident alien* in your own state and an “alien” under federal jurisdiction who is the proper subject of both state and federal income taxes codes! Because as a “resident of the State” you are presumed to reside inside the federal zone, you don’t have any constitutional rights according to the U.S. supreme Court. Listen to the dissenting opinion from Justice Harlan in the case of *Downes v. Bidwell*, 182 U.S. 244 (1901) which ruled that the federal zone doesn’t have constitutional protections:

“The idea prevails with some, indeed it has found expression in arguments at the bar, that we have in this country substantially two national governments; one to be maintained under the Constitution, with all of its restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising such powers [of absolutism] as other nations of the earth are accustomed to.. I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism.. It will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution.”  
[*Downes v. Bidwell*, 182 U.S. 244 (1901)]

When you accept the false notion that you are “liable” for federal income taxes under Subtitle A of the Internal Revenue Code and subsequently file a 1040 tax return (bad idea!), you are admitting under penalty of perjury that you are an *alien* “individual” of your own country (not a “national” or “citizen”) who lives in the federal zone. The only definitions of “individual” found in 26 C.F.R. §1.1441-1(c)(3) and 26 C.F.R. §1.1-1(a)(2)(ii) confirm that the only people who are “individuals” in the context of federal income taxes are “aliens”/“residents” residing in the *federal* “United States” or statutory “U.S.\*\* citizens” abroad. That lie or mistake on the tax return you never should have submitted to begin with caused you to become the equivalent of a “virtual inhabitant” of the federal zone in law and from that point on you are treated as such by both the federal government and the state government, even if you don’t want to be and never intended to do this! Here is more proof showing that even if you weren’t located in the federal zone when you submitted the false 1040 return, you gave your tacit permission to be treated as a resident of the District of Columbia:

[TITLE 26](#) > [Subtitle F](#) > [CHAPTER 79](#) > Sec. 7701.  
Sec. 7701. – Definitions

(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—

(39) Persons residing outside [the federal] United States

If any *citizen or resident of the United States* does not reside in (and is not found in) any United States judicial district, such citizen or resident shall be treated as residing in the District of Columbia for purposes of any provision of this title relating to -

(A) jurisdiction of courts, or  
(B) enforcement of summons.

What the above means is that if you filed a 1040 or 1040A form, you are telling the federal government that you are an “alien”/“resident” who lives in the federal zone and consequently, the courts will treat you like you have a domicile in the District of Columbia, which we call the District of Criminals. A similar provision appears under [26 U.S.C. §7408\(d\)](#):

[TITLE 26](#) > [Subtitle F](#) > [CHAPTER 76](#) > [Subchapter A](#) > § 7408  
[§7408. Action to enjoin promoters of abusive tax shelters, etc.](#)

(d) Citizens and residents outside the United States If any citizen or resident of the United States does not reside in, and does not have his principal place of business in, any United States judicial district, such citizen or resident shall be treated for purposes of this section as residing in the District of Columbia.

Here is what the 2003 IRS Published Products Catalog says about the proper use of the form 1040A on page F-15, and notice is says it is only for “citizens” and “residents”, neither of which describe those born in and inhabiting states of the Union on land not under federal ownership:

**1040A 11327A Each**

**U.S. Individual Income Tax Return**

Annual income tax return filed by citizens and residents of the United States. There are separate instructions available for this item. The catalog number for the instructions is 12088U.

W:CAR:MP:FP:F:I Tax Form or Instructions  
[IRS Published Products Catalog, Document 7130 (2003), p. F-15]

If you want to look at the IRS Published Products Catalog, you can download it yourself on our website at the address below. The document is available below:

IRS Document 7130  
<http://famguardian.org/TaxFreedom/Forms/IRS/IRSDoc7130.pdf>

Those who file that false 1040 form are admitting that they are living in the King’s Castle and from that point on, they better bow down to the king as slaves by paying “tribute” with all their earnings! Important about the above is the fact that “nationals” and “nonresident aliens” are *not* included in the phrase “citizens or residents”, because they are *outside* the jurisdiction of the federal courts! One more big reason why we *don’t* want to be a “U.S. citizen” in the context of federal statutes such as 8 U.S.C. §1401! That false 1040 tax return they submitted, which said “U.S. individual” at the top, became a contract with criminals from the “District of Criminals” (the “D.C.” in “Washington D.C.”) to take themselves out of the Constitutional Republic and out of the protections of the Bill of Rights. They united with or “married” Babylon the Great Harlot mentioned in Rev. 17 and 18 and they live where she lives: inside of a totalitarian socialist democracy devoid of constitutional rights and predicated solely on the love of money and luxury. They declared themselves to be an “employee” of the Harlot, and the false W-4 form they submitted proves that, because the upper left corner says “employee”, and the only people who are statutory “employees” as defined in 26 U.S.C. §3401(c) work for the *federal* government. It is repugnant to the constitution, as held by the U.S. Supreme Court and therefore they can only be referring to PUBLIC “employees”. They have therefore joined the “Matrix” and become a socialist federal serf. Welcome, comrade!”

“You were bought at a price; ***do not become slaves of men*** [and remember that government is made up of men].”  
[1 Cor. 7:23, Bible, NKJV]

Who says we don’t live in a police state, and not many people even know about this because we have been so deceived by our public “dis-servants”. Can you see how insidious this lawyer deception is? The American people and our media are asleep at the wheel folks!...and it’s going to take a lot more to fix than blind and ignorant patriotism and putting an idiotic flag or bumper sticker on your car. That’s right: if you are a “resident of the United States” or of “the State”, then you’re a federal serf and a ward of the socialist government who is *nonresident* to his own state! You better to do what you’re told, pay your taxes, and ***shut up, BOY, or we’ll confiscate all your property, give you 40 lashes and send you to bed without dinner or a blanket.*** Watch out!

To summarize the preceding discussion of “resident”, for the purposes of taxation, one establishes that they are a “resident” of the federal zone by any of the following techniques:

1. Filing a form 1040 or 1040a or 1040EZ
2. Filling out a W-4 form, which is only for use by federal statutory “employees”, all of whom work only in the federal zone.
3. Claiming to be “U.S. citizen”, “U.S. resident”, or “U.S. person” on any federal form.

If you never did any of the above, then it can't be said that you ever consented to participate in the federal income tax system and the federal government has no jurisdiction or proof of jurisdiction over you for the purposes of Subtitle A of the Internal Revenue Code. If they wrongfully proceed at that point over your objections by attempting unlawful collection and/or assessment actions against you in violation of 26 U.S.C. §6020(b) or the Constitution, then they:

1. Are involved in identity theft because they moved your legal identity under the I.R.C. to a physical place where you neither intend to live or actually live, which is the District of Columbia.
2. Are involved in:
  - 2.1. Racketeering in violation of 18 U.S.C. §1951.
  - 2.2. Extortion in violation of 18 U.S.C. §872.
  - 2.3. Conspiracy against rights in violation of, 18 U.S.C. §241.
3. Can and should be prosecuted individually for fraud in violation of 18 U.S.C. §1001, kidnapping in violation of 18 U.S.C. §1201, and all of the above crimes under both state and federal law.

#### 4.11.4 **“resident”=government employee, contractor, or agent**

The discussion in the preceding section brings out a very subtle point we would like to further expound upon, which is that “residence” is created ONLY through the operation of private law and your right to contract. We allege that the term “permanent” found in the definition of “domicile” in the previous section really means “consent” to the jurisdiction of the government. Below is the proof, right from the definitions within Title 8 of the U.S. Code, which is entitled “Aliens and Nationality”:

[TITLE 8 > CHAPTER 12 > SUBCHAPTER I > § 1101](#)  
[§ 1101. Definitions](#)

(a) As used in this chapter—

(31) The term “permanent” means a relationship of continuing or lasting nature, as distinguished from temporary, but **a relationship may be permanent even though it is one that may be dissolved eventually at the instance either of the United States or of the individual, in accordance with law.**

Note that the term “permanent” as used above has no relationship as to time, but instead can exist only in the presence of your voluntary consent. This is one of the implications of the Declaration of Independence, which states that “to secure these rights, governments are instituted among men, deriving their JUST powers from the CONSENT of the governed.” What they are pointing out above is that what really makes the relationship “permanent” is your voluntary consent. This consent, the courts call “allegiance”. Below is how the U.S. Supreme Court describes the practical effect of choosing or consenting to a “domicile” within the jurisdiction of a specific “state”:

*“Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes. Since the Fourteenth Amendment makes one a [STATUTORY] citizen of the state wherein he resides [IS DOMICILED], **the fact of residence creates universally reciprocal duties [e.g. CONTRACTUAL DUTIES!!] of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter.** Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located.”*  
 [Miller Brothers Co. v. Maryland, [347 U.S. 340](#) (1954)]

The only legitimate purpose of all law and government is “protection”. A person who selects or consents to have a “domicile” or “residence” has effectively contracted to procure “protection” of the “sovereign” or “state” within its jurisdiction. In exchange for the promise of protection by the “state”, they are legally obligated to give their allegiance and support. All allegiance must be voluntary and any consequences arising from compelled allegiance may not be enforced in a court of law. When you *revoke* your voluntary consent to the government’s jurisdiction and the “domicile” or “residence” contract, you change your status from that of a “domiciliary” or “resident” or “inhabitant” or “U.S. person” to that of a “transient foreigner”. Transient foreigner is then defined below:

*“Transient foreigner. One who visits the country, without the intention of remaining.”*  
 [Black’s Law Dictionary, Sixth Edition, p. 1498]

Note again the language within the definition of “domicile” from Black’s Law Dictionary found in the previous section relating to the word “transient”, which confirms that what makes your stay “permanent” is consent to the jurisdiction of the “state” located in that place:

*“Domicile. [...]The established, fixed, permanent, or ordinary dwellingplace or place of residence of a person, as distinguished from his temporary and transient, though actual, place of residence. It is his legal residence, as distinguished from his temporary place of abode; or his home, as distinguished from a place to which business or pleasure may temporarily call him. See also Abode; Residence.”*  
[Black’s Law Dictionary, Sixth Edition, p. 485]

Since your Constitutional right to contract is unlimited, then you can have as many “residences” as you like, but you can have only one legal “domicile”, because your allegiance must be undivided or you will have a conflict of interest and allegiance.

*“No one can serve two masters; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. You cannot serve God and mammon.”*  
[Matt. 6:24, Bible, NKJV]

Remember, “resident” is a combination of two word roots: “res”, which is legally defined as a “thing”, and “ident”, which stands for “identified”.

*Res. Lat. The subject matter of a trust or will. In the civil law, a thing; an object. As a term of the law, this word has a very wide and extensive signification, including not only things which are objects of property, but also such as are not capable of individual ownership. And in old English law it is said to have a general import, comprehending both corporeal and incorporeal things of whatever kind, nature, or species. By "res," according to the modern civilians, is meant everything that may form an object of rights, in opposition to "persona," which is regarded as a subject of rights. "Res," therefore, in its general meaning, comprises actions of all kinds; while in its restricted sense it comprehends every object of right, except actions. This has reference to the fundamental division of the Institutes that all law relates either to persons, to things, or to actions.*

*Res is everything that may form an object of rights and includes an object, subject-matter or status. In re Riggle's Will, 11 A.D.2d 51 205 N.Y.S.2d. 19, 21, 22. The term is particularly applied to an object, subject-matter, or status, considered as the defendant in an action, or as an object against which, directly, proceedings are taken. Thus, in a prize case, the captured vessel is "the res"; and proceedings of this character are said to be in rem. (See In personam; In Rem.) "Res" may also denote the action or proceeding, as when a cause, which is not between adversary parties, is entitled "In re \_\_\_\_\_".*  
[Black’s Law Dictionary, Sixth Edition, pp. 1304-1306]

When you become a “resident” in the eyes of the government, you become a “thing” that is now “identified” and which is within their legislative jurisdiction and completely subject to it. Notice that a “res” is defined as the object of a trust above. That trust is the “public trust” created by the Constitution and all laws passed pursuant to it.

Executive Order 12731  
"Part 1 -- PRINCIPLES OF ETHICAL CONDUCT

"Section 101. Principles of Ethical Conduct. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental principles of ethical service as implemented in regulations promulgated under sections 201 and 301 of this order:

**"(a) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws, and ethical principles above private gain.**

**TITLE 5--ADMINISTRATIVE PERSONNEL  
CHAPTER XVI--OFFICE OF GOVERNMENT ETHICS  
PART 2635--STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE EXECUTIVE BRANCH--Table of Contents  
Subpart A--General Provisions  
Sec. 2635.101 Basic obligation of public service.**

*(a) Public service is a public trust. Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each employee shall respect and adhere to the principles of ethical conduct set forth in this section, as well as the implementing standards contained in this part and in supplemental agency regulations.*

All those who swear an oath as “public officers” are also identified as “trustees” of the “public trust”:

1 "As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be  
 2 exercised in behalf of the government or of all citizens who may need the intervention of the officer.<sup>141</sup>  
 3 Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level  
 4 of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under  
 5 every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain  
 6 from a discharge of their trusts.<sup>142</sup> That is, a public officer occupies a fiduciary relationship to the political  
 7 entity on whose behalf he or she serves.<sup>143</sup> and owes a fiduciary duty to the public.<sup>144</sup> It has been said that  
 8 the fiduciary responsibilities of a public officer cannot be less than those of a private individual.<sup>145</sup>  
 9 Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public  
 10 confidence and undermine the sense of security for individual rights is against public policy.<sup>146</sup>  
 11 [63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)]

12 A person who is "subject" to government jurisdiction cannot be a "sovereign", because a sovereign is not subject to the law,  
 13 but the AUTHOR of the law. Only citizens are the authors of the law because only "citizens" can vote.

14 "Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system,  
 15 while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people,  
 16 by whom and for whom all government exists and acts. And the law is the definition and limitation of power."  
 17 [Yick Wo v. Hopkins, 118 U.S. 356 (1886)]

18 The implication is that you cannot be sovereign if you have a "domicile" or "residence" in any earthly place or in any place  
 19 other than Heaven or the Kingdom of Heaven on Earth. If you choose a "domicile" or "residence" any place on earth, then  
 20 you become a "subject" in relation to that place and voluntarily forfeit your sovereignty. This is NOT the status you want to  
 21 have! A "resident" by definition MUST therefore be within the legislative jurisdiction of the government, because the  
 22 government cannot lawfully write laws that will allow them to recognize or act upon anything that is NOT within their  
 23 legislative jurisdiction. All law is territorial in nature, and can act only upon the territory under the exclusive control of the  
 24 government or upon its franchises and contracts, which are "property" under its management and control. The only lawful  
 25 way that government laws can reach beyond the territory of the sovereign who controls them is through explicit, informed,  
 26 mutual consent of the individual parties involved, and this field of law is called "private law".

27 *"Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the*  
 28 *law of comity must necessarily rest, the following maxims: First 'that every nation possesses an exclusive*  
 29 *sovereignty and jurisdiction within its own territory'; secondly, 'that no state or nation can by its laws directly*  
 30 *affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural*  
 31 *born subjects or others.'* The learned judge then adds: 'From these two maxims or propositions there follows a  
 32 third, and that is that whatever force and obligation the laws of one country have in another depend solely upon  
 33 the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and  
 34 upon its own express or tacit consent.'" Story on Conflict of Laws §23."  
 35 [Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio.St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]

36 The very same principles as government operates under with respect to "resident" also apply to Christianity as well. When  
 37 we become Christians, we consent to the contract or covenant with God called the Bible. That covenant requires us to accept  
 38 Jesus Christ as our Lord and Savior. This makes us a "resident" of Heaven and "pilgrims and sojourners" (transient  
 39 foreigners) on earth:

40 *"For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ"*  
 41 [Philippians 3:20, Bible, NKJV]

<sup>141</sup> State ex rel. Nagle v. Sullivan, 98 Mont. 425, 40 P.2d. 995, 99 A.L.R. 321; Jersey City v. Hague, 18 N.J. 584, 115 A.2d. 8.

<sup>142</sup> Georgia Dep't of Human Resources v. Sistrunk, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. Madlener v. Finley (1st Dist) 161 Ill.App.3d. 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

<sup>143</sup> Chicago Park Dist. v. Kenroy, Inc., 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill.App.3d. 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

<sup>144</sup> United States v Holzer (CA7 Ill) 816 F.2d. 304 and vacated, remanded on other grounds 484 US 807, 98 L.Ed.2d. 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 US 1035, 100 L.Ed.2d. 608, 108 S.Ct. 2022 and (criticized on other grounds by United States v Osser (CA3 Pa) 864 F.2d. 1056) and (superseded by statute on other grounds as stated in United States v Little (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in United States v Boylan (CA1 Mass) 898 F.2d. 230, 29 Fed Rules Evid Serv 1223).

<sup>145</sup> Chicago ex rel. Cohen v. Keane, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill.App.3d. 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

<sup>146</sup> Indiana State Ethics Comm'n v. Nelson (Ind App), 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

1 "Now, therefore, you are no longer strangers and foreigners, but **fellow citizens with the saints and members of**  
2 **the household of God.**"

3 [[Ephesians 2:19](#), Bible, NKJV]

4 "These all died in faith, not having received the promises, but having seen them afar off were assured of them,  
5 embraced them **and confessed that they were strangers and pilgrims [transient foreigners] on the earth.**"

6 [[Hebrews 11:13](#), Bible, NKJV]

7 "Beloved, I beg you **as sojourners and pilgrims**, abstain from fleshly lusts which war against the soul..."

8 [[1 Peter 2:11](#), Bible, NKJV]

9 For those who consent to the Bible covenant with God the Father, Jesus becomes our protector, spokesperson, Counselor,  
10 and Advocate before the Father. We become a Member of His family!

11 *Jesus' Mother and Brothers Send for Him*

12 While He was still talking to the multitudes, behold, His mother and brothers stood outside, seeking to speak with  
13 Him. Then one said to Him, "Look, Your mother and Your brothers are standing outside, seeking to speak with  
14 You."

15 But He answered and said to the one who told Him, "Who is My mother and who are My brothers?" 49 And He  
16 stretched out His hand toward His disciples and said, "Here are My mother and My brothers! For whoever does  
17 the will of My Father in heaven is My brother and sister and mother."

18 [[Matt. 12:46-50](#), Bible, NKJV]

19 By doing God's will on earth and accepting His covenant or private contract with us, which is the Bible, He becomes our  
20 Father and we become His children. The law of domicile says that children assume the same domicile as their parents and  
21 are legally dependent on them:

22 *A person acquires a domicile of origin at birth.<sup>147</sup> The law attributes to every individual a domicile of origin,<sup>148</sup>*  
23 *which is the domicile of his parents,<sup>149</sup> or of the father,<sup>150</sup> or of the head of his family;<sup>151</sup> or of the person on whom*  
24 *he is legally dependent,<sup>152</sup> at the time of his birth. While the domicile of origin is generally the place where one*  
25 *is born<sup>153</sup> or reared,<sup>154</sup> may be elsewhere.<sup>155</sup> The domicile of origin has also been defined as the primary domicile*  
26 *of every person subject to the common law.<sup>156</sup>*

27 [*Corpus Juris Secundum (C.J.S.), Domicile, §7, p. 36 (2003);*

28 *SOURCE: <http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf>]*

29 The legal dependence they are talking about is God's Law, which then becomes our main source of protection and dependence  
30 on God. We as believers then recognize Jesus' existence as a "thing" we "identify" in our daily life and in return, He  
31 recognizes our existence before the Father. Here is what He said on this subject as proof:

32 *Confess Christ Before Men*

33 "Therefore whoever confesses Me [recognizes My legal existence under God's law, the Bible, and acknowledges  
34 My sovereignty] before men, him I will also confess before My Father who is in heaven. But whoever denies Me  
35 before men, him I will also deny before My Father who is in heaven."

36 [[Matt. 10:32-33](#), Bible, NKJV]

<sup>147</sup> U.S.—Mississippi Bank of Choctaw Indians v. Holyfield, Missl, 109 S.Ct. 1597, 490 U.S. 30, 104 L.Ed.2d 29.

<sup>148</sup> Mass.—Commonwealth v. Davis, 187 N.E. 33, 284 Mass. 41. N.Y.—In re Lydig's Estate, 180 N.Y.S. 843, 191 A.D. 117.

<sup>149</sup> Ga.—McDowell v. Gould, 144 S.E. 206, 166 Ga. 670. Iowa—In re Jones' Estate, 182 N.W. 227, 192 Iowa 78, 16 A.L.R. 1286.

<sup>150</sup> U.S.—Shishko v. State Farm. Ins. Co., D.C.Pa., 553 F.Supp. 308, affirmed 722 F.2d. 734 and Appeal of Shishko, 722 F.2d. 734.

<sup>151</sup> N.Y.—Cohen v. Delaware, L. & W.R. Co., 269 N.Y.S. 667, 160 Misc. 450.

<sup>152</sup> N.C.—Hall v. Wake County Bd. Of Elections, 187 S.E.2d. 52, 280 N.C. 600.

<sup>153</sup> U.S.—Gregg v. Louisiana Power and Light Co., C.A.La., 626 F.2d. 1315.

<sup>154</sup> Ky.—Johnson v. Harvey, 88 S.W.2d. 42, 261 Ky. 522.

<sup>155</sup> S.C. Cribbs v. Floyud, 199 S.E. 677, 188 S.C. 443.

<sup>156</sup> N.Y.—In re McElwaine's Will, 137 N.Y.S. 681, 77 Misc. 317.

Let's use a simple example to illustrate our point in relation to the world. You want to open a checking account at a bank. You go to the bank to open the account. The clerk presents you with an agreement that you must sign before you open the account. If you won't sign the agreement, then the clerk will tell you that they can't open an account for you. Before you sign the account agreement, the bank doesn't know anything about you and you don't have an account there, so you are the equivalent of an "alien". An "alien" is someone the bank will not recognize or interact with or help. They can only lawfully help "customers", not "aliens". After you exercise your right to contract by signing the bank account agreement, then you now become a "resident" of the bank. You are a "resident" because:

1. You are a "thing" that they can now "identify" in their computer system and their records because you have an "account" there. They now know your name and "account number" and will recognize you when you walk in the door to ask for help.
2. They issued you an ATM card and a PIN so you can control and manage your "account". These things that they issued you are the "privileges" associated with being party to the account agreement. No one who is not party to such an agreement can avail themselves of such "privileges".
3. The account agreement gives you the "privilege" to demand "services" from the bank of one kind or another. The legal requirement for the bank to perform these "services" creates the legal equivalent of "agency" on their part in doing what you want them to do. In effect, you have "hired" them to perform a "service" that you want and need.
4. The account agreement gives the bank the legal right to demand certain behaviors out of you of one kind or another. For instance, you must pay all account fees and not overdraw your account and maintain a certain minimum balance. The legal requirement to perform these behaviors creates the legal equivalent of "agency" on your part in respect to the bank.
5. The legal obligations created by the account agreement give the two parties to it legal jurisdiction over each other defined by the agreement or contract itself. The contract fixes the legal relations between the parties. If either party violates the agreement, then the other party has legal recourse to sue for exceeding the bounds of the "contractual agency" created by the agreement. Any litigation that results must be undertaken consistent with what the agreement authorizes and in a mode or "forum" (e.g. court) that the agreement specifies.

The government does things *exactly* the same way. The only difference is the product they deliver. The bank delivers financial services, and the government delivers "protection" and "social" services. The account number is the social security number. You can't have or use a social security number and avail yourself of its benefits without consenting to the jurisdiction of the "contract" that authorized its' issuance, which is the Social Security Act found in Title 42 of the U.S. Code.

CALIFORNIA CIVIL CODE  
 DIVISION 3. OBLIGATIONS  
 PART 2. CONTRACTS  
 CHAPTER 3. CONSENT  
[Section 1589](#)

*1589. A voluntary acceptance of the benefit of a [government benefit] transaction is equivalent to a consent to all the obligations [and legal liabilities] arising from it, so far as the facts are known, or ought to be known, to the person accepting.*

Therefore, you can't avail yourself of the "privileges" associated with the Social Security account agreement *without* also being a "resident" of the "United States", which means an alien who has signed a contract to procure services from the government. That contract can be explicit, which means a contract in writing, or implicit, meaning that it is created through your behavior. For instance, if you drive on the roads within a state, that act implied your consent to be bound by the vehicle code of that state. In that sense, driving a car became a voluntary exercise of your right to contract.

A mere innocent act can imply or trigger "constructive consent" to a legal contract, and in many cases, you may not even be aware that you are exercising your right to contract. Watch out! For instance, the criminal code in your state behaves like a contract. The "police" are simply there to enforce the contract. As a matter of fact, their job was created by that contract. This is called the "police power" of the state. If you do not commit any of the acts in the criminal or penal code, then you are not subject to it and it is "foreign" to you. You become the equivalent of a "resident" within the criminal code and subject to the legislative jurisdiction of that code ONLY by committing a "crime" identified within it. That "crime" triggers "constructive consent" to the terms of the contract and all the obligations that flow from it, including prison time and a court trial. This analysis helps to establish that in a free society, all law is a contract of one form or another, because it can only be passed by the consent of the majority of those who will be subject to it. The people who will be subject to the laws of a "state" are those with a "domicile" or "residence" within the jurisdiction of that "state". Those who don't have such a "domicile" or "residence" and who are therefore not subject to the civil laws of that state are called "transient foreigners".

We will build extensively upon this concept further, in sections 5.4 through 5.4.4.5 later. This is a very interesting subject that we find most people are simply fascinated with, because it helps to emphasize the “voluntary nature” of all law.

#### **4.11.5 Why was the statutory “resident” under civil franchises created instead of using a classical constitutional “citizen” or “resident” as its basis?**

After looking at the “resident” government contractor franchise scam, we wondered why they had to do this instead of simply using a classical constitutional “citizen” or “resident” with a domicile within the territory protected by a specific government as the basis for franchises. After careful thought and research, we found that there are many reasons they had to do this:

1. The Constitution forbids what is called “class legislation” relating to constitutional “citizens” or “residents”. The reason is that it violates the requirement for equal protection and equal treatment that is at the heart of the Constitution. Governments are NOT allowed to treat any subset of constitutional citizens or residents differently, or confer or grant “benefits”, and by implication “franchises”, to any SUBSET of them. If participation is in fact voluntary, there is no way they could even offer franchises to constitutional citizens without favoring one group over another and thereby creating an unconstitutional “title of nobility”. Below is how the U.S. Supreme Court described this violation after the first income tax was enacted and declared UNCONSTITUTIONAL by the U.S. Supreme Court:

*“The present **assault upon capital** is but the beginning. **It will be but the stepping stone to others larger and more sweeping**, until our political contest will become war of the poor against the rich; a war of growing intensity and bitterness. ‘If the court sanctions the power of discriminating taxation, and nullifies the uniformity mandate of the constitution,’ as said by one who has been all his life a student of our institutions, ‘it will mark the hour when the sure decadence of our present government will commence.’*

[...]

*The legislation, in the discrimination it makes, is class legislation. Whenever a distinction is made in the burdens a law imposes or in the benefits it confers on any citizens by reason of their birth, or wealth, or religion, it is class legislation, and leads inevitably to oppression and abuses, and to general unrest and disturbance in society.”*  
[[Pollock v. Farmers Loan and Trust, 157 U.S. 429 \(1895\)](#)]

2. It has always been unconstitutional to abuse the government’s taxing power to pay private individuals. Classical constitutional citizens and residents are inherently PRIVATE individuals.

*“His [the individual’s] rights are such as existed by the law of the land long antecedent to the organization of the State, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights.”*  
[[Hale v. Henkel, 201 U.S. 43 \(1906\)](#)]

Hence, the government cannot lawfully create any franchise “benefit” offered to PRIVATE constitutional citizens or residents that could be used to redistribute wealth between different groups of otherwise private individuals. For instance, they cannot tax the rich to give to the poor, as the U.S. Supreme Court indicated above and hence, cannot offer franchises to constitutional citizens or residents, or tie eligibility for the franchise to the status of constitutional citizen or resident.

*“A tax, in the general understanding of the term and as used in the constitution, signifies an exaction for the support of the government. The word has never thought to connote the expropriation of money from one group for the benefit of another.”*  
[[U.S. v. Butler, 297 U.S. 1 \(1936\)](#)]

***“To lay with one hand the power of government on the property of the citizen, and with the other to bestow it on favored individuals.. is none the less robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.”***  
[[Loan Association v. Topeka, 20 Wall. 655 \(1874\)](#)]

*“The king establishes the land by justice, But he who receives bribes [[socialist handouts](#), government “benefits”, or [PLUNDER stolen from nontaxpayers](#)] overthrows it.”*  
[[Prov. 29:4, Bible, NKJV](#)]



3. It has been repeatedly held as unconstitutional for governments to establish a “poll tax”. Poll taxes are fees required to be paid before one may vote in any election. Voting, in turn, is described as a “franchise”. Eligibility to vote is established by the coincidence of both nationality and domicile. If domicile instead of “residence” under a franchise were used as the criteria for income tax obligation, then indirectly the income tax would act for all intents and purposes as a “poll tax” and thereby quickly be declared as unconstitutional.

We conclude that a State violates the Equal Protection Clause of the Fourteenth Amendment whenever it makes the affluence of the voter or payment of any fee an electoral standard. Voter qualifications have no relation to wealth nor to paying or not paying this or any other tax.<sup>157</sup> Our cases demonstrate that the Equal Protection Clause of the Fourteenth Amendment restrains the States from fixing voter qualifications which invidiously discriminate. Thus without questioning the power of a State to impose reasonable residence restrictions on the availability of the ballot (see *Pope v. Williams*, 193 U.S. 621, 24 S.Ct. 573, 48 L.Ed. 817), we held in *Carrington v. Rash*, 380 U.S. 89, 85 S.Ct. 775, 13 L.Ed.2d. 675, that a State may not deny the opportunity to vote to a bona fide resident merely because he is a member of the armed services. 'By forbidding a soldier ever to controvert the presumption of non-residence, the Texas Constitution imposes an invidious discrimination in violation of the Fourteenth Amendment.' *Id.*, at 96, 85 S.Ct. at 780. And see *Louisiana v. United States*, 380 U.S. 145, 85 S.Ct. 817. Previously we had said that neither homesite nor occupation 'affords a permissible basis for distinguishing between qualified voters within the State.' *Gray v. Sanders*, 372 U.S. 368, 380, 83 S.Ct. 801, 808, 9 L.Ed.2d. 821. We think the same must be true of requirements of wealth or affluence or payment of a fee.

Long ago in *Yick Wo v. Hopkins*, 118 U.S. 356, 370, 6 S.Ct. 1064, 1071, 30 L.Ed. 220 the Court referred to 'the political franchise of voting' as a 'fundamental political right, because preservative of all rights.' *Recently in Reynolds v. Sims*, 377 U.S. 533, 561—562, 84 S.Ct. 1362, 1381, 12 L.Ed.2d. 506, we said, 'Undoubtedly, the right of suffrage is a fundamental matter in a free and democratic society. Especially since the right to exercise the franchise in a free and unimpaired manner is preservative of other basic civil and political rights, any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinized.' There we were considering charges that voters in one part of the State had greater representation per person in the State Legislature than voters in another part of the State. We concluded:

A citizen, a qualified voter, is no more nor no less so because he lives in the city or on the farm. This is the clear and strong command of our Constitution's Equal Protection Clause. This is an essential part of the concept of a government of laws and not men. This is at the heart of Lincoln's vision of 'government of the people, by the people, (and) for the people.' The Equal Protection Clause demands no less than substantially equal state legislative representation for all citizens, of all places as well as of all races.' *Id.*, at 568, 84 S.Ct. at 1385.

We say the same whether the citizen, otherwise qualified to vote, has \$1.50 in his pocket or nothing at all, pays the fee or fails to pay it. The principle that denies the State the right to dilute a citizen's vote on account of his economic status or other such factors by analogy bars a system which excludes those unable to pay a fee to vote or who fail to pay.

[*Harper v. Virginia State Board of Elections* *Butts v. Harrison*, 383 U.S. 663, 86 S.Ct. 1079, 16 L.Ed.2d. 169, 1965 WL 130114 (1966) ]

4. Corrupt politicians through abuse of legal “words of art” had to make franchise participation at least “LOOK” like it was somehow connected to citizenship, even though technically it is not, in order to fool people into thinking that participation was mandatory by virtue of their nationality or domicile, even though in fact it is NOT. Therefore they confused the word “resident” and “residence” with a statutory status of a constitutional or classical “alien”, even though they are NOT the same.
5. Since you can only have a domicile in one place at a time, then if income taxes were based on domicile alone, you could only pay the tax to ONE municipal government at a time. Hence, you could NOT simultaneously owe both STATE and FEDERAL income tax at the same time. The only way to reconcile the conflict under such circumstances is to pay it to the state government only. On the other hand, if taxes are based on “residence” you could owe it to more than one government at a time if you had multiple “residences”. Therefore, they HAD to base the tax upon “residence” and not “domicile” and to make “residence” a product of your consent to contract with a specific government for services or protection under a specific franchise.

#### 4.11.6 How the TWO types of “RESIDENTS” are deliberately confused

<sup>157</sup> Only a handful of States today condition the franchise on the payment of a poll tax. Alabama (Ala. Const., §§ 178, 194, and Amendments 96 and 207; Ala. Code Tit. 17, § 12) and Texas (Tex. Const., Art. 6, § 2; Vernon's Ann. Stat., Election Code, Arts. 5.02, 5.09) each impose a poll tax of \$1.50. Mississippi (Miss. Const., §§ 241, 243; Miss. Code §§ 3130, 3160, 3235) has a poll tax of \$2. Vermont has recently eliminated the requirement that poll taxes be paid in order to vote. Act of Feb. 23, 1966, amending Vt. Stat. Ann. Tit. 24, §701.

As we pointed out in the previous section, there is a vested financial interest in covetous governments deliberately confusing FOREIGN NATIONALS under the common law with CONTRACTORS under government franchises. Great pains have been taken over time to confuse these two because of these strong motivations to recruit more government franchisee contractors and thus increase revenues. We will discuss these mechanisms in this section.

“Residence” is deliberately confused with “domicile”, even though they are NOT equivalent and mutually exclusive under franchise statutes. “Residence” under the Internal Revenue Code “trade or business” franchise, for instance, means the abode of a statutory “alien” and DOES NOT include either “citizens” or even “nonresident aliens”.

The second technique is to confuse the word “reside” with “residence” or “domicile”. Reside simply means where one sleeps at night and has NOTHING to do with either their domicile OR their residence:

“RESIDE. Live, dwell, abide, sojourn, stay, remain, lodge. *Western-Knapp Engine.*”  
[*Black’s Law Dictionary, Fourth Edition, p. 1473*]

You can RESIDE somewhere WITHOUT having EITHER a domicile or a residence there. Here is an example:

*There are no cases in California deciding whether a foreign corporation can “reside” in a county within the meaning of the recordation sections of the Code. There are cases, however, on the question whether a foreign corporation doing business in California can acquire a county residence within the state for the purpose of venue. The early cases held that such residence could not be acquired.<sup>1</sup> These cases were explained in [Bohn v. Better Biscuits, Inc.](#), 26 Cal.App.2d. 61, 78 P.2d. 1177,2 wherein it was finally established that a foreign corporation doing business in California, having designated its principal office pursuant to Section 405 of the California Civil Code provision (passed in 1929), could acquire a county residence in the state for the purpose of venue. The court in that case construed the venue provision of Section 395 of the Code of Civil Procedure which reads as follows: **“In all other cases, \*\*\* the county in which the defendants, or some of them, reside at the commencement of the action, is the proper county for the trial of the action. \*\*\* If none of the defendants resides in the State, \*\*\* the action may be tried in any county which the plaintiff may designate in his complaint.”***

*In relation to this section, the court held: “The plaintiff stresses the word ‘reside.’ It then contends that as the defendant is a foreign corporation having its principal place of business at Grand Rapids, Mich., that place is its residence and it may not be heard to claim that it resides at any other place. If by the use of the word ‘reside’ one means ‘domicil’ that contention would be sound. \*\*\* It is not claimed that there is anything in the context showing the word ‘reside’ was intended to mean ‘domicil.’ By approved usage of the language ‘reside’ means: ‘Live, dwell, abide, sojourn, stay, remain, lodge.’ \*\*\* By a long line of decisions it has been held that a domestic corporation resides at the place where its principal place of business is located. [Walker v. Wells Fargo Bank, etc., Co.](#), 8 Cal.2d. 447, 65 P.2d. 1299. The designation of the principal place of business of a domestic corporation is contained in its articles. Civ.Code, § 290 \*\*\*. The designation of the principal place of business of a foreign corporation in this state is contained in the statement which it is required to file in the office of the secretary of state before it may legally transact business in this state. Civ.Code, § 405 \*\*\*. Prior to the enactment of sections 405-406a \*\*\* a foreign corporation had no locus in this state. No statute required it to designate, by a written statement duly filed in the office of the secretary of state, the location of its principal place of business in the state. After the enactment of said sections, the principal place of business of foreign corporations as well as domestic corporations was fixed by law. When the reason is the same, the rule should be the same. Civ.Code, § 3511. It follows \*\*\* by reason of the enactment of section 405 et seq. of the Civil Code \*\*\* said section 395 of the Code of Civil Procedure \*\*\* applies to persons both natural and artificial and whether the corporation is a domestic or a foreign corporation.” [Bohn v. Better Biscuits, Inc.](#), 26 Cal.App.2d. 61, 64, 65, 78 P.2d. 1177, 1179, 80 P.2d. 484.*

[*Western-Knapp Engineering Co. v. Gilbank*, 129 F.2d. 135 (9th Cir., 1942)]

Keep in mind the following important facts about the above case:

1. “Reside” is where the corporation ***physically does business***, not the place of its civil domicile.
2. One can “do business” in a geographic region without having a civil domicile there.
3. The corporation is a creation of and therefore component LEGALLY WITHIN the government that granted it, regardless of where it is physically located or where it does business. This is reflected in Federal Rule of Civil Procedure 17(b).
4. Those “doing business” in a specific geographical region are “deemed to be LEGALLY present” within the forum or civil laws they are doing business in, regardless of whether they have offices in that region under:
  - 4.1. The Minimum Contacts Doctrine, U.S. Supreme Court in *International Shoe Co. v. Washington*, 326 U.S. 310 (1945).
  - 4.2. The Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Part 4, Chapter 97.

5. The fact that one “does business” within a specific region does not necessarily mean that you are “purposefully availing himself” under the laws of that region, and especially if the parties doing business have a contract between them REMOVING the government and its protections from their CIVIL relationship. How might this be done? They could have a “binding arbitration” agreement or contract that relegates all disputes to a private third party, for instance.
6. The civil statutory laws of a place are a social compact, and it would constitute eminent domain without compensation over those who have neither a “domicile” nor a “residence” in the region to impose or enforce these laws against them. That is the foundation of the Minimum Contacts Doctrine, U.S. Supreme Court itself, in fact.
7. One can be legally present UNDER THE COMMON LAW while being NOT PRESENT under civil statutory law. That would be the condition of a nonresident foreign corporation such as the one in the case above.
8. “Residing” somewhere implies an effective legal “residence” under the Minimum Contacts Doctrine, U.S. Supreme Court ONLY if one is ALSO “doing business”, and ONLY for that specific transaction and for NO other purpose.

#### 4.11.7 PRACTICAL EXAMPLE 1: Opening a bank account

Let us give you a practical business example of this phenomenon in action whereby a person becomes a “resident” from a legal perspective by exercising their right to contract. You want to open a checking account at a bank. You go to the bank to open the account. The clerk presents you with an agreement that you must sign before you open the account. If you won’t sign the agreement, then the clerk will tell you that they can’t open an account for you. Before you sign the account agreement, the bank doesn’t know anything about you and you don’t have an account there, so you are the equivalent of an “alien”. An “alien” is someone the bank will not recognize or interact with or help. They can only lawfully help “customers”, not “aliens”. After you exercise your right to contract by signing the bank account agreement, then you now become a “resident” of the bank. You are a “resident” because:

1. You are a “thing” that they can now “identify” in their computer system and their records because you have an “account” there. A “res” is legally defined as a “thing”. They now know your name and “account number” and will recognize you when you walk in the door to ask for help. Hence “res-ident”.
2. You are the “person” described in their account agreement. Before you signed it, you were a “foreigner” not subject to it.
3. They issued you an ATM card and a PIN so you can control and manage your “account”. These things that they issued you are the “privileges” associated with being party to the account agreement. No one who is not party to such an agreement can avail themselves of such “privileges”.
4. The account agreement gives you the “privilege” to demand “services” from the bank of one kind or another. The legal requirement for the bank to perform these “services” creates the legal equivalent of “agency” on their part in doing what you want them to do. In effect, you have “hired” them to perform a “service” that you want and need.
5. The account agreement gives the bank the legal right to demand certain behaviors out of you of one kind or another. For instance, you must pay all account fees and not overdraw your account and maintain a certain minimum balance. The legal requirement to perform these behaviors creates the legal equivalent of “agency” on your part in respect to the bank.
6. The legal obligations created by the account agreement give the two parties to it legal jurisdiction over each other defined by the agreement or contract itself. The contract fixes the legal relations between the parties. If either party violates the agreement, then the other party has legal recourse to sue for exceeding the bounds of the “contractual agency” created by the agreement. Any litigation that results must be undertaken consistent with what the agreement authorizes and in a mode or “forum” (e.g. court) that the agreement specifies.

#### 4.11.8 PRACTICAL EXAMPLE 2: Creation of the “resident” under a government civil franchise

When two parties execute a franchise agreement or contract between them, they are engaging in “commerce”. The practical consequences of the franchise agreement are the following:

1. The main source of jurisdiction for the government is over commerce.
2. The mutual consideration passing between the parties provides the nexus for government jurisdiction over the transaction.
3. If the exchange involves a government franchise offered by the national government:
  - 3.1. An “alienation” of private rights has occurred. This alienation:
    - 3.1.1. Turns formerly private rights into public rights.
    - 3.1.2. Accomplishes the equivalent of a “donation” of private property to a public use, public purpose, and public office in order to procure the “benefits” of the franchise by the former owner of the property.

- 1 3.2. Parties to the franchise agreement cannot engage in a franchise without implicitly surrendering governance over  
 2 disputes to the government granting the franchise. In that sense, their effective domicile shifts to the location of  
 3 the seat of the government granting the franchise.
- 4 3.3. The parties to the franchise agreement mutually and implicitly surrender their sovereign immunity under the  
 5 Foreign Sovereign Immunities Act, [28 U.S.C. §1605\(a\)\(2\)](#), which says that commerce within the legislative  
 6 jurisdiction of the “United States” constitutes constructive consent to be sued in the courts of the United States.  
 7 This is discussed in more detail in the previous section.

8 Another surprising result of engaging in franchises and public “benefits” that most people overlook is that the commerce it  
 9 represents, in fact, can have the practical effect of making an “alien” or “nonresident” party into a “resident” for the purposes  
 10 of statutory jurisdiction. Here is the proof:

11 *In International Shoe Co. v. Washington*, 326 U.S. 310 (1945), the Supreme Court held that a court may exercise  
 12 personal jurisdiction over a defendant consistent with due process only if he or she has “certain minimum  
 13 contacts” with the relevant forum “such that the maintenance of the suit does not offend ‘traditional notions of  
 14 fair play and substantial justice.’ ” *Id.* at 316 (quoting *Milliken v. Meyer*, 311 U.S. 457, 463 (1940)). Unless a  
 15 defendant’s contacts with a forum are so substantial, continuous, and systematic that the defendant can be  
 16 deemed to be “present” in that forum for all purposes, a forum may exercise only “specific” jurisdiction - that  
 17 is, jurisdiction based on the relationship between the defendant’s forum contacts and the plaintiff’s claim. The  
 18 parties agree that only specific jurisdiction is at issue in this case.

19 *In this circuit, we analyze specific jurisdiction according to a three-prong test:*

- 20 (1) *The non-resident defendant must purposefully direct his activities or consummate some transaction with the*  
 21 *forum or resident thereof; or perform some act by which he purposefully avails himself of the privilege of*  
 22 *conducting activities in the forum, thereby invoking the benefits and protections of its laws;*  
 23 (2) *the claim must be one which arises out of or relates to the defendant’s forum-related activities; and*  
 24 (3) *the exercise of jurisdiction must comport with fair play and substantial justice, i.e. it must be reasonable.*

25 *Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d. 797, 802 (9th Cir. 2004) (quoting *Lake v. Lake*, 817 F.2d.  
 26 1416, 1421 (9th Cir. 1987)). *The first prong is determinative in this case. We have sometimes referred to it, in*  
 27 *shorthand fashion, as the “purposeful availment” prong. Schwarzenegger*, 374 F.3d. at 802. *Despite its label, this*  
 28 *prong includes both purposeful availment and purposeful direction. It may be satisfied by purposeful availment*  
 29 *of the privilege of doing business in the forum; by purposeful direction of activities at the forum; or by some*  
 30 *combination thereof.*

31 *We have typically treated “purposeful availment” somewhat differently in tort and contract cases. In tort cases,*  
 32 *we typically inquire whether a defendant “purposefully direct[s] his activities” at the forum state, applying an*  
 33 *“effects” test that focuses on the forum in which the defendant’s actions were felt, whether or not the actions*  
 34 *themselves occurred within the forum. See Schwarzenegger*, 374 F.3d. at 803 (citing *Calder v. Jones*, 465 U.S.  
 35 783, 789-90 (1984)). *By contrast, in contract cases, we typically inquire whether a defendant “purposefully avails*  
 36 *itself of the privilege of conducting activities” or “consummate[s] [a] transaction” in the forum, focusing on*  
 37 *activities such as delivering goods or executing a contract. See Schwarzenegger*, 374 F.3d. at 802. *However, this*  
 38 *case is neither a tort nor a contract case. Rather, it is a case in which Yahoo! argues, based on the First*  
 39 *Amendment, that the French court’s interim orders are unenforceable by an American court.*  
 40 [\[Yahoo! Inc. v. La Ligue Contre Le Racisme Et L’Antisemitisme, 433 F.3d. 1199 \(9th Cir. 01/12/2006\) \]](#)

41 Legal treatises on domicile also confirm that those who are “wards” or “dependents” of the state or the government assume  
 42 the same domicile or “residence” as their care giver. The practical effect of this is that by participating in government  
 43 franchises, we become “wards” of the government in receipt of welfare payments such as Social Security, Medicare, etc. As  
 44 “wards” under “guardianship” of the government, we assume the same domicile as the government who is paying us the  
 45 “benefits”, which means the District of Columbia. Our domicile is whatever the government, meaning the “court” wants it  
 46 to be for their convenience:

47 PARTICULAR PERSONS  
 48 § 24. Wards

49 While it appears that an infant ward’s domicile or residence ordinarily follows that of the guardian *it does not*  
 50 *necessarily do so,<sup>158</sup> as so a guardian has been held to have no power to control an infant’s domicile as against*  
 51 *her mother.<sup>159</sup> Where a guardian is permitted to remove the child to a new location, the child will not be held to*

<sup>158</sup> Ky.--City of Louisville v. Sherley’s Guardian, 80 Ky. 71.

<sup>159</sup> Ky.--Garth v. City Sav. Bank. 86 S.W. 520, 120 Ky. 280, 27 Ky.L. 675.

1 have acquired a new domicile if the guardian's authority does not extend to fixing the child's domicile. **Domicile**  
2 **of a child who is a ward of the court is the location of the court.**<sup>160</sup>

3 **Since a ward is not sui juris, he cannot change his domicile** by removal,<sup>161</sup> nor or does the removal of the ward  
4 to another state or county by relatives or friends, affect his domicile.<sup>162</sup> **Absent an express indication by the court,**  
5 **the authority of one having temporary control of a child to fix the child's domicile is ascertained by interpreting**  
6 **the court's orders.**<sup>163</sup>

7 [Corpus Juris Secundum (C.J.S.), Domicile, §24 (2003);

8 SOURCE: <http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf>

9 This change in domicile of those who participate in government franchises and thereby become “wards” of the government  
10 is also consistent with the U.S. Supreme Court’s view of the government’s relationship to those who participate in government  
11 franchises. It calls the government a “parens patriae” in relation to them!:

12 **“The proposition is that the United States, as the grantor of the franchises of the company [a corporation, in**  
13 **this case], the author of its charter, and the donor of lands, rights, and privileges of immense value, and as**  
14 **parens patriae, is a trustee, invested with power to enforce the proper use of the property and franchises granted**  
15 **for the benefit of the public.”**

16 [U.S. v. Union Pac. R. Co., 98 U.S. 569 (1878)]

17  
18 PARENS PATRIAE. Father of his country; parent of the country. In England, **the king**. In the United States, the  
19 state, as a sovereign-**referring to the sovereign power of guardianship over persons under disability**; In re  
20 Turner, 94 Kan. 115, 145 P. 871, 872, Ann.Cas.1916E, 1022; such as minors, and insane and incompetent  
21 persons; McIntosh v. Dill, 86 Okl. 1, 205 P. 917, 925.

22 [Black’s Law Dictionary, Sixth Edition, p. 1269]

23 One Congressman during the debates over the proposal of the Social Security Act in 1933 criticized the very adverse effects  
24 of the franchise upon people’s rights, including that upon the domicile of those who participate, when he said:

25 Mr. Logan: “...Natural laws cannot be created, repealed, or modified by legislation. Congress should know there  
26 are many things which it cannot do...”

27 “It is now proposed to make the Federal Government the guardian of its citizens. If that should be done, the  
28 Nation soon must perish. There can only be a free nation when the people themselves are free and administer the  
29 government which they have set up to protect their rights. Where the general government must provide work, and  
30 incidentally food and clothing for its citizens, freedom and individuality will be destroyed and eventually the  
31 citizens will become serfs to the general government...”

32 [Congressional Record-Senate, Volume 77- Part 4, June 10, 1933, Page 12522;

33 SOURCE: [http://famguardian.org/TaxFreedom/CitesByTopic/Sovereignty-CongRecord-Senate-](http://famguardian.org/TaxFreedom/CitesByTopic/Sovereignty-CongRecord-Senate-JUNE101932.pdf)  
34 [JUNE101932.pdf](http://famguardian.org/TaxFreedom/CitesByTopic/Sovereignty-CongRecord-Senate-JUNE101932.pdf)

35 The Internal Revenue Code franchise agreement itself contains provisions which recognize this change in effective domicile  
36 to the District of Columbia within 26 U.S.C. §7408(d) and 26 U.S.C. §7701(a)(39).

37 [TITLE 26](#) > [Subtitle F](#) > [CHAPTER 79](#) > § 7701  
38 [§ 7701. Definitions](#)

39 (a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent  
40 thereof—

41 (39) Persons residing outside United States

42 **If any citizen or resident of the United States does not reside in (and is not found in) any United States judicial**  
43 **district, such citizen or resident shall be treated as residing [“domiciled”] in the District of Columbia for**  
44 **purposes of any provision of this title relating to—**

45 (A) jurisdiction of courts, or

46 (B) enforcement of summons.

<sup>160</sup> Wash.-Matter of Adoption of Buehl, 555 P.2d. 1334, 87 Wash.2d. 649.

<sup>161</sup> Cd.-In re Henning’s Estate, 60 P. 762, 128 C. 214.

<sup>162</sup> Md.Sudler v. Sudler, 88 A. 26, 121 Md. 46.

<sup>163</sup> Wash.-Matter of Adoption of Buehl, 555 P.2d. 1334, 87 Wash.2d. 649.

[TITLE 26](#) > [Subtitle F](#) > [CHAPTER 76](#) > [Subchapter A](#) > § 7408  
[§7408. Action to enjoin promoters of abusive tax shelters, etc.](#)

(d) Citizens and residents outside the United States If any citizen or resident of the United States does not reside in, and does not have his principal place of business in, any United States judicial district, such citizen or resident shall be treated for purposes of this section as residing in the District of Columbia.

Since your Constitutional right to contract is unlimited, then you can have as many temporary and transient “residences” as you like, but you can have only one legal “domicile”, because your allegiance must be undivided or you will have a conflict of interest and allegiance.

“No one can serve **two masters**; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. You cannot serve God and mammon.”  
 [Matt. 6:23-25, Bible, NKJV]

Now do you understand the reasoning behind the following maxim of law? You become a “subject” and a “resident” under the jurisdiction of a government’s civil law by demanding its protection! If you want to “fire” the government as your “protector”, you MUST quit demanding anything from it by filling out government forms or participating in its franchises:

*Protectio trahit subjectionem, subjectio projectionem.*  
 Protection draws to it subjection, subjection, protection. Co. Litt. 65.  
 [Bouvier’s Maxims of Law, 1856;  
 SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviereMaxims.htm>]

Remember, “resident” is a combination of two word roots: “res”, which is legally defined as a “thing”, and “ident”, which stands for “identified”.

**Res.** Lat. The subject matter of a trust or will. In the civil law, a thing; an object. As a term of the law, this word has a very wide and extensive signification, including not only things which are objects of property, but also such as are not capable of individual ownership. And in old English law it is said to have a general import, comprehending both corporeal and incorporeal things of whatever kind, nature, or species. By “res,” according to the modern civilians, is meant everything that may form an object of rights, in opposition to “persona,” which is regarded as a subject of rights. “Res,” therefore, in its general meaning, comprises actions of all kinds; while in its restricted sense it comprehends every object of right, except actions. This has reference to the fundamental division of the Institutes that all law relates either to persons, to things, or to actions.

**Res is everything that may form an object of rights and includes an object, subject-matter or status.** In re Riggle’s Will, 11 A.D.2d. 51 205 N.Y.S.2d. 19, 21, 22. **The term is particularly applied to an object, subject-matter, or status, considered as the defendant in an action, or as an object against which, directly, proceedings are taken.** Thus, in a prize case, the captured vessel is “the res”; and proceedings of this character are said to be in rem. (See In personam; In Rem.) “Res” may also denote the action or proceeding, as when a cause, which is not between adversary parties, is entitled “In re \_\_\_\_\_”.  
 [Black’s Law Dictionary, Sixth Edition, pp. 1304-1306]

The “object, subject matter, or status” they are talking about above is the ALL CAPS incarnation of your legal birth name and the government-issued number, usually an SSN, that is associated with it. Those two things constitute the “straw man” or “trust” or “res” which you implicitly agree to represent at the time you sign up for any franchise, benefit, or “public right”. When the government attacks someone for a tax liability or a debt, they don’t attack you as a private person, but rather the collection of rights that attach to the ALL CAPS trust name and associated Social Security Number trust. They start by placing a lien on the number, which actually is THEIR number and not YOURS. That number associates PRIVATE property with PUBLIC TRUST property. Merriam-Webster’s Dictionary definition 5(b) for “Trust” is “office”:

“**Trust**; 5a(1): a charge or duty imposed in faith or confidence or as a condition of some relationship (2): something committed or entrusted to one to be used or cared for in the interest of another **b**: **responsible charge or office c: CARE, CUSTODY** <the child committed to her trust>.”  
 [Merriam-Webster’s 11<sup>th</sup> Collegiate Dictionary]

20 C.F.R. §422.103(d) says the number is THEIR property. They can lien their property, which is public property in your temporary use and custody as a “trustee” of the “public trust”. Everything that number is connected to acts as private property donated temporarily to a public use to procure the “benefits” of the franchise. It is otherwise illegal to mix public property, such as the Social Security Number, with private property, because that would constitute illegal and criminal embezzlement in violation of [18 U.S.C. §912](#).

1 "Men are endowed by their Creator with certain unalienable rights, -'life, liberty, and the pursuit of happiness;'  
 2 and to 'secure,' not grant or create, these rights, governments are instituted. That property [or income] which a  
 3 man has honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it  
 4 to his neighbor's injury, and that does not mean that he must use it for his neighbor's benefit; second, that  
 5 if he devotes it to a public use, he gives to the public a right to control that  
 6 USE; and third, that whenever the public needs require, the public may take it upon payment of due  
 7 compensation.  
 8 [*Budd v. People of State of New York*, [143 U.S. 517](#) (1892)]

9 Below is how the U.S. Supreme Court describes the practical effect of creating the trust and placing its "residence" or  
 10 "domicile" within the jurisdiction of the specific government or "state" granting the franchise:

11 "*Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit*  
 12 *or sojourn, is an adequate basis for taxation, including income, property, and death taxes. Since the Fourteenth*  
 13 *Amendment makes one a citizen of the state wherein he resides, the fact of residence creates universally*  
 14 *reciprocal duties [e.g. CONTRACTUAL DUTIES!!] of protection by the state and of allegiance and support*  
 15 *by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a*  
 16 *political matter. Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of*  
 17 *the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located."*  
 18 [*Miller Brothers Co. v. Maryland*, [347 U.S. 340](#) (1954)]

19 The implication is that you cannot be sovereign if either you or the entities you voluntarily represent have a "domicile" or  
 20 "residence" in any man-made government or in any place other than Heaven or the Kingdom of Heaven on Earth. If you  
 21 choose a "domicile" or "residence" any place on earth, then you become a "subject" in relation to that place and voluntarily  
 22 forfeit your sovereignty. This is NOT the status you want to have! A "resident" by definition MUST therefore be within the  
 23 legislative jurisdiction of the government, because the government cannot lawfully write laws that will allow them to  
 24 recognize or act upon anything that is NOT within their legislative jurisdiction.

25 All law is prima facie territorial in nature, and can act only upon the territory under the exclusive control of the government  
 26 or upon its franchises, contracts, and real and chattel property, which are "property" under its management and control  
 27 pursuant to Article 4, Section 3, Clause 2 of the United States Constitution. The only lawful way that government laws can  
 28 reach beyond the territory of the sovereign who controls them is through explicit, informed, mutual consent of the individual  
 29 parties involved, and this field of law is called "private law".

30 "*Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the*  
 31 *law of comity must necessarily rest, the following maxims: First 'that every nation possesses an exclusive*  
 32 *sovereignty and jurisdiction within its own territory'; secondly, that no state or nation can by its laws directly*  
 33 *affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural*  
 34 *born subjects or others.' The learned judge then adds: 'From these two maxims or propositions there follows a*  
 35 *third, and that is that whatever force and obligation the laws of one country have in another depend solely upon*  
 36 *the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and*  
 37 *upon its own express or tacit consent." Story on Conflict of Laws §23."  
 38 [*Baltimore & Ohio Railroad Co. v. Chambers*, 73 Ohio.St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]*

#### 39 **4.12 Citizenship Generally**

40 Citizenship is something that very few Americans fully understand. We'll therefore devote the next twelve subsections to  
 41 covering this most important subject. The Supreme Court has said about citizenship the following, to emphasize the  
 42 importance of learning about this most important subject:

43 "*Nobody can deny that the question of citizenship in a nation is of the most vital importance. It is a precious*  
 44 *heritage, as well as an inestimable acquisition;"*  
 45 [*U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898)]

46 Before we begin, let us clarify some important aspects about citizenship in general, whether it be state or federal. First of all,  
 47 statutory citizenship results directly from a combination of two coinciding and interacting factors: **domicile** and **intent**. In  
 48 order to legally be a statutory "citizen", we must simultaneously be domiciled within the jurisdiction of a political body **and**  
 49 do so with the *specific intent* of becoming a statutory "citizen" of that political body. Here is how one early federal court  
 50 describes it:

51 "*The fourteenth amendment does not make a resident in a state a citizen of such state, unless he intends, by*  
 52 *residence therein, to become a citizen."*

1           “‘Citizenship’ and ‘residence,’ as has often been declared by the courts, are not convertible terms. *Parker v.*  
 2 *Overman* 18 How. 141; *Robertson v. Cease*, 97 U.S. 648; *Grace v. American Cent. Ins. Co.*, 109 U.S. 283; S.C.  
 3 *3 Sup.Ct.Rep.* 207; *Prentiss v. Barton*, 1 Brock. 389. Citizenship is a status or condition, and is the result of  
 4 both act and intent. An adult person cannot become a citizen of a state by simply intending to, nor does anyone  
 5 become such citizen by mere residence. The residence and the intent must co-exist and correspond; and  
 6 though, under ordinary circumstances, the former may be sufficient evidence of the latter, it is not conclusive,  
 7 and the contrary may always be shown; and when the question of citizenship turns on the intention with  
 8 which a person has resided in a particular state, his own testimony, under ordinary circumstances, is entitled  
 9 to great weight on the point.

10           [...]

11           “But, certainly, it was not the intention of the [Fourteenth] amendment to make any citizen of the United States  
 12 a citizen of any particular state against his will, in which the exigencies of his business, his social relations or  
 13 obligations, or other cause, might require his presence for a greater or less length of time, without any intention  
 14 on his part to become such citizen.

15           “*The better opinion seems to be that a citizen of the United States is, under the amendment, prima facie a citizen*  
 16 *of the state wherein he resides, and cannot arbitrarily be excluded therefrom by such state, but that he does not*  
 17 *become a citizen of the state against his will, and contrary to his purpose and intention to retain an already*  
 18 *acquired citizenship elsewhere. The amendment is a restraining on the power of the state, but not on the right of*  
 19 *the person to choose and maintain his citizenship or domicile; but it protects him in the exercise of that right by*  
 20 *making him a citizen of that state in which he may choose to reside with such intention. In Robertson v. Cease,*  
 21 *97 U.S. 648, the court held that, for the purpose of giving the jurisdiction to the circuit court, an allegation that*  
 22 *a party is a resident of a particular state is not equivalent to an allegation that he is a citizen thereof, for the*  
 23 *reason, as suggested by Mr. Justice Harlan, that, even under the amendment, mere residence in a state does not*  
 24 *necessarily or conclusively prove one to be a citizen thereof. And if an allegation of residence in a state is not*  
 25 *necessarily, even under the amendment, the equivalent of an allegation of citizenship, then the mere fact of*  
 26 *residence in a state is not necessarily the equivalent of citizenship.”*  
 27 [Sharon v. Hill, 26 F. 337 (1885), Emphasis added]

28           The most important aspect of the citizenship equation above is *intent*, which is synonymous with *consent*, and the reason  
 29 there must be intent is because *citizenship must result from a voluntary and free choice*. There is a lot of needless contention  
 30 in the freedom movement revolving around a misunderstanding of this fundamental issue of the voluntary nature of  
 31 citizenship. People in the freedom movement argue all the time about being “subject to the jurisdiction of the United States”  
 32 and how the Fourteenth Amendment *forced* them to become “citizens of the United States” as defined in section 1 of the  
 33 Fourteenth Amendment. This is all *hogwash* if you ask us, because in America, you are entitled by law to acquire and  
 34 maintain whatever citizenship status you choose as an adult and can voluntarily renounce whatever aspects of your citizenship  
 35 that you don’t want *without* the consent of your government, as long as you properly notify them of your choice with the  
 36 appropriate forms and correspondence.<sup>164</sup> This isn’t true in many other countries such as England, where subjects of the  
 37 Queen cannot renounce their British citizenship, but it is true here. The bottom line is that in America, you can be whatever  
 38 type of citizen you choose so it’s meaningless to argue that the government *forced* you to do anything or invaded your rights.  
 39 The ability to choose one’s citizenship status, as a matter of fact, is the essence of what it means to live in a free country. The  
 40 only basis that people have to complain in the context of citizenship is usually that their relative ignorance about citizenship  
 41 issues has eliminated choices that they thought they were entitled to by right, and we have no one to blame but ourselves for  
 42 that problem.

43           Citizenship cannot be compelled and cannot be either accepted or expatriated under duress, because it amounts to a voluntary  
 44 personal commitment of allegiance to a political body called a “state”. Those who are minors or mentally incompetent are  
 45 technically unable to legally make such an informed and voluntary choice to have allegiance. Consequently, the citizenship  
 46 of minors who are traveling with their parents or family is legally “presumed” to be the same as that of their parents. However,  
 47 one important exception to this rule is that for the purposes of federal diversity jurisdiction, citizenship and domicile are  
 48 equivalent:

49           “*For purpose of federal diversity jurisdiction, “citizenship” and “domicile” are synonymous.”*  
 50 [Hendry v. Masonite Corp., 455 F.2d. 955 (1972)]

51           Based on what we just learned, if we simply live somewhere but do not intend to be a “citizen” or a “resident”, then we are  
 52 considered to be an “foreigner” or sometimes an “alien” where we are living and a “citizen” in the state we “intend” to live.  
 53 For instance, if we are citizens of California but not a “citizen of the United States\*\*” and then we take temporary employment

<sup>164</sup> See *Savorgnan v. United States*, 338 U.S. 491 (1950).



1 in Arizona but intend to remain California citizens, then we are “aliens” in Arizona and “citizens” in California so far as our  
2 state citizenship. Understanding this critical distinction will become important in later sections.

3 After reading about the “federal zone” and the terms “United States” v. “United States of America” in the last few sections,  
4 you may be a little confused. You may, for instance, now be saying to yourself:

5 *“This is all just a little crazy. How can there be two jurisdictions within a single federal government? How can  
6 these two distinct jurisdictions have their own types of citizenship?”*

7 The fact is, even most of the legal profession doesn't know or fully understand this simple truth. There are those who do  
8 understand this, for as you will come to see and realize, this is part of the scheme to trick us into accepting federal regulation,  
9 which in turn gives them federal jurisdiction over us in the courts. This causes us to be outside the protection of our  
10 Constitutional Rights and destroys the separation of powers between the States and the federal government that our founding  
11 fathers put there for the protection of our liberties.

12 First, we must look at the legal facts of the matter. So, let us take a moment to review the Constitution. For a legally acceptable  
13 copy please refer to the back of Black's Law Dictionary (6th addition) (available at your local library or courthouse law  
14 library and sold at most bookstores).

15 Note the capitalization of the term Citizen all the way through the Constitution and the first thirteen Amendments. Thereafter  
16 (from the Fourteenth Amendment on), it is shown in lower case only. Why? Some people explain this by saying that the  
17 former is a sovereign American of the several States (“We the People...”) with Unalienable Rights granted to us by our Creator  
18 and protected by the Constitution, while the latter is a Federal citizen of the United States with legislative Immunities and  
19 Privileges only (No Rights). We do not agree with this assessment, however, because the term “United States” is not redefined  
20 in the Fourteenth or subsequent amendments to mean something different.

21 Our federal government knows and understands this difference and so should we. Again, refer to Black's Law Dictionary,  
22 Sixth Edition, for the definition of the Fourteenth Amendment:

23 *“The Fourteenth Amendment of the Constitution of the United States, ratified in 1868, creates or at least  
24 recognizes for the first time a citizenship of the United States, as distinct from that of the states; forbids the making  
25 or enforcement by any state of any law abridging the privileges and immunities of citizens of the United States;  
26 and secures all “persons” against any state action which results in either deprivation of life, liberty, or property  
27 without due process of law....”  
28 *[Underlines added]**

29 Some people believe that the Fourteenth Amendment created a new and inferior status of citizenship (that of the federal  
30 United States) but this is simply untrue, as you will learn by reading the following subsections. In fact, people born in states  
31 of the Union are and always were “citizens of the United States\*\*\*” under the Constitution and the Fourteenth Amendment  
32 because of the following very significant consideration that most freedom fighters overlook:

33 *The term “United States” in the Constitution means the states of the Union collectively and excludes the federal  
34 zone whereas “United States” in federal statutes and “acts of Congress”, including the Internal Revenue Code,  
35 means the federal zone and excludes the states of the Union in most cases.”*

36 Most of the confusion that people have over their citizenship status derives very simply from a difference in meaning between  
37 the term “United States” in the Constitution and “United States” in federal statutes. These two contexts have completely  
38 different and opposing meanings. The context is so very important and is most often overlooked. This ignorance of the law  
39 leads the freedom community to many irrational and unwarranted conclusions that have made it the deserving object of  
40 ridicule and defeat in courts, the media, and political communities for decades. We must eliminate this ignorance and  
41 confusion and demonstrate unity of purpose and understanding if we are to make any headway in the future to restore our  
42 society to its de jure Constitutional foundation.

43 The implications of the confusion over the term “United States” appearing in the Constitution and federal statutes leads people  
44 to false and very damaging conclusions, such as the following, none of which are true:

- 45 1. If a person is a “citizen of the United States” under section 1 of the Fourteenth Amendment, then they must also be a  
46 “citizen of the United States” under 8 U.S.C. §1401 and under the Internal Revenue Code. In fact, these two types of  
47 citizens are completely different and opposite, even though they have the same name.

- 1 2. If a person lives in a state of the Union, then they reside in the “United States” under the Internal Revenue Code and  
 2 under Title 8 of the U.S. Code.
- 3 3. Those people who are born outside the “United States” under federal statutes are “U.S. citizens” under 8 U.S.C. §1401.  
 4 This is simply not true. They are “nationals” under 8 U.S.C. §1101(a)(21)(2) because “United States” means the District  
 5 of Columbia, Puerto Rico, Guam, and the Virgin Islands under 8 U.S.C. §1101(a)(38), 8 U.S.C. §1101(a)(36), and 8  
 6 C.F.R. §215.1.

7 **Note:** It is significant that the word “persons” is in quotations. You will come to notice that they use the word “person” in all  
 8 government (local, state and federal) applications and other documents to insinuate a living being, when in fact they are  
 9 referring to a legislative, statutory entity, a “citizen of the United States”, a “federal citizen”, to be precise. It does not refer  
 10 to a Sovereign American of any one of the several States. We should all remember this, because it is everywhere and it is  
 11 the difference between your Rights and Freedoms guaranteed by the Constitution and those Legislative Privileges under  
 12 Statute Laws, which are merely private contracts we are being coerced into with the government.

13 While the United States has no direct authority over a Sovereign American, neither does a state of the Union have authority  
 14 over a “U.S. citizen” as defined in the federal statutes. This in part explains the difference in the term “STATE of ILLINOIS”  
 15 with respect to the term Illinois Republic. The former is also a corporate entity created under the Buck Act of 1940 and is a  
 16 possession of the United States. Meanwhile, the Illinois Republic is the Sovereign State, one amongst the several states.

17 When Cornwallis surrendered on Oct 17, 1781 at the end of the Revolutionary War, did he surrender to THE UNITED  
 18 STATES? No, in fact he surrendered 13 times, to the regiment leaders of each of the states. In 1783, Benjamin Franklin went  
 19 to France. There, a treaty was signed by King George's representative, which came to be known as The Treaty of Paris. In it,  
 20 King George relinquished his sovereignty and passed it to The 13 FREE AND INDEPENDENT STATES, THE PEOPLE  
 21 AND THEIR POSTERITY, FOREVER! Independent from England, and Independent from each other. They were then, and  
 22 are now, Republics, technically NATIONS. I recently found a copy of the Treaty of Paris on the United States Congress web  
 23 page of international treaties. It is *STILL* recognized by International Law!

24 The Articles of Confederation had been written and approved in June of 1776, One month before Thomas Jefferson wrote  
 25 the Declaration of Independence. Here is how some have described the purpose of both the Articles of Confederation and  
 26 the Constitution which followed it:

27 *"The idea of State sovereignty was to ensure that the federal government would be kept in a box. The power of*  
 28 *the United States was to be scattered to the four corners of the country, to ensure that no man would have enough*  
 29 *power to be a tyrant."*  
 30 *[Howard, Webmaster of Freedom Hall]*

31 *"The capital and leading object of the Constitution was to leave with the States all authorities which respected*  
 32 *their citizens only, and to transfer to the United States those which respected citizens of foreign or other States,*  
 33 *to make us several as to ourselves, but one as to all others"*  
 34 *[Thomas Jefferson; Letter to Judge William Johnson, June 12, 1823]*

35 The important thing to note about the Articles of Confederation is that the sovereign states were referred to collectively as  
 36 the “United States of America” while the federal government they created was referred to as the “United States”. The  
 37 sovereign states, however, subsequently deemed that the Articles of Confederation needed refinement, so they convened the  
 38 First Constitutional Convention. After the Constitution was written, 9 of the 13 states were required to ratify it. Eleven  
 39 ratified it in 1787, two did not until 1789.

40 In the Constitution, congress was GRANTED 17 specific powers having to do with the states. Things like lay and collect  
 41 taxes, coin money, declare war, establish post offices, and regulate commerce. For some of these items, like COLLECT  
 42 TAXES, there are *very specific rules* that congress MUST follow.

43 There was another power granted to the congress, having to do with the seat of government. The continental congress did  
 44 not want the federal government located in a particular state, lest that state gain some advantage. So it was written, that a ten  
 45 mile square area of land be the seat of government, which is what we call today, the District of Columbia.

46 Congress was granted *EXCLUSIVE LEGISLATIVE AUTHORITY* over this area. This meant that, for District of Columbia,  
 47 congress was kind of like a city government. It could pass laws, speed limits or what have you, but these laws *were not*  
 48 *binding* on ordinary Americans outside the District.

1 But something SINISTER happened..

2 In 1884 there had been a case dealing with citizenship. The Fourteenth amendment had been ratified, and said, in part: All  
3 persons born or naturalized in the United States, AND SUBJECT TO THE JURISDICTION THEREOF, are citizens of the  
4 United States and of the state wherein they reside. The case was called *Elk v. Wilkins*, 112 U.S. 94 (1884) and the court said:

5 *"The persons declared to be citizens are ALL PERSONS BORN OR NATURALIZED IN THE UNITED STATES*  
6 *AND SUBJECT TO THE JURISDICTION THEREOF. The evident meaning of these last words is, not merely*  
7 *subject in some respect or degree to the jurisdiction of the United States, but COMPLETELY SUBJECT..."*  
8 [Elk v. Wilkins, 112 U.S. 94 (1884)]

9 Got that? COMPLETELY SUBJECT! What does "completely subject" mean? It means subject to the POLITICAL and not  
10 LEGISLATIVE jurisdiction:

11 *"To be 'completely subject' to the political jurisdiction of the United States is to be in no respect or degree subject*  
12 *to the **political jurisdiction** of any other government."*  
13 [United States v. Wong Kim Ark 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]

14 As we said in section 4.5, in 1901 there was a case that came up in front of the Supreme Court called *Downes v. Bidwell*, 182  
15 U.S. 244 (1901). It was a case about exports from Puerto Rico, which was a territory, and part of the area congress had  
16 exclusive legislative authority over. The Court said:

17 *"CONSTITUTIONAL RESTRICTIONS AND LIMITATIONS [Bill of Rights] WERE **NOT** APPLICABLE*  
18 *to the areas of lands, enclaves, territories, and possessions over which Congress had **EXCLUSIVE***  
19 *LEGISLATIVE JURISDICTION"*

20 [...]

21 *"The idea prevails with some -- indeed, it found expression in arguments at the bar -- that we have in this country*  
22 *substantially or practically two national governments; one, to be maintained under the Constitution, with all its*  
23 *restrictions; the other to be maintained by Congress outside and independently of that instrument, by exercising*  
24 *such powers as other nations of the earth are accustomed to exercise."*

25 Note that they are not talking here about Constitutional protections for the *land*, the Constitution protects PEOPLE! This  
26 was confirmed by another case called *Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945).

27 **SO, IF YOU ARE DOMICILED IN THE FEDERAL "UNITED STATES\*\*", OR ARE A STATUTORY "CITIZEN**  
28 **OF THE "UNITED STATES\*\*", THE CONSTITUTION AND BILL OF RIGHTS DO NOT APPLY TO YOU!**

29 So I ask again... ARE YOU A "CITIZEN OF THE UNITED STATES"?

30 If you say YES(!)...you have THROWN YOUR BILL OF RIGHTS IN THE TOILET!!!

31 The answer most likely is NO! The Fourteenth Amendment says ... "and subject to **the** jurisdiction thereof". If they meant  
32 the jurisdiction of the 50 Union states, it would have read "and subject to **their** jurisdiction" as the Thirteenth Amendment  
33 says regarding slavery. The jurisdiction of the United States\*\* has been held over and over by the courts to be the District  
34 of Columbia, territories, enclaves, any area of land the Federal government "OWNS". The Federal government does not  
35 "OWN" the 50 Union states, it was CREATED by these States! **If you are a regular AMERICAN, born in one of the 50**  
36 **Union states, you are a NATURAL BORN CITIZEN, a Citizen of the state you were born in and a national of the United**  
37 **States\*\*\*, one of "We The People".**

38 *3C American Jurisprudence 2d, Aliens and Citizens, §2689 (1999), Who is born in United States and subject to*  
39 *United States jurisdiction*

40 *"A person is born subject to the jurisdiction of the United States, for purposes of acquiring citizenship at birth, if*  
41 *his or her birth occurs in **territory over which the United States is sovereign**, even though another country*  
42 *provides all governmental services within the territory, and the territory is subsequently ceded to the other*  
43 *country."*  
44 [3C American Jurisprudence 2d, Aliens and Citizens, §2689 (1999)]

1 The 50 Union states ARE NOT TERRITORIES and the UNITED STATES IS NOT SOVEREIGN OVER THEM!! Why  
 2 would anyone want to be a federal citizen anyway? Some people say they can't vote in a national election without being a  
 3 U.S. citizen, but if they aren't paying income taxes, who cares if they have representation?

4 (If we elect people in our state to REPRESENT US in the federal government anyway!!)

5 *"Since in common usage the term 'person' does not include the SOVEREIGN, statutes employing that term are*  
 6 *ordinarily construed to exclude it"*  
 7 [U.S. v. Cooper, 312 U.S. 600 (1941); U.S. v. General Motors, 2 F.R.D. 528; U.S. v. United Mine Workers, 330  
 8 U.S. 258 (1947)]

9 Here we have 3 cites that ADMIT THERE IS SOMETHING CALLED SOVEREIGN, IMPLY THAT PEOPLE CAN BE  
 10 SOVEREIGN, AND ADMIT THAT STATUTORY LAW IS NOT BINDING ON THEM.

11 We have prepared a series of deposition questions that focus on citizenship for use in an administrative due process hearing  
 12 or an IRS deposition. You can use this series of questions to reveal the truth to the IRS and defeat most of their bogus  
 13 arguments. These questions are found at:

[Tax Deposition Questions](http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Deposition.htm), Family Guardian Fellowship  
<http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Deposition.htm>

14 And the citizenship questions that are part of this deposition are found at:

<http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section 14.htm>

#### 16 4.12.1 Introduction

17 The purpose of the following subsections relating to citizenship is to establish with evidence the following facts:

- 18 1. That deception is often times caused by abuse, misuse, and purposeful misapplication of “words of art” and failing to  
 19 distinguish the context in which such words are used on government forms and in legal proceedings.
- 20 2. That there are two different jurisdictions and contexts in which the word “citizen” can be applied: statutory v.  
 21 constitutional.
- 22 3. That the government purposefully tries to deceive constitutional citizens into falsely identifying themselves through  
 23 willful abuse of “words of art” into declaring themselves as statutory citizens on government forms and in legal  
 24 pleadings. This causes a surrender of all constitutional rights and operates to their extreme detriment by creating lifetime  
 25 indentured financial servitude and surety in relation to the government. This occurs because a statutory citizen maintains  
 26 a domicile on federal territory, and the Bill of Rights does not apply on federal territory.

27 *"CONSTITUTIONAL RESTRICTIONS AND LIMITATIONS [Bill of Rights] WERE NOT APPLICABLE to the*  
 28 *areas of lands, enclaves, territories, and possessions over which Congress had EXCLUSIVE LEGISLATIVE*  
 29 *JURISDICTION"*  
 30 [Downes v. Bidwell, 182 U.S. 244 (1901)]

- 31 4. That once you falsely or improperly declare your status as that of statutory citizen, you are also declaring your domicile  
 32 to be within the District of Columbia pursuant to 26 U.S.C. §7701(a)(39) and 26 U.S.C. §7408(d).
- 33 5. That 8 U.S.C. §1401 defines a statutory “citizen of the United States”, where “United States” means the federal zone and  
 34 excludes states of the Union.
- 35 6. That the Fourteenth Amendment, Section 1 defines a constitutional “citizen of the United States”, where “United States”  
 36 means states of the Union and excludes the federal zone.
- 37 7. That the term “citizen of the United States” as used in the Fourteenth Amendment, Section 1 of the constitution is NOT  
 38 equivalent and mutually exclusive to the statutory “citizen of the United States” defined in 8 U.S.C. §1401. Another  
 39 way of restating this is that you cannot simultaneously be a constitutional “citizen of the United States” (Fourteenth  
 40 Amendment) and a statutory “citizen of the United States” (8 U.S.C. §1401).

41 *"The 1<sup>st</sup> section of the 14<sup>th</sup> article [Fourteenth Amendment], to which our attention is more specifically invited,*  
 42 *opens with a definition of citizenship—not only citizenship of the United States[\*\*\*], but citizenship of the states.*  
 43 *No such definition was previously found in the Constitution, nor had any attempt been made to define it by act*  
 44 *of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the*

public journals. *It had been said by eminent judges that no man was a citizen of the United States<sup>[\*\*\*]</sup> except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States<sup>[\*]</sup>, were not citizens. Whether this proposition was sound or not had never been judicially decided.*  
 [Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

8. That the term “U.S. citizen” as used on federal and state forms means a statutory “citizen of the United States” as defined in [8 U.S.C. §1401](#).
9. That a human being born within and domiciled within a state of the Union and not within a federal territory or possession is:
- 9.1. A [Fourteenth Amendment](#) section 1 constitutional “citizen of the United States”.

*“It is impossible to construe the words ‘subject to the jurisdiction thereof,’ in the opening sentence, as less comprehensive than the words ‘within its jurisdiction,’ in the concluding sentence of the same section; or to hold that persons ‘within the jurisdiction’ of one of the states of the Union are not ‘subject to the jurisdiction of the United States<sup>[\*\*\*]</sup>.’”*  
 [U.S. v. Wong Kim Ark, [169 U.S. 649](#), 18 S.Ct. 456, 42 L.Ed. 890 (1898), *emphasis added*]

- 9.2. A “national” but not a “citizen” as defined in [8 U.S.C. §1101\(a\)\(21\)](#) in respect to the federal government.
- 9.3. Not a statutory “citizen of the United States” pursuant to [8 U.S.C. §1401](#).
10. That a person born within and domiciled within a state of the Union is a non-resident non-person and a “foreign sovereign” and part of a “foreign state” with respect to the United States Government. If they are engaged in a public office, they instead are a “nonresident alien” as defined in [26 U.S.C. §7701\(b\)\(1\)\(B\)](#).
11. That the federal government uses the exceptions to the Foreign Sovereign Immunities Act found in [28 U.S.C. §1605\(a\)\(2\)](#) to turn “nonresident aliens” into “resident aliens” as defined in [26 U.S.C. §7701\(b\)\(1\)\(A\)](#) . It does this by offering commercial benefits to persons outside its jurisdiction and thereby making them “residents”.
12. That our government has a financial interest to deceive us about our true citizenship status in order to:
- 12.1. Encourage and expand the flow of unlawfully collected income tax revenues (commerce).
- 12.2. Expand its jurisdiction and control over the populace.
13. That the purpose of deliberate government deceptions about citizenship is to destroy the separation of powers between the states and the federal government that is the foundation of the Constitution of the United States of America and to destroy the protections of the Foreign Sovereign Immunities Act. It does this by:
- 13.1. Using “social insurance” as a form of commerce that makes Americans into “resident aliens” of the District of Columbia, which is what “United States” is defined as in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10) .
- 13.2. Misleading Americans into falsely declaring their status on government forms as that of a “U.S. citizen”, and thereby losing their status as a “foreign state” under the provisions of [28 U.S.C. §1603\(b\)\(3\)](#).
14. That if you are a concerned American, you cannot let this fraud continue and must act to remedy this situation immediately by taking some of the steps below.

If, after reading this document, you decide that you want to do something positive with the information you read here to improve your life and restore your sovereignty, the following options are available:

1. If you want to take an activist role in fighting this fraud, see:  
<http://famguardian.org/Subjects/Activism/Activism.htm>
2. If you want to contact the government to correct all their records describing your citizenship and tax status in order to remove all the false information about your status that you have submitted to them in the past, you may use the following excellent form for this purpose:

*Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001*  
<http://sedm.org/Forms/FormIndex.htm>

3. If want to discontinue participation in all federal benefit programs and thereby remove the commercial nexus that makes you into a “resident alien” pursuant to the Foreign Sovereign Immunities Act, 28 U.S.C. §1605(a)(2), you can use the following form:

*Resignation of Compelled Social Security Trustee, Form #06.002*  
<http://sedm.org/Forms/FormIndex.htm>

4. If you want to learn more about citizenship and sovereignty, see:

*Citizenship and Sovereignty Course, Form #12.001*  
<http://sedm.org/LibertyU/CitAndSovereignty.pdf>

5. If you want to restore your sovereignty, you can use the following procedures:

5.1. *Sovereignty Forms and Instructions Manual*, Form #10.005:

<http://sedm.org/ItemInfo/Ebooks/SovFormsInstr/SovFormsInstr.htm>

5.2. *Sovereignty Forms and Instructions Online*, Form #10.004:

<http://famguardian.org/TaxFreedom/FormsInstr.htm>

6. If you want to learn about other ways that the federal government has destroyed the separation of powers that is the heart of the United States Constitution, see:

*Government Conspiracy to Destroy the Separation of Powers*, Form #05.023

<http://sedm.org/Forms/FormIndex.htm>

7. If you want to make sure that the federal courts respect all the implications of this pamphlet and respect and protect the separation of powers in all the government's dealings with everyone, see:

*What Happened to Justice?*, Form #06.012

<http://sedm.org/Forms/FormIndex.htm>

#### 4.12.2 Sovereignty

Sovereignty is the status fought for and won by our forefathers from the British Empire, and has since become the birthright of all Natural Born Americans, and via our Constitution, we extend this status to foreign-born persons as well through our naturalization laws.

The term Sovereign is defined in Webster's Dictionary as:

*"sovereign. 1. a: one possessing or held to possess sovereignty b: one that exercises supreme authority within a limited sphere c: an acknowledged leader: ARBITER ""*  
*[Webster's Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 1128]*

In Black's Law Dictionary, Sixth Edition, the word "Sovereign" is defined as

*"Sovereign. A person, body, or state in which independent and supreme authority is vested; a chief ruler with supreme power; a king or other ruler in a monarchy."*  
*[Black's Law Dictionary, Sixth Edition, p. 1395]*

At the time of the Revolution, the King of England was the sovereign and the people within the Colonies were his subjects. After the colonies won the war with Britain, the people wanted a different status, which did not call for them to serve any man, King or body government:

*"The sovereignty has been transferred from one man to the collective body of the people - and he who before was a 'subject of the king' is now 'a citizen of the State.'"*  
*[State v. Manuel, North Carolina, Vol. 20, Page 121 (1838)]*

There is a movement within our country by persons who are reclaiming the sovereignty that is rightfully inherent in the people of this land. By definition, as sovereigns, we are free to be and do anything we want. At first glance this seem to imply that the sovereign is free of all social and moral constraints. Without qualification this could lead to what might be termed Sovereign Immunity Syndrome, i.e., a condition whereby one believes he/she is the only sovereign and therefore is above the law, as opposed to a sovereign who is surrounded by a whole world of other sovereigns, each having been endowed with the same unalienable rights.

Common Law has two major governing precepts. First, as a sovereign one is free to be and do anything he/she pleases as long as whatever is done does not injure another sovereign in his/her person, character or property; and second, that the sovereign honor all contracts and agreements that were entered into knowingly, voluntarily and willingly. Here is the way one spirited Libertarian party member described this responsibility of those who are "sovereign":

*"Your freedom to use your fist ends where my nose begins."*

To have freedom as a sovereign requires ultimate personal responsibility. Because one becomes aware of his/her sovereignty does not grant license to ride rough shod over whoever gets in the way or whoever doesn't have the same awareness of his/her sovereignty. The genuine sovereign will give respect to all other sovereigns, even those who may not be currently aware that they are sovereign. There is no asking permission to be sovereign. If you were born and are a real flesh and blood human, you are sovereign. That does not however guarantee that the sovereignty potential has been actualized. There is a Latin term

1 in law, *res ipsa loquitur*, which means the thing speaks for itself. If one is truly living as a sovereign, it will speak for itself.  
2 Unfortunately, in our land the vast majority are sovereigns who have yet to realize and actualize their potential.

3 Prior to the statutory maze that now curses the citizenry of this land we were subject to the law of the land. The United States,  
4 by way of the Constitution, adopted the Common Laws of England. *Caldwell v. Hill*, 176 S.E. 383 (1934). The Law of the  
5 Land means the Common Law *Taylor v. Porter*, (4 Hill) 140, 146, *State v. Simon*, (2 Spears) 761, 767.

6 The Constitution was adopted and made by people in their capacity as Sovereigns. They described themselves as “We the  
7 People” in the document, and they capitalized all references to their name. Sovereigns are always capitalized within written  
8 law. The words “We the People”, “Person”, and “Citizen” are all capitalized throughout the Constitution of the United States.  
9 Therefore, as a whole, the United States emanates from *the people* and the laws and constitutions of the several states are  
10 subordinate to the Constitution of the United States and the laws made pursuant to it.

11 *The words 'people of the United States' and 'citizens,' are synonymous terms, and mean the same thing. They*  
12 *both describe the political body who, according to our republican institutions, form the sovereignty, and who*  
13 *hold the power and conduct the government through their representatives. They are what we familiarly call the*  
14 *'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ..."*  
15 *[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]*  
16

17 *"Here [in America] sovereignty rests with the People."*  
18 *[Chisholm v. Georgia, (2 Dall) 415, 472]*  
19

20 *"To the Constitution of the United States the term SOVEREIGN is totally unknown. There is but one place where*  
21 *it could have been used with propriety. But, even in that place it would not, perhaps, have comported with the*  
22 *delicacy of those who ordained and established that Constitution. They might have announced themselves*  
23 *'SOVEREIGN' people of the United States. But serenely conscious of the fact, they avoided the ostentatious*  
24 *declaration."*  
25 *[Chisholm v. Georgia, (2 Dall) 440, 455]*

26 Thus, the People themselves, both singly or collectively, are sovereign, supra at 456, over both the State and the federal  
27 government and are the true SOVEREIGNS within our society.

28 *"It will be admitted on all hands that with the exception of the powers granted to the states and the federal*  
29 *government, through the Constitutions, the people of the several states are unconditionally sovereign within their*  
30 *respective states."*  
31 *[Ohio L. Ins. & T. Co. v. Debolt, 16 How. 416, 14 L.Ed. 997 ]*

32 *"The people of the state, as the successors of its former sovereign, are entitled to all the rights which formerly*  
33 *belonged to the king by his own prerogative."*  
34 *[Lansing v. Smith, (1829) 4 Wendell 9, (NY)]*

35 The Privileges and Immunities of a Citizen of a state of the Union are completely different than those of a "citizen of the  
36 United States", see *K. Tashiro v Jordan*, 201 Cal. 236, 246, 256 p. 545 (1927). The United States Supreme Court in *National*  
37 *City Bank v. Republic of China*, 348 U.S. 356, 99 L.Ed. 389, 75 S.Ct. 423 (1955) stated at page 363:

38 *"(a) The Court of Claims is available to foreign nationals (or their governments)..."*

39 The Executive Branch's agency, the Internal Revenue Service, has also recognized this by stating in the Internal Revenue  
40 Manual (I.R.M.), Section 35.18.10.1 that those who are “nationals” and therefore “nonresident aliens” and who wish to sue  
41 the government for violations of the tax code MUST do so only in the Court of Claims and cannot file suit in Federal District  
42 Court:

43 *Internal Revenue Manual (I.R.M.), Section 35.18.10.1 (08-31-1982) District Courts*

44 *Section 1402(a)(1) of the Judicial Code (28 U.S.C. §1402(a)(1)) provides that if an action is brought against the*  
45 *United States under section 1346(a) of the Judicial Code by an entity other than a corporation, it must be brought*  
46 *in the judicial district where the plaintiff resides. Accordingly, where an individual resides outside of the [federal]*  
47 *United States (e.g., a nonresident alien), he or she may not bring a refund suit in a district court. Malajalian v.*  
48 *United States, 504 F.2d. 842 (1st Cir. 1974). These cases may be brought only in the Court of Claims.*

1 This premise is based on the legal maxim that Sovereigns enjoy judicial immunity under the Foreign Sovereign Immunities  
2 Act (F.S.I.A.) and that no enforceable right exists against the Sovereign [the people] who makes the laws:

3 *"A sovereign is exempt from suit, not because of any formal conception or obsolete theory, but on the logical  
4 and practical ground that there can be no legal right as against the authority that makes the law on which the  
5 right depends."*

6 *[Kawananakoa v. Polybank, 205 U.S. 349, 353]*

7 It is undisputable that the Citizens of the several states United granted limited powers to the federal government, because the  
8 people are vested with complete sovereignty. The Constitution of each state created the state, and the federal Constitution  
9 created the federal government. The creation, which is the government so formed, cannot be greater than the Creator, which  
10 is the sovereign People. State and federal governments, through the IRS or state revenue agencies, cannot destroy or  
11 embarrass the sovereign people, whether it be their property, by takings, or their credit ratings, by manufacturing false debts  
12 without legal authority. Only by voluntary consent and no enforcement authority whatsoever may they proceed against the  
13 Sovereign People, or they proceed unlawfully and commit a tort.

14 *"The great principle is this: because the constitution will not permit a state to destroy, it will not permit a law  
15 involving the power to destroy."*

16 *[Providence Bank v. Billings, 29 U.S. 514 (1830)]*

17 Those who are truly "sovereign" cannot be the subject of any federal statute or "act of Congress" and in fact, their rights can't  
18 even be defined or circumscribed by any law. The main purpose of law is to protect people's rights by controlling and limiting  
19 and defining the delegated authority of public servants. Laws keep our "public servants" inside a box, but do not regulate or  
20 control the People, who are their Masters. To even define rights is to limit them. Furthermore, all federal statutes that apply  
21 to these public servants only have jurisdiction inside the federal zone anyway by default. Recall from our earlier discussion  
22 that the federal zone is not covered by the Bill of Rights, so Congress had to write federal laws as a substitute for the Bill Of  
23 Rights within the federal zone only. We should always remember who those laws exclusively apply to: those domiciled in  
24 the federal zone, federal instrumentalities, public officers, and federal statutory "employees". This isn't you, my friend!  
25 Laws control, and sovereigns can't be controlled, because according to the Supreme Court as stated above in Yick Wo v.  
26 Hopkins, 118 U.S. 356 (1886), sovereignty is the source of law, not the object of it.

27 *"When we consider the nature and the theory of our institutions of government, the principles on which they are  
28 supposed to rest, and review the history of their development, we are constrained to conclude that they do not  
29 mean to leave room for the play and action of purely personal and arbitrary power. Sovereignty itself is, of  
30 course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are  
31 delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom  
32 all government exists and acts. And the law is the definition and limitation of power. It is, indeed, quite true  
33 that there must always be lodged somewhere, and in some person or body, the authority of final decision; and in  
34 many cases of mere administration, the responsibility is purely political, no appeal lying except to the ultimate  
35 tribunal of the public judgment, exercised either in the pressure of opinion, or by means of the suffrage. But the  
36 fundamental rights to life, liberty, and the pursuit of happiness, considered as individual possessions, are secured  
37 by those maxims of constitutional law which are the monuments showing the victorious progress of the race in  
38 securing to men the blessings of civilization under the reign of just and equal laws, so that, in the famous language  
39 of the Massachusetts bill of rights, the government of the commonwealth 'may be a government of laws and not  
40 of men.' For the very idea that one man may be compelled to hold his life, or the means of living, or any material  
41 right essential to the enjoyment of life, at the mere will of another, seems to be intolerable in any country where  
42 freedom prevails, as being the essence of slavery itself."*

43 *[Yick Wo v. Hopkins, 118 U.S. 356 (1886)]*

44 Remember who wrote the Constitution: "We the People". The Constitution is law, and you are a part of the group of sovereign  
45 people it was written by and for: We the People.

46 *"And the Constitution itself is in every real sense a law-the lawmakers being the people themselves, in whom  
47 under our system all political power and sovereignty primarily resides, and through whom such power and  
48 sovereignty primarily speaks. It is by that law, and not otherwise, that the legislative, executive, and judicial  
49 agencies which it created exercise such political authority as they have been permitted to possess. The  
50 Constitution speaks for itself in terms so plain that to misunderstand their import is not rationally possible.  
51 'We the People of the United States,' it says, 'do ordain and establish this Constitution.' Ordain and establish!  
52 These are definite words of enactment, and without more would stamp what follows with the dignity and character  
53 of law. The framers of the Constitution, however, were not content to let the matter rest here, but provided  
54 explicitly-'This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; ...  
55 shall be the supreme Law of the Land.' (Const. art. 6, cl. 2.) The supremacy of the Constitution as law is thus  
56 declared without qualification. That supremacy is absolute; the supremacy of a statute enacted by Congress is  
57 not absolute but conditioned upon its being made in pursuance of the Constitution. And a judicial tribunal,*



clothed by that instrument with complete judicial power, and, therefore, by the very nature of the power, required to ascertain and apply the law to the facts in every case or proceeding properly brought for adjudication, must apply the supreme law and reject the inferior statute whenever the two conflict. In the discharge of that duty, the opinion of the lawmakers that a statute passed by them is valid must be given great weight, *Adkins v. Children's Hospital*, [261 U.S. 525, 544](#), 43 S.Ct. 394, 24 A.L.R. 1238; but their opinion, or the court's opinion, that the statute will prove greatly or generally beneficial is wholly irrelevant to the inquiry. *Schechter Poultry Corp. v. United States*, [295 U.S. 495, 549](#), 550 S., 55 S.Ct. 837, 97 A.L.R. 947. "  
[*Carter v. Carter Coal Co.*, [298 U.S. 238](#) (1936)]

You are a Sovereign. The constitution *excludes* you from federal jurisdiction in all but a very few minor cases and protects your rights with the Bill of Rights. As you will learn later in section 4.12.12 et seq, this condition of "sovereign immunity" is exactly a condition of citizenship called "national" or "state national", which is defined in section 8 U.S.C. §1101(a)(21). The rights and privileges of "nationals" are nowhere limited in title 8 of the U.S. Code, and this is definitely no accident. Nowhere in the U.S. Code are duties or liabilities imposed upon "nationals" because they are sovereign. Do a search of the U.S. Code for the word "national of the United States" and verify this for yourself if you like. The method for becoming a "national" and a "nonresident alien" under federal law as a person born *outside* of federal jurisdiction (the "United States" in federal law) and in a state of the Union is nowhere described in federal law and this is no accident. These people are NOT subject to federal law or federal jurisdiction! That is what makes them sovereign to begin with. The only way a sovereign can ever lose his or her sovereignty is one of the following four methods:

1. By injuring the *equal* rights of another sovereign, thereby forfeiting their own rights in the process, which then subjects them to criminal and civil liability only towards the person they injured, and not towards the government.
2. By electing as a "nonresident alien" to be treated as an "alien" subject to federal jurisdiction, who is called a "resident" within the Internal Revenue Code. This election is done under the authority of 26 U.S.C. §6013(g).
3. By misrepresenting our status to the government, and claiming to be "U.S. citizens" or "resident" on a government form, both of which do not describe those born in states of the Union. Under the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. §§1602-1611, "U.S. citizens" are exempted from being classified as "foreign sovereigns" and enjoying the benefits of sovereign immunity. See 28 U.S.C. §1603(b) and 28 U.S.C. §1332(c) and (d).
4. Signing or consenting verbally to any contract with the government that causes us to surrender our rights. For instance, anyone who has or uses a Socialist Security Number is "presumed" to be a "U.S. citizen":

[26 C.F.R. §301.6109-1\(g\)](#)

(g) Special rules for taxpayer identifying numbers issued to foreign persons--(1) General rule--(i) Social security number. A social security number is generally identified in the records and database of the Internal Revenue Service as a number belonging to a U.S. citizen or resident alien individual. A person may establish a different status for the number by providing proof of foreign status with the Internal Revenue Service under such procedures as the Internal Revenue Service shall prescribe, including the use of a form as the Internal Revenue Service may specify. Upon accepting an individual as a nonresident alien individual, the Internal Revenue Service will assign this status to the individual's social security number.

The last three methods of losing our sovereignty above are usually done because of ignorance or stupidity. The first one is accomplished through malice and violation of God's Holy laws. When we violate God's laws, our punishment is an eye for an eye, and a tooth for a tooth, just as the Bible says. When you take away or violate other people's *equal* rights, you lose yours also. This loss of rights executed in the interests of public protection is the main source of most government jurisdiction over sovereigns. This approach, in fact, is the essence of equal protection of the laws that is the foundation of our system of jurisprudence and of Jesus' "Golden Rule":

"Therefore, whatever you want men to do to you, do also to them, for this is the Law and the Prophets."  
[Jesus in Matt. 7:12, Bible, NKJV]

"But if any harm follows, then you shall give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burn for burn, wound for wound, stripe for stripe."  
[Exodus 21:23-25, Bible, NKJV]

When we injure the rights of a fellow sovereign, then we violate our contract or covenant with God Himself in the Bible to love our neighbor. Those who love their neighbor don't hurt him. The essence of justice is not hurting our neighbor, and its purpose is making sure we take responsibility when we do. See:

What is "Justice"?, Form #05.050  
<https://sedm.org/Forms/FormIndex.htm>

This is a duty owed to God. Since our rights come from God and He protects them as the Divine judge, then we owe allegiance and have a personal duty to love and honor Him. As attorney Eduardo Rivera has said:

*"All rights come from duties."  
[Dr. Eduardo Rivera]*

We restate the above by saying:

*"You can't own yourself until you agree to be COMPLETELY RESPONSIBLE for yourself. Ownership and responsibility ALWAYS go together. You aren't entitled to the 'benefits' of ownership until you are also willing to assume the DUTIES that produce those benefits."  
[Family Guardian Fellowship]*

Therefore, don't foolishly go searching in federal statutes for a statute that limits or even defines your rights or duties as a Sovereign. The closest any federal statute can come is to give a name to your status. You don't need a federal statute to define your rights. The Bill of Rights and the Constitution afford all the definition necessary for your rights, and no vain statute (written by a covetous politician) is necessary to file a claim in any court for invasion of those rights by any government official. Remember? Your rights as a Sovereign don't come from any vain law passed by a bunch of greedy lawyers in the District of Columbia (Washington, D.C.) who sit around all day trying to invent new ways to steal more of your money. They come from God Himself!

*"What right have you [in Congress, any judge in a federal court, or in any legislative body for that matter] to declare My [God's] statutes [write man's vain law], or take My covenant [the Bible] in your mouth, seeing you hate instruction and cast My words behind you? When you saw a thief [another politician or a greedy voter], you consented with him, and have been a partaker with adulterers. You give your mouth to evil, and your tongue frames deceit [in the tax code]. You [in the Department of Justice, see: <http://www.usdoj.gov/tax/TEN.htm>] sit and speak against your brother; you slander your own mother's son. These things you have done, and I kept silent; you thought that I was altogether like you; but I will reprove you, and set them in order before your eyes. Now consider this, you who forget God, lest I tear you in pieces, and there be none to deliver: Whoever offers praise glorifies Me; and to him who orders his conduct aright I will show the salvation of God."  
[Psalm 50:16-23, Bible, NKJV]*

A true "sovereign" is immune from the jurisdiction of laws and courts. This immunity results mainly from any one of the following three factors:

1. Coming under the provisions of the "Foreign Sovereign Immunities Act" of 1976, codified in 28 U.S.C. Chapter 97 at: [http://assembler.law.cornell.edu/uscode/html/uscode28/usc\\_sup\\_01\\_28\\_10\\_IV\\_20\\_97.html](http://assembler.law.cornell.edu/uscode/html/uscode28/usc_sup_01_28_10_IV_20_97.html)
2. Diplomatic immunity found in [4 U.S.C. §112](#).
3. Being "foreign" to, or outside of the legislative and territorial and subject matter jurisdiction of the United States government.

A person who is a sovereign but doesn't know what his rights are and doesn't understand or read the law will quickly become a slave and a victim of shysters in the legal profession and be bilked of all of his property and wealth.

*"A fool and his money are soon parted." [Benjamin Franklin]*

That is why it is absolutely crucial for you to read and understand at least chapters 3 through 5 of this book: as protection for your rights:

*"Only the educated are free."  
[Epicetus, Discourses]*

*"Knowledge will forever govern ignorance, and people who mean to be their own governors, must arm themselves with the power which knowledge gives."  
[James Madison]*

*"...the greatest menace to freedom is an inert [passive, ignorant, and uneducated] people [who refuse, as jurists and voters and active citizens, to expose and punish evil in our government]"  
[Whitney v. California, [274 U.S. 357](#) (1927)]*

*"The American people have always regarded education and acquisition of knowledge as matters of supreme importance which should be diligently promoted [in order to maintain and protect their [liberty](#)]. The Ordinance*

of 1787 declares: **Religion, morality and knowledge being necessary to good government and the happiness [and liberty] of mankind, schools and the means of education shall forever be encouraged.**  
[Meyer v. State of Nebraska, 262 U.S. 390 (1923)]

"And thou shalt teach them ordinances and laws [of both God and man], and shalt shew them the way wherein they must walk, and the work [of obedience to God] that they must do."  
[Exodus 18:20, Bible, NKJV]

"My [God's] people are destroyed [and enslaved] for lack of knowledge [and the lack of education that produces it]."  
[Hosea 4:6, Bible, NKJV]

#### 4.12.3 "Statutory" v. "Constitutional" Citizens

STATUTORY citizenship is a CIVIL status that designates a person's domicile while CONSTITUTIONAL citizenship is a POLITICAL status that designates a person's nationality. Understanding the distinction between nationality and domicile is absolutely critical.

##### 1. Nationality:

- 1.1. Is not necessarily consensual or discretionary. For instance, acquiring nationality by birth in a specific place was not a matter of choice whereas acquiring it by naturalization is.
- 1.2. Is a political status.
- 1.3. Is defined by the Constitution, which is a political document.
- 1.4. Is synonymous with being a "national" within statutory law.
- 1.5. Is associated with a specific COUNTRY.
- 1.6. Is called a "political citizen" or a "citizen of the United States in a political sense" by the courts to distinguish it from a STATUTORY citizen. See Powe v. United States, 109 F.2d. 147 (1940).

##### 2. Domicile:

- 2.1. Always requires your consent and therefore is discretionary. See:

*Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002  
<http://sedm.org/Forms/FormIndex.htm>

- 2.2. Is a civil status.
- 2.3. Is not even addressed in the constitution.
- 2.4. Is defined by civil statutory law RATHER than the constitution.
- 2.5. Is in NO WAY connected with one's nationality.
- 2.6. Is usually connected with the word "person", "citizen", "resident", or "inhabitant" in statutory law.
- 2.7. Is associated with a specific COUNTY and a STATE rather than a COUNTRY.
- 2.8. Implies one is a "SUBJECT" of a SPECIFIC MUNICIPAL but not NATIONAL government.

Nationality and domicile, TOGETHER determine the political AND civil status of a human being. These important distinctions are recognized in Black's Law Dictionary:

*"nationality – That quality or character which arises from the fact of a person's belonging to a nation or state. Nationality determines the political status of the individual, especially with reference to allegiance; while domicile determines his civil [statutory] status. Nationality arises either by birth or by naturalization."*  
[Black's Law Dictionary (6th ed. 1990), p. 1025]

President Barack Obama affirmed our assertions that there are TWO components to your citizenship status at the end of his State of the Union address given on 2/12/2013:

*President Obama Recognizes separate POLITICAL and LEGAL components of citizenship*, Exhibit #01.013  
EXHIBITS PAGE: <http://sedm.org/Exhibits/ExhibitIndex.htm>  
DIRECT LINK: <http://sedm.org/Exhibits/EX01.013.mp4>

The U.S. Supreme Court also confirmed the above when they held the following. Note they key phrase "political jurisdiction", which is NOT the same as legislative/statutory jurisdiction. One can have a political status of "citizen" under the constitution while NOT being a "citizen" under federal statutory law because not domiciled on federal territory. To have the status of "citizen" under federal statutory law, one must have a domicile on federal territory:

1 “This section contemplates two sources of citizenship, and two sources only, -birth and naturalization. The  
 2 persons declared to be citizens are 'all persons born or naturalized in the United States, and **subject to the**  
 3 **jurisdiction thereof.**' The evident meaning of these last words is, not merely subject in some respect or degree to  
 4 the jurisdiction of the United States, **but completely subject to their [plural, not singular, meaning states of the**  
 5 **Union] political jurisdiction, and owing them [the state of the Union] direct and immediate**  
 6 **allegiance.** And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time  
 7 of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth  
 8 cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the  
 9 naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired.”  
 10 [U.S. v. Wong Kim Ark, [169 U.S. 649](#), 18 S.Ct. 456; 42 L.Ed. 890 (1898)]

11 “This right to protect persons having a domicile, though not native-born or naturalized citizens, rests on the firm  
 12 foundation of justice, and the **claim to be protected** is earned by considerations which the protecting power is not  
 13 at liberty to disregard. Such domiciled citizen pays the same price for his protection as native-born or naturalized  
 14 citizens pay for theirs. **He is under the bonds of allegiance to the country of his residence, and, if he breaks**  
 15 **them, incurs the same penalties. He owes the same obedience to the civil laws.** His property is, in the same  
 16 way and to the same extent as theirs, liable to contribute to the support of the Government. In nearly all respects,  
 17 his and their condition as to the duties and burdens of Government are undistinguishable.”  
 18 [Fong Yue Ting v. United States, [149 U.S. 698](#) (1893) ]

19 Notice in the last quote above that they referred to a foreign national born in another country as a “citizen”. THIS is the  
 20 “citizen” that judges and even tax withholding documents are really talking about, rather than the “national” described in the  
 21 constitution.

22 Domicile and NOT nationality is what imputes a status under the tax code and a liability for tax. Tax liability is a civil  
 23 liability that attaches to civil statutory law, which in turn attaches to the person through their choice of domicile. When you  
 24 CHOOSE a domicile, you elect or nominate a protector, which in turn gives rise to an obligation to pay for the civil protection  
 25 demanded. The method of providing that protection is the civil laws of the municipal (as in COUNTY) jurisdiction that you  
 26 chose a domicile within.

27 “domicile. A person's legal home. That place where a man has his true, fixed, and **permanent home** and  
 28 principal establishment, and to which whenever he is absent he has **the intention of** returning. *Smith v. Smith*,  
 29 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and **the intention** to make it one's  
 30 home are the requisites of establishing a “domicile” therein. The permanent residence of a person or the place  
 31 to which he **intends to** return even though he may actually reside elsewhere. A person may have more than one  
 32 residence but only one domicile. **The legal domicile of a person is important since it, rather than the actual**  
 33 **residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise**  
 34 **the privilege of voting and other legal rights and privileges.”**  
 35 [Black's Law Dictionary, Sixth Edition, p. 485]

36 Later versions of Black's Law Dictionary attempt to cloud this important distinction between nationality and domicile in  
 37 order to unlawfully and unconstitutionally expand federal power into the states of the Union and to give federal judges  
 38 unnecessary and unwarranted discretion to kidnap people into their jurisdiction using false presumptions. They do this by  
 39 trying to make you believe that domicile and nationality are equivalent, when they are EMPHATICALLY NOT. Here is an  
 40 example:

41 **“nationality – The relationship between a citizen of a nation and the nation itself, customarily involving**  
 42 **allegiance by the citizen and protection by the state; membership in a nation. This term is often used**  
 43 **synonymously with citizenship.”**  
 44 [Black's Law Dictionary (8th ed. 2004)]

45 Federal courts regard the term “citizenship” as equivalent to domicile, meaning domicile on federal territory.

46 **“The words “citizen” and citizenship,” however, usually include the idea of domicile, Delaware, L. & W.R.**  
 47 **Co. v. Petrowsky, C.C.A.N.Y., 250 F. 554, 557.”**  
 48 [Black's Law Dictionary, Fourth Edition, p. 310]

49 Hence:

- 50 1. The term “citizenship” is being stealthily used by government officials as a magic word that allows them to hide their  
 51 presumptions about your status. Sometimes they use it to mean NATIONALITY, and sometimes they use it to mean  
 52 DOMICILE.

2. The use of the word “citizenship” should therefore be AVOIDED when dealing with the government because its meaning is unclear and leaves too much discretion to judges and prosecutors.
3. When someone from any government uses the word “citizenship”, you should:
  - 3.1. Tell them NOT to use the word, and instead to use “nationality” or “domicile”.
  - 3.2. Ask them whether they mean “nationality” or “domicile”.
  - 3.3. Ask them WHICH political subdivision they imply a domicile within: federal territory or a constitutional state of the Union.

A failure to either understand or apply the above concepts can literally mean the difference between being a government pet in a legal cage called a franchise, and being a free and sovereign man or woman.

#### 4.12.3.1 CONTEXT is EVERYTHING in the field of citizenship

Citizenship terms are defined by the CONTEXT in which they are used. There are TWO contexts: STATUTORY and CONSTITUTIONAL.

*Citizenship of the United States is defined by the Fourteenth Amendment and federal statutes, but the requirements for citizenship of a state generally depend not upon definition but the constitutional or statutory context in which the term is used. Risewick v. Davis, 19 Md. 82, 93 (1862); Halaby v. Board of Directors of University of Cincinnati, 162 Ohio St. 290, 293, 123 N.E.2d 3 (1954) and authorities therein cited.*

*The decisions illustrate the diversity of the term's usage. In Field v. Adreon, 7 Md. 209 (1854), our predecessors held that an unnaturalized foreigner, residing and doing business in this State, was a citizen of Maryland within the meaning of the attachment laws. The Court held that the absconding debtor was a citizen of the State for commercial or business purposes, although not necessarily for political purposes. Dorsey v. Kyle, 30 Md. 512, 518 (1869), is to the same effect. Judge Alvey, for the Court, said in that case, that 'the term citizen, used in the formula of the affidavit prescribed by the 4th section of the Article of the Code referred to, is to be taken as synonymous with inhabitant or permanent resident.'*

*Other jurisdictions have equated residence with citizenship of the state for political and other non-commercial purposes. In re Wehlitz, 16 Wis. 443, 446 (1863), held that the Wisconsin statute designating 'all able-bodied, white, male citizens' as subject to enrollment in the militia included an unnaturalized citizen who was a resident of the state. 'Under our complex system of government,' the court said, 'there may be a citizen of a state, who is not a citizen of the United States in the full sense of the term.' McKenzie v. Murphy, 24 Ark. 155, 159 (1863), held that an alien, domiciled in the state for over ten years, was entitled to the homestead exemptions provided by the Arkansas statute to 'every free white citizen of this state, male or female, being a householder or head of a family \* \* \*'. The court said: 'The word 'citizen' is often used in common conversation and writing, as meaning only an inhabitant, a resident of a town, state, or county, without any implication of political or civil privileges; and we think it is so used in our constitution.' Halaby v. Board of Directors of University, supra, involved the application of a statute which provided free university instruction to citizens of the municipality in which the university is located. The court held that the plaintiff, an alien minor whose parents were residents of and conducted a business in the city, was entitled to the benefits of that statute, saying: 'It is to be observed that the term, 'citizen,' is often used in legislation where 'domicile' is meant and where United States citizenship has no reasonable relationship to the subject matter and purpose of the legislation in question.'*

*Closely in point to the interpretation of the constitutional provision here involved is a report of the Committee of Elections of the House of Representatives, made in 1823. A petitioner had objected to the right of a Delegate to retain his seat from what was then the Michigan Territory. One of the objections was that the Delegate had not resided in the Territory one year previous to the election in the status of a citizen of the United States. An act of Congress passed in 1819, 3 Stat. 483 provided that 'every free white male citizen of said Territory, above the age of twenty-one years, who shall have resided therein one year next preceding' an election shall be entitled to vote at such election for a delegate to Congress. An act of 1823, 3 Stat. 769 provided that all citizens of the United States having the qualifications set forth in the former act shall be eligible to any office in the Territory. The Committee held that the statutory requirement of citizenship of the Territory for a year before the election did not mean that the aspirant for office must also have been a United States citizen during that period. The report said: 'It is the person, the individual, the man, who is [221 A.2d 435] spoken of, and who is to possess the qualifications of residence, age, freedom, &c. at the time he offers to vote, or is to be voted for \* \* \*'. Upon the filing of the report, and the submission of a resolution that the Delegate was entitled to his seat, the contestant of the Delegate's election withdrew his protest, and the sitting Delegate was confirmed. Biddle v. Richard, Clarke and Hall, Cases of Contested Elections in Congress (1834) 407, 410.*

1 There is no express requirement in the Maryland Constitution that sheriffs be United States citizens. Voters must  
 2 be, under Article I, Section 1, but Article IV, Section 44 does not require that sheriffs be voters. A person does  
 3 not have to be a voter to be a citizen of either the United States or of a state, as in the case of native-born minors.  
 4 In Maryland, from 1776 to 1802, the Constitution contained requirements of property ownership for the exercise  
 5 of the franchise; there was no exception as to native-born citizens of the State. Steiner, *Citizenship and Suffrage*  
 6 in Maryland (1895) 27, 31.

7 The Maryland Constitution provides that the Governor, Judges and the Attorney General shall be qualified voters,  
 8 and therefore, by necessary implication, citizens of the United States. Article II, Section 5, Article IV, Section 2,  
 9 and Article V, Section 4. The absence of a similar requirement as to the qualifications of sheriffs is significant.  
 10 So also, in our opinion, is the absence of any period of residence for a sheriff except that he shall have been a  
 11 citizen of the State for five years. The Governor, Judges and Attorney General in addition to being citizens of the  
 12 State and qualified voters, must have been a resident of the State for various periods. The conjunction of the  
 13 requisite period of residence with state citizenship in the qualifications for sheriff strongly indicates that, as in  
 14 the authorities above referred to, state citizenship, as used in the constitutional qualifications for this office, was  
 15 meant to be synonymous with domicile, and that citizenship of the United States is not required, even by  
 16 implication, as a qualification for this office. The office of sheriff, under our Constitution, is ministerial in nature;  
 17 a sheriff's function and province is to execute duties prescribed by law. See *Buckeye Dev. Crop. v. Brown &*  
 18 *Schilling, Inc., Md., 220 A.2d. 922*, filed June 23, 1966 and the concurring opinion of Le Grand, C. J. in *Mayor*  
 19 *& City Council of Baltimore v. State, ex rel. Bd. of Police, 15 Md. 376, 470, 488-490 (1860)*.

20 It may well be that the phrase, 'a citizen of the State,' as used in the constitutional provisions as to qualifications,  
 21 implies that a sheriff cannot owe allegiance to another nation. By the naturalization act of 1779, the Legislature  
 22 provided that, to become a citizen of Maryland, an alien must swear allegiance to the State. The oath or  
 23 affirmation provided that the applicant renounced allegiance 'to any king or prince, or any other State or  
 24 Government.' Act of July, 1779, Ch. VI; Steiner, op. cit. 15. In this case, on the admitted facts, there can be no  
 25 question of the appellant's undivided allegiance.

26 The court below rested its decision on its conclusion that, under the Fourteenth Amendment, no state may confer  
 27 state citizenship upon a resident alien until such resident alien becomes a naturalized citizen of the United States.  
 28 The court relied, as does not Board in this appeal, upon *City of Minneapolis v. Reum, 56 F. 576, 581 (8th Cir.*  
 29 *1893)*. In that case, an alien resident of Minnesota, who had declared his intention to become a citizen of the  
 30 United States but had not been naturalized, brought a suit, based on diversity of citizenship, against the city in  
 31 the Circuit Court of the United States for the District of Minnesota under Article III, Section 2 of the United States  
 32 Constitution which provides that the federal judicial power shall extend to 'Controversies between \* \* \* a State,  
 33 or the Citizens thereof, and foreign States, Citizens or Subjects.' At the close of the evidence, the defendant moved  
 34 to dismiss the action for want of jurisdiction, on the [221 A.2d 436] ground that the evidence failed to establish  
 35 the allegation that the plaintiff was an alien. The court denied the motion, the plaintiff recovered judgment, and  
 36 the defendant claimed error in the ruling on jurisdiction. The Circuit Court of Appeals affirmed. Judge Sanborn,  
 37 for the court, stated that even though the plaintiff were a citizen of the state, that fact could not enlarge or restrict  
 38 the jurisdiction of the federal courts over controversies between aliens and citizens of the state. The court said:  
 39 'It is not in the power of a state to denationalize a foreign subject who has not complied with the federal  
 40 naturalization laws, and constitute him a citizen of the United States or of a state, so as to deprive the federal  
 41 courts of jurisdiction \* \* \*.'

42 Reum dealt only with the question of jurisdiction of federal courts under the diversity of citizenship clause of the  
 43 federal Constitution. That a state cannot affect that jurisdiction by granting state citizenship to an unnaturalized  
 44 alien does not mean it cannot make an alien a state citizen for other purposes. Under the Fourteenth Amendment  
 45 all persons born or naturalized in the United States are citizens of the United States and of the state in which they  
 46 reside, but we find nothing in Reum or any other case which requires that a citizen of a state must also be a citizen  
 47 of the United States, if no question of federal rights or jurisdictions is involved. As the authorities referred to in  
 48 the first portion of this opinion evidence, the law is to the contrary.

49 Absent any unconstitutional discrimination, a state has the right to extend qualification for state office to its  
 50 citizens, even though they are not citizens of the United States. This, we have found, is what Maryland has done  
 51 in fixing the constitutional qualifications for the office of sheriff. The appellant meets the qualifications which our  
 52 Constitution provides.

53 [*Crosse v. Board of Sup'rs of Elections of Baltimore City, 221 A.2d. 431, 243 Md. 555 (Md., 1966) ]*

#### 54 **4.12.3.2 Comparison of STATUTORY "U.S.\*\* citizen" with CONSTITUTIONAL "U.S.\*\*\* citizen" on the** 55 **subject of voting**

56 In the Jones Act of 1917, also known as the Organic Act of 1917, Congress extended U.S. citizenship to persons  
 57 then living in Puerto Rico, and to persons born in Puerto Rico thereafter. See Jones Act, 39 Stat. 951 (1917). For  
 58 voting rights, however, **the status of a U.S. citizen living in the U.S. territory of Puerto Rico is not identical to**  
 59 **that of a U.S. citizen living in a State.** Article IV of the Constitution empowers Congress "to dispose of and make  
 60 all needful Rules and Regulations respecting the Territory... belonging to the United States." U.S. Const. art. 4,  
 61 §3. **In the Insular Cases, decided in 1901,2 and in a series of subsequent decisions, the Supreme Court has**  
 62 **held that because territories such as Puerto Rico belong to the United States but are not "incorporated into the**

United States as a body politic," Dorr v. United States, 195 U.S. 138, 143 (1904); see also Balzac v. People of Porto Rico, 258 U.S. 298, 304-05 (1922), Congress's regulation of the territories under Article IV is not "subject to all the restrictions which are imposed upon [Congress] when passing laws for the United States," Dorr, 195 U.S. at 142; see also Jose A. Cabranes, Citizenship and the American Empire 45-51 (1979); Juan R. Torruella, The Supreme Court and Puerto Rico: The Doctrine of Separate and Unequal 40 -74 (1985). Congress's power in the territories is not unlimited; territorial regulations must comport with those basic principles "so fundamental [in] nature" that they form "the basis of all free government." Downes v. Bidwell, 182 U.S. 244, 291 (1901) (White, J., concurring). But such principles Page 123 of fundamental justice do not incorporate all the mandates of the Bill of Rights. See Balzac, 258 U.S. at 304-05; Dorr, 195 U.S. at 149; Territory of Hawaii v. Mankichi, 190 U.S. 197, 211, 217-18 (1903).

Citizens living in Puerto Rico, like all U.S. citizens living in U.S. territories, possess more limited voting rights than U.S. citizens living in a State. Puerto Rico does not elect voting representatives to the U.S. Congress. It is represented in the House of Representatives by a Resident Commissioner who is "entitled to receive official recognition... by all of the departments of the Government of the United States," but who is not granted full voting rights. See 48 U.S.C. §891; see also Juan R. Torruella, Hacia Donde vas Puerto Rico?, 107 Yale L.J. 1503, 1519-20 & n.105 (1998) (reviewing Jose Trias Monge, Puerto Rico: The Trials of the Oldest Colony in the World (1997)). In addition, citizens residing in Puerto Rico do not vote for the President and Vice President of the United States. Indeed, the Constitution does not directly confer on any citizens the right to vote in a presidential election. Article II, section 1 provides instead that "[e]ach state shall appoint, in such manner as the legislature thereof may direct, a number of electors," whose function is to select the President. The Constitution thus confers the right to vote in presidential elections on electors designated by the States, not on individual citizens. See Bush v. Gore, 121 S.Ct. 525, 529 (2000). Accordingly, no U.S. citizen, whether residing in a State or territory or elsewhere, has an expressly declared constitutional right to vote for electors in presidential elections. See McPherson v. Blacker, 146 U.S. 1, 25 (1892) ("The clause under consideration does not read that the people or the citizens shall appoint, but that 'each state shall....'"). Despite the fact that the Constitution confers the power to appoint electors on States rather than on individual citizens, most U.S. citizens have a limited, constitutionally enforceable right to vote in presidential elections as those elections are currently configured. The States have uniformly exercised their Article II authority by delegating the power to appoint presidential (and vice-presidential) electors to U.S. citizens residing in the State to be exercised in democratic elections. In so delegating the power to appoint electors, States are barred under the Constitution from delegating that power in any way that "violates other specific provisions of the Constitution." Williams v. Rhodes, 393 U.S. 23, 29 (1968); see also Anderson v. Celebrezze, 460 U.S. 780, 794-95 n.18 (1983). U.S. citizens who are residents of Puerto Rico and the other U.S. territories have not received similar rights to vote for presidential electors because the process set out in Article II for the appointment of electors is limited to "States" and does not include territories. U.S. territories (including Puerto Rico) are not States, and therefore those Courts of Appeals that have decided the issue have all held that the absence of presidential and vice-presidential voting rights for U.S. citizens living in U.S. territories does not violate the Constitution. See *Igartua de la Rosa v. United States*, 32 F.3d. 8, 9-10 (1st Cir. 1994) (per curiam) ("Igartua I"); Attorney General of the Territory of Guam v. United States, 738 F.2d. 1017, 1019 (9th Cir. 1984) ("Since Guam... is not a state, it can have no electors, and plaintiffs cannot exercise individual votes in a presidential election."); see also *Igartua de la Rosa v. United States*, 229 F.3d. 80, 83-85 Page 124 (1st Cir. 2000) (per curiam) ("Igartua II") (reaffirming the holding of *Igartua I*).

The question we face here is a slightly different one -- not whether Puerto Ricans have a constitutional right to vote for the President, but rather whether Equal Protection is violated by the UOCAVA, in that it provides presidential voting rights to former residents of States residing outside the United States but not to former residents of States residing in Puerto Rico. Like the First Circuit, we answer this question in the negative. See *Igartua I*, 32 F.3d. at 10-11. Plaintiff contends that because of the distinctions it draws among various categories of U.S. citizens, the UOCAVA is subject to strict scrutiny under the Equal Protection Clause. Defendants argue in response that application of strict scrutiny is inappropriate, and that the application of strict scrutiny is precluded by the Supreme Court's decision in *Harris v. Rosario*, 446 U.S. 651, 651-52 (1980) (per curiam) (holding that under Article IV, section 3, Congress "may treat Puerto Rico differently from States so long as there is a rational basis for its actions"); see also *Califano v. Gautier Torres*, 435 U.S. 1, 3 n.4 (1978) (per curiam) (suggesting that "Congress has the power to treat Puerto Rico differently and that every federal program does not have to be extended to it"). But see *Lopez Lopez v. Aran*, 844 F.2d. 898, 913 (1st Cir. 1988) (Torruella, J., concurring in part and dissenting in part).

Given the deference owed to Congress in making "all needful Rules and Regulations respecting the Territory" of the United States, U.S. Const. art. IV §3, we conclude that the UOCAVA's distinction between former residents of States now living outside the United States and former residents of States now living in the U.S. territories is not subject to strict scrutiny. As then-Judge Ginsburg observed in *Quiban v. Veterans Administration*, 928 F.2d. 1154, 1160 (D.C. Cir. 1991), "[t]o require the government... to meet the most exacting standard of review... would be inconsistent with Congress's '[l]arge powers' [under Article IV] to 'make all needful Rules and Regulations respecting the Territory... belonging to the United States.'" *Id.* (citations omitted). We need not decide, however, the precise standard governing the limits of Congress's authority to confer voting rights in federal elections on former residents of States now living outside the United States while not conferring such rights on former residents of States now living in a U.S. Territory. For we conclude that regardless whether this distinction is appropriately analyzed under rational basis review or intermediate scrutiny, or under some alternative analytic framework independent of the three-tier standard that has been established in Equal Protection cases, see *Gautier Torres*, 435 U.S. at 3 n.4 ("Puerto Rico has a relationship with the United States 'that has no parallel in our history.'" (quoting *Examining Bd. v. Flores de Otero*, 426 U.S. 572, 596 (1976))),

1 Congress may distinguish between those U.S. citizens formerly residing in a State who live outside the U.S., and  
 2 those who live in the U.S. territories. The distinction drawn by the UOCAVA between U.S. citizens moving from  
 3 a State to a foreign country and U.S. citizens moving from a State to a U.S. territory is supported by strong  
 4 considerations, and the statute is well tailored to serve these considerations. For one thing, citizens who move  
 5 outside the United States, many of whom are United States military service personnel, might be completely  
 6 excluded from participating in the election of governmental officials in the United States but for the UOCAVA.  
 7 In contrast, citizens of a State who move to Puerto Rico may vote in local elections for officials of Puerto Rico's  
 8 government (as well as for the federal post of Resident Commissioner). In this regard, it is significant to note that  
 9 in excluding citizens who move from a State to Puerto Rico from the statute's benefits, the UOCAVA treats them  
 10 in the same manner as it treats citizens of a State who leave that State to establish residence in another State.  
 11 Had Romeu left New York to become a resident of Florida, he would similarly not have been permitted to exercise  
 12 the right created by the UOCAVA to vote in the federal elections conducted in New York. And if a citizen of Puerto  
 13 Rico took up residence outside the United States, the UOCAVA would entitle that citizen to continue, despite her  
 14 foreign residence, to participate in Puerto Rico's elections for the federal office of Resident Commissioner.  
 15 Congress thus extended voting rights in the prior place of residence to those U.S. citizens who by reason of their  
 16 move outside the United States would otherwise have lacked any U.S. voting rights, without similarly extending  
 17 such rights to U.S. citizens who, having moved to another political subdivision of the United States, possess voting  
 18 rights in their new place of residence. See *McDonald v. Board of Election Comm'rs*, 394 U.S. 802, 807, 809  
 19 (1969) (upholding absentee voting statutes that were "designed to make voting more available to some groups  
 20 who cannot easily get to the polls," without making voting more available to all such groups, on the ground that  
 21 legislatures may "take reform 'one step at a time'" (quoting *Williamson v. Lee Optical of Oklahoma, Inc.*, 348  
 22 U.S. 483, 489 (1955)); see also *Bush v. Gore*, 121 S.Ct. 525, 550 (2000) (Ginsburg, J., dissenting) (531 U.S. at  
 23 ---, 121 S.Ct. at 539) (citing and quoting *McDonald* and *Williamson*); *Katzenbach v. Morgan*, 384 U.S. 641, 657  
 24 (1966) (applying to voting rights reform legislation the rule that "a statute is not invalid under the Constitution  
 25 because it might have gone farther than it did" (internal quotation marks omitted)). Moreover, if the UOCAVA  
 26 had done what plaintiff contends it should have done - namely, extended the vote in federal elections to U.S.  
 27 citizens formerly citizens of a State now residing in Puerto Rico while not extending it to U.S. citizens residing in  
 28 Puerto Rico who have never resided in a State - the UOCAVA would have created a distinction of questionable  
 29 fairness among Puerto Rican U.S. citizens, some of whom would be able to vote for President and others not,  
 30 depending whether they had previously resided in a State. The arguable unfairness and potential divisiveness of  
 31 this distinction might be exacerbated by the fact that access to the vote might effectively turn on wealth. Puerto  
 32 Rican voters who could establish a residence for a time in a State would retain the right to vote for the President  
 33 after their return to Puerto Rico, while Puerto Rican voters who could not arrange to reside for a time in a State  
 34 would be permanently excluded. In sum, the considerations underlying the UOCAVA's distinction are not  
 35 insubstantial. As a result, we hold that Congress acted in accordance with the requirements of the Equal  
 36 Protection Clause in requiring States and territories to extend voting rights in federal elections to former resident  
 37 citizens residing outside the United States, but not to former resident citizens residing in either a State or a  
 38 territory of the United States.  
 39 [*Romeu v. Cohen*, 265 F.3d. 118 (2nd Cir., 2000)]

40 Note that the court admits above that when administering territories, the source of Constitutional authority derives from  
 41 Article IV of the constitution rather than Article III.

42 *In the Insular Cases, decided in 1901,2 and in a series of subsequent decisions, the Supreme Court has held that*  
 43 *because territories such as Puerto Rico belong to the United States but are not "incorporated into the United*  
 44 *States as a body politic,"* *Dorr v. United States*, 195 U.S. 138, 143 (1904); see also *Balzac v. People of Porto*  
 45 *Rico*, 258 U.S. 298, 304-05 (1922), **Congress's regulation of the territories under Article IV is not "subject to**  
 46 **all the restrictions which are imposed upon [Congress] when passing laws for the United States,"** *Dorr, 195*  
 47 **U.S. at 142; see also Jose A. Cabranes, Citizenship and the American Empire 45-51 (1979); Juan R. Torruella,**  
 48 **The Supreme Court and Puerto Rico: The Doctrine of Separate and Unequal 40 -74 (1985).**

49 Article IV deals with the community property of the states of the Union held in trust for, and on behalf, of that Union by the  
 50 national government. Territorial federal district courts in these areas derive ALL of their authority from Article IV, not  
 51 Article III. This is also confirmed by examining 28 U.S.C. Chapter 5 legislative notes  
 52 (<https://www.law.cornell.edu/uscode/text/28/part-I/chapter-5>). The creation of a district court MUST identify the  
 53 constitutional source of its authority. If it mentions NO constitutional source, then the only possible source is Article IV.  
 54 The ONLY district court which EXPRESSLY invokes Article III of the constitution is the district court of Hawaii. ALL of  
 55 the other district courts are Article IV ONLY:

56 *Pub. L. 86-3*, § 9(a), Mar. 18, 1959, *73 Stat. 8*, provided that:

57 "The United States District Court for the District of Hawaii established by and existing under title 28 of the  
 58 United States Code shall thenceforth be a court of the United States with judicial power derived from article III,  
 59 section 1, of the Constitution of the United States: Provided, however, That the terms of office of the district  
 60 judges for the district of Hawaii then in office shall terminate upon the effective date of this section and the  
 61 President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act, shall appoint,  
 62 by and with the advice and consent of the Senate, two district judges for the said district who shall hold office  
 63 during good behavior."



[28 U.S.C. §91 Legislative Notes; SOURCE: <https://www.law.cornell.edu/uscode/text/28/91>]

This subject is VERY important. An entire encyclopedic coverage this subject appears in the following:

[What Happened to Justice?](https://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm), Form #06.012  
<https://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm>

The above document concludes that nearly all district courts are operating in an Article IV capacity, and as such, may preside only over cases involving government property found within the exterior limits of their district. If the case does NOT involve property in their district, then the court has not jurisdiction. *Government Instituted Slavery Using Franchises*, Form #05.030 also concludes that all franchises consist of LOANS of government property. Hence, these courts are setup to administer such franchises executed ONLY on federal territory subject to the exclusive jurisdiction of Congress. If you are NOT a franchisee or you are not standing on federal territory WHILE executing the office of franchisee, then they can have NO territorial or in personam jurisdiction.

*“The Constitution permits Congress to dispose of and to make all needful rules and regulations respecting the territory or other property belonging to the United States. This power applies as well to territory belonging to the United States within the States, as beyond them. It comprehends all the public domain, wherever it may be. The argument is, that the power to make ‘ALL needful rules and regulations’ ‘is a power of legislation,’ ‘a full legislative power;’ ‘that it includes all subjects of legislation in the territory,’ and is without any limitations, except the positive prohibitions which affect all the powers of Congress. Congress may then regulate or prohibit slavery upon the public domain within the new States, and such a prohibition would permanently affect the capacity of a slave, whose master might carry him to it. And why not? Because no power has been conferred on Congress. This is a conclusion universally admitted. But the power to ‘make rules and regulations respecting the territory’ is not restrained by State lines, nor are there any constitutional prohibitions upon its exercise in the domain of the United States within the States; and whatever rules and regulations respecting territory Congress may constitutionally make are supreme, and are not dependent on the situs of ‘the territory.’”*  
 [Dred Scott v. Sandford, 60 U.S. 393, 509-510 (1856)]

HOWEVER, the License Tax Cases establishes that the national government MAY NOT establish any taxable franchises within the borders of a constitutional state:

*“Thus, Congress having power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes, may, without doubt, provide for granting coasting licenses, licenses to pilots, licenses to trade with the Indians, and any other licenses necessary or proper for the exercise of that great and extensive power; and the same observation is applicable to every other power of Congress, to the exercise of which the granting of licenses may be incident. All such licenses confer authority, and give rights to the licensee.*

*But very different considerations apply to the internal commerce or domestic trade of the States. Over this commerce and trade Congress has no power of regulation nor any direct control. This power belongs exclusively to the States. No interference by Congress with the business of citizens transacted within a State is warranted by the Constitution, except such as is strictly incidental to the exercise of powers clearly granted to the legislature. The power to authorize a business within a State is plainly repugnant to the exclusive power of the State over the same subject. It is true that the power of Congress to tax is a very extensive power. It is given in the Constitution, with only one exception and only two qualifications. Congress cannot tax exports, and it must impose direct taxes by the rule of apportionment, and indirect taxes by the rule of uniformity. Thus limited, and thus only, it reaches every subject, and may be exercised at discretion. But, it reaches only existing subjects. Congress cannot authorize a trade or business within a State in order to tax it.”*  
 [License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866)]

SO, those engaging in such NATIONAL franchises must be physically located on federal territory within the borders of the district in order to be subject to the jurisdiction of nearly all federal district courts. Thus, even if one IS a STATUTORY “national and citizen of the United States[\*\*]” franchisee under 8 U.S.C. §1401, the federal district courts would only have jurisdiction over acts committed within exclusive federal jurisdiction within the exterior limits of the district and affecting people and property there. It would NOT apply to anything happening in the exclusive jurisdiction of a state of the Union, excepting possibly infractions of state officers against their constitutional rights under the Fourteenth Amendment an 28 U.S.C. §1983 and actions against foreigners and nonresidents in foreign countries.

Any deviation from the jurisdictional rules in this section constitutes criminal identity theft, as described in:

[Government Identity Theft](https://sedm.org/Forms/FormIndex.htm), Form #05.046  
<https://sedm.org/Forms/FormIndex.htm>

### 4.12.3.3 How STATUTORY “citizens” convert to CONSTITUTIONAL “citizens”

A STATUTORY “citizen” from a territory or possession such as Puerto Rico or Guam is NOT equivalent to a CONSTITUTIONAL citizen. In fact, those from federal territory are considered “foreigners” in relation to states of the Union:

*“Constitutionally, only those born or naturalized in the United States and subject to the jurisdiction thereof, are citizens. Const.Amdt. XIV. The power to fix and determine the rules of naturalization is vested in the Congress. Const.Art. I, sec. 8, cl. 4. Since all persons born outside of the [CONSTITUTIONAL] United States, are “foreigners,”[1] and not subject to the jurisdiction of the United States, the statutes, such as § 1993 and 8 U.S.C.A. §601 [currently 8 U.S.C. §1401], derive their validity from the naturalization power of the Congress. Elk v. Wilkins, 1884, 112 U.S. 94, 101, 5 S.Ct. 41, 28 L.Ed. 643; Wong Kim Ark v. U. S., 1898, 169 U.S. 649, 702, 18 S.Ct. 456, 42 L.Ed. 890. Persons in whom citizenship is vested by such statutes are naturalized citizens and not native-born citizens. Zimmer v. Acheson, 10 Cir. 1951, 191 F.2d. 209, 211; Wong Kim Ark v. U. S., supra.”*  
*[Ly Shew v. Acheson, 110 F.Supp. 50 (N.D. Cal., 1953)]*

FOOTNOTES:

[1] See *Boyd v. State of Nebraska ex rel. Thayer*, 1892, 143 U.S. 135, 12 S.Ct. 375, 36 L.Ed. 103; *U.S. v. Harbanuk*, 2 Cir. 1933, 62 F.2d. 759, 761.

Notice the language “Since all persons born outside of the [CONSTITUTIONAL] United States[\*\*\*], are ‘foreigners’”. STATUTORY “citizens” or STATUTORY “nationals” born on federal territory are “foreign” and “alien” in relation to a CONSTITUTIONAL state. The same thing applies to Indians living on reservations.

The above case doesn’t say this, but the reverse is ALSO true: Those born in CONSTITUTIONAL states are “foreign” and therefore “alien” in relation to STATUTORY “States” and federal territory. That’s where the idea comes from to call state nationals “nonresident aliens” under 26 U.S.C. §7701(b)(1)(B) in relation to a tax that only applies on federal territory within the STATUTORY but not CONSTITUTIONAL “United States” under 26 U.S.C. §7701(a)(9) and (a)(10) and 4 U.S.C. §110(d). THIS is the DEEP DARK secret that federal courts ruling on tax enforcement in states of the Union POSTIVELY REFUSE to discuss because if they did, it would blow up the ENTIRE tax system. This subject is what Tip Oneill called “The Third Rail of Politics”. The “Third Rail of Politics” deal with subjects that will either get you fired, reduce your pay, or impede your ability to get promoted. It applies to judges just as readily as politicians, even though judges are not supposed to act in a political capacity. It will be like pulling hens teeth to get them to talk about this subject:

Third rail of politics

The *third rail* of a nation's politics is a *metaphor* for any issue so controversial that it is "charged" and "untouchable" to the extent that any *politician* or public official who dares to broach the subject will invariably suffer politically.

It is most commonly used in *North America*. Though commonly attributed to *Tip O'Neill*,<sup>[1]</sup> *Speaker of the United States House of Representatives* during the *Reagan* presidency, it seems to have been coined by O'Neill aide Kirk O'Donnell in 1982 in reference to *Social Security*.<sup>[2]</sup>

The metaphor comes from the high-voltage *third rail* in some *electric railway* systems. Stepping on this usually results in *electrocution*, and the use of the term in politics relates to the risk of "political death" that a politician would face by tackling certain issues.

[Wikipedia: “Third rail of politics”, Downloaded 6/6/2018; SOURCE: [https://en.wikipedia.org/wiki/Third\\_rail\\_of\\_politics](https://en.wikipedia.org/wiki/Third_rail_of_politics)]

FOOTNOTES:

1. Rick Shenkman. “When Did Social Security Become the Third Rail of American Politics?”. *George Mason University*. Retrieved 21 October 2014.

2. William Safire (8 February 2007). “On Language: Third Rail”. *The New York Times*. Retrieved 21 October 2014.

Below is an example proving that STATUTORY “nationals” can be CONSTITUTIONAL “aliens”, where the petitioner was a Filipino citizen and a STATUTORY “national of the United States\*\*\*” under 8 U.S.C. §1101(a)(22). Even then, they identified him as an “alien”:

*The petitioner urges finally that the requirement of "entry" is implicit in the 1931 Act. Citing [Fong Yue Ting v. United States, 149 U.S. 698](#), he argues that the bounds of the power to deport aliens are circumscribed by the bounds of the power to exclude them, and that the power to exclude extends only to "foreigners" and does not embrace Filipinos admitted from the Islands when they were a territory of the United States. It is true that Filipinos were not excludable from the country under any general statute relating to the exclusion of "aliens." See [Gonzales v. Williams, 192 U.S. 1, 12-13](#); [Toyota v. United States, 268 U.S. 402, 411](#).*

*But the fallacy in the petitioner's argument is the erroneous assumption that Congress was without power to legislate the exclusion of Filipinos in the same manner as "foreigners." This Court has held that ". . . the power to acquire territory by treaty implies not only the power to govern such territory, but to prescribe upon what terms the United States will receive its inhabitants, and what their status shall be . . . ." [Downes v. Bidwell, 182 U.S. 244, 279](#).<sup>[12]</sup> Congress not only had, but exercised, ~~433~~<sup>433</sup> the power to exclude Filipinos in the provision of § 8 (a) (1) of the Independence Act, which, for the period from 1934 to 1946, provided:*

**"For the purposes of the Immigration Act of 1917, the Immigration Act of 1924 (except section 13 (c)), this section, and all other laws of the United States relating to the immigration, exclusion, or expulsion of aliens, citizens of the Philippine Islands who are not citizens of the United States shall be considered as if they were aliens. For such purposes the Philippine Islands shall be considered as a separate country and shall have for each fiscal year a quota of fifty. . . ." 48 Stat. 462, 48 U.S. C. (1934 ed.) § 1238.**

*The 1931 Act plainly covers the situation of the petitioner, who was an alien, and who was convicted of a federal narcotics offense. Cf. [United States ex rel. Eichenlaub v. Shaughnessy, 338 U.S. 521](#). We therefore conclude that the petitioner was deportable as an alien under that Act. The judgment is Affirmed."*

[ . . . ]

MR. JUSTICE DOUGLAS, dissenting.

[ . . . ]

*No matter how the case is viewed, the 1931 Act is applicable only to aliens who had made an "entry" in this country.*

*This Filipino came to the United States in 1930 and he has never left here. If the spirit of the 1931 Act is to be observed, he should not be lumped with all other "aliens" who made an "entry." The Filipino alien, who came here while he was a national, stands in a class by himself and should remain there, until and unless Congress extends these harsh deportation measures to his class.*

[*Rabang v. Boyd, 353 U.S. 427 (1957); SOURCE: [https://scholar.google.com/scholar\\_case?case=9072441037225227210](https://scholar.google.com/scholar_case?case=9072441037225227210)*]

The Filipino referenced above was both an “alien” and a “national” at the same time! How can this be? The answer is that each word applies to a different context. He was a CONSTITUTIONAL alien and a STATUTORY “national” at the SAME TIME. He was alien to states of the Union (United States\*\*\*) but still a member of the NATION United States\*.

The naturalization they are talking about above in *Ly Shew v. Acheson*, 110 F.Supp. 50 (N.D. Cal., 1953) in the context of territories and possessions is STATUTORY naturalization rather than CONSTITUTIONAL naturalization when it is done to people in a territory or possession that REMAINS a territory or possession and not a CONSTITUTIONAL state. On the other hand, when or if that territory becomes a CONSTITUTIONAL state, these same territorial STATUTORY “citizens” must AGAIN be collectively naturalized, but this time it is a CONSTITUTIONAL naturalization rather than a STATUTORY naturalization. When states join the Union under the Constitution, they convert from territories to CONSTITUTIONAL States and the people in them are CONSTITUTIONALLY naturalized by act of congress, and that naturalization is the equivalent of that found in 8 U.S.C. §1421. Here is the proof from the *Boyd* case footnoted from in *Ly Shew* above:

*It is too late at this day to question the plenary power of Congress over the Territories. As observed by Mr. Justice Matthews, delivering the opinion of the court in [Murphy v. Ramsey, 114 U.S. 15, 44](#): "It rests with Congress to say whether, in a given case, any of the people, resident in the ~~170~~<sup>170</sup> Territory, shall participate in the election of its officers, or the making of its laws; and it may, therefore, take from them any right of suffrage it may previously have conferred, or at any time modify or abridge it as it may deem expedient. **The right of local self-government, as known to our system as a constitutional franchise, belongs, under the Constitution, to the States and to the people thereof,** by whom that*

Constitution was ordained, and to whom by its terms all power not conferred by it upon the government of the United States was expressly reserved. The personal and civil rights of the inhabitants of the Territories are secured to them, as to other citizens, by the principles of constitutional liberty which restrain all the agencies of government, state and national; their political rights are franchises which they hold as privileges in the legislative discretion of the Congress of the United States . . . . If we concede that this discretion in Congress is limited by the obvious purposes for which it was conferred, and that those purposes are satisfied by measures which prepare the people of the Territories to become States in the Union, still the conclusion cannot be avoided, that the act of Congress here in question is clearly within that justification."

Congress having the power to deal with the people of the Territories in view of the future States to be formed from them, there can be no doubt that in the admission of a State a collective naturalization may be effected in accordance with the intention of Congress and the people applying for admission.

Admission on an equal footing with the original States, in all respects whatever, involves equality of constitutional right and power, which cannot thereafter be controlled [by STATUTES of congress], and it also involves the adoption as citizens of the United States of those whom Congress makes members of the political community, and who are recognized as such in the formation of the new State with the consent of Congress.

[Boyd v. Nebraska, 143 U.S. 135 (1892); SOURCE:

[https://scholar.google.com/scholar\\_case?case=18118755496880257167](https://scholar.google.com/scholar_case?case=18118755496880257167)]

They don't say this either, but if a CONSTITUTIONAL state leaves the Union as they did in the civil war, its citizens become foreign nationals. If that state is then recaptured through armed force as it was in the Civil War, the state becomes a territory and the citizens revert back to being privileged territorial citizens until the state votes to rejoin the Union.

The following aspect of the above case was later overruled in Downes v. Bidwell, where they concluded that the Constitution DOES NOT by default apply in federal territory and only applies in constitutional states, and that Congress must expressly extend its application to a specific territory in order for it to apply:

"The personal and civil rights of the inhabitants of the Territories are secured to them, as to other citizens, by the principles of constitutional liberty which restrain all the agencies of government, state and national;"

To summarize what we have learned in this section from examining the relationship between territories and states of the Union:

1. Possessions and Territories are listed in Title 48 of the U.S. Code.
2. Federal territories are STATUTORY "States" under 4 U.S.C. §110(d) and under most acts of Congress.
3. There are no territories left. Puerto Rico used to be a territory but subsequently became a possession.
4. CONSTITUTIONAL states of the Union are foreign and alien in relation to STATUTORY "States".
5. CONSTITUTIONAL citizens or nationals are aliens in relation to federal territories and possessions, which is the area that the income tax is limited to.
6. A STATUTORY "non-citizen national of the United States\*\*" under 8 U.S.C. §1408 from a possession is an ALIEN within a constitutional state and can be deported if he commits crimes. Rabang v. Boyd, 353 U.S. 427 (1957). An example of such a possession is American Samoa or Swain's Island. The Philippines also used to be a possession but was later emancipated.
7. STATUTORY "national" status is a revocable privilege and franchise granted legislatively by Congress and originating from the naturalization powers of Congress. See Form #05.006, Section 6.8.
8. STATUTORY "national" status is a component of being EITHER a STATUTORY "citizen" or a STATUTORY "non-citizen national of the United States\*\*" under 8 U.S.C. §1408.
9. When a possession is granted independence, it's inhabitants convert from "non-citizen nationals of the United States\*\*" to BOTH STATUTORY aliens and CONSTITUTIONAL aliens in relation to the national government.
10. STATUTORY "nationals and citizens of the United States\*\*" under 8 U.S.C. §1401 are much more complicated than all the others.
  - 10.1. An example of such a party is someone born in Puerto Rico.
  - 10.2. The U.S. Supreme Court ruled in Gonzales v. Williams, 192 U.S. 1 (1904) that such parties are NOT CONSTITUTIONAL "aliens", but did so not by looking at whether they were CONSTITUTIONAL "nationals", but whether Congress made them CONSTITUTIONAL "aliens" or not. Therefore, CONSTITUTIONAL "nationals" and STATUTORY "nationals" are NOT synonymous and their relationship is defined by statute, and

not organic law. By default, at least, we can say that they are foreign and alien in relation to each other, but Congress can alter that by statute.

Counsel for the Government contends that the test of Gonzales' rights was citizenship of the United States and not alienage. We do not think so, and, on the contrary, are of opinion that if Gonzales were not an alien within the act of 1891, the order below was erroneous.

Conceding to counsel that the general terms "alien," "citizen," "subject," are not absolutely inclusive, or completely comprehensive, and that, therefore, neither of the numerous definitions of the term "alien" is necessarily controlling, we, nevertheless, cannot concede, in view of the language of the treaty and of the act of April 12, 1900, that the word "alien," as used in the act of 1891, embraces the citizens of Porto Rico.

We are not required to discuss the power of Congress in the premises; or the contention of Gonzales' counsel that the cession of Porto Rico accomplished the naturalization of its people; or that of Commissioner Degetau, in his excellent argument as amicus curiae, that a citizen of Porto Rico, under the act of 1900, is necessarily a citizen of the United States. The question is the narrow one whether Gonzales was an alien within the meaning of that term as used in the act of 1891.

[Gonzales v. Williams, 192 U.S. 1 (1904); SOURCE: [https://scholar.google.com/scholar\\_case?case=3548906209356414010](https://scholar.google.com/scholar_case?case=3548906209356414010)]

10.3. In most cases, as in the present, those from Puerto Rico are NOT designated as CONSTITUTIONAL aliens, but that condition is NOT a result of their STATUTORY citizenship. As such, they are treated as being neither STATUTORY “aliens” nor “CONSTITUTIONAL “aliens” and cannot therefore be deported if they are physically in a CONSTITUTIONAL state and commit a crime.

11. In order to convert from a STATUTORY “citizen” under 8 U.S.C. §1401 to a CONSTITUTIONAL “citizen” under the Fourteenth Amendment, one must be naturalized under the authority of 8 U.S.C. §1421 and Constitution Article 1, Section 8, Clause 4.
12. When territories become states, Congress “collectively naturalizes” everyone in the territory by legislative act to convert them from STATUTORY “citizens” to CONSTITUTIONAL “citizens”. This converts the citizenship from a STATUTORY privilege to a CONSTITUTIONAL right.
13. The “citizens” and “residents” mentioned in the Internal Revenue Code and are STATUTORY and not CONSTITUTIONAL. Hence, states of the Union are FOREIGN and ALIEN in relation to these people. See section 4.12.3.10 later.

Lastly, if you would like an excellent history of the extraterritorial application of the protections of the Constitution outside of CONSTITUTIONAL states of the Union, we highly recommend the following case. The case doesn’t, however, discuss the extraterritorial reach of the Fourteenth Amendment to territories, unfortunately:

Boumediene v. Bush, 553 U.S. 723 (2008)  
[https://scholar.google.com/scholar\\_case?case=913322981351483444](https://scholar.google.com/scholar_case?case=913322981351483444)

#### 4.12.3.4 LEGAL/STATUTORY CIVIL status v. POLITICAL/CONSTITUTIONAL Status

The following cite from U.S. v. Wong Kim Ark confirms our research on citizenship, by admitting that there are TWO components that determine citizenship status: NATIONALITY and DOMICILE.

*In Udry v. Udry (1869) L. R. 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: 'The question of naturalization and of allegiance is distinct from that of domicile.' Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: 'The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,—one by virtue of which he becomes the subject [NATIONAL] of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.' And then, while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which 'the personal rights of the party—that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy—must depend,' he yet distinctly recognized that a man's political status, his country (patria), and his 'nationality,—that is, natural allegiance,—may depend on different laws in different countries.' Pages 457, 460. He evidently used the word 'citizen,' not as equivalent to 'subject,' but rather*

1 to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British  
 2 dominion are natural-born subjects.  
 3 [United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ;  
 4 SOURCE: [http://scholar.google.com/scholar\\_case?case=3381955771263111765](http://scholar.google.com/scholar_case?case=3381955771263111765)]

5 So:

- 6 1. The Constitution is a POLITICAL and not a LEGAL document. It therefore determines your POLITICAL status rather  
 7 than your LEGAL/STATUTORY status.
- 8 2. Nationality determines your POLITICAL STATUS and whether you are a "subject" of the country.
- 9 3. DOMICILE determines your CIVIL and LEGAL and STATUTORY status. It DOES NOT determine your  
 10 POLITICAL status or nationality.
- 11 4. Being a constitutional "citizen" per the Fourteenth Amendment is associated with nationality, not domicile.
- 12 5. Allegiance is associated with nationality, not domicile. Allegiance is what makes one a "subject" of a country.
- 13 6. Your municipal rights, meaning statutory CIVIL rights, associate with your choice of legal domicile, not your  
 14 nationality or what country you are a subject of or have allegiance to.
- 15 7. Being a statutory "citizen" is associated with domicile, not nationality, because it is associated with being an inhabitant  
 16 RATHER than a "subject".
- 17 8. A statutory "alien" under most acts of Congress is a person with a foreign DOMICILE, not a foreign NATIONALITY.  
 18 By "foreign", we mean:
  - 19 8.1. Constitutional context: OUTSIDE of COUNTRY United States\*.
  - 20 8.2. Statutory context: OUTSIDE of federal territory and the exclusive federal jurisdiction, and NOT outside the  
 21 Constitutional United States\*\*\* (states of the Union).

22 The above is also completely consistent with the following article on this website:

[Why Domicile and Becoming a "Taxpayer" Require Your Consent](http://sedm.org/Forms/FormIndex.htm), Form #05.002  
<http://sedm.org/Forms/FormIndex.htm>

23 We know that "nationality" per 8 U.S.C. §1101(a)(21) and 14th Amendment Constitutional citizenship are NOT the same.  
 24 So, much like the "Chicken and the Egg" analogy -- what happens first, nationality or 14th Amendment Constitutional  
 25 citizenship? Or does that occur simultaneously? It might at first appear from the analysis in this pamphlet that 14th  
 26 Amendment Constitutional citizenship also applies to inhabitants of unincorporated and unorganized territory, but as pointed  
 27 out by the court in Wong Kim Ark, supra., the domicile determines civil status, thus 14th Amendment Constitutional  
 28 citizenship on U.S. Territory is inferior to that of 14th Amendment Constitutional citizenship on the Union -- but only by  
 29 virtue of domicile. Change domicile and improve/denigrate your legal status either for the better or worse, as the case may  
 30 be.

31 "Nationality" therefore cannot be the same thing as Constitutional citizenship, because citizens of American Samoa and  
 32 Swains Island are not Constitutional Citizens according to the courts, yet they have the following statuses:

- 33 1. Political Status:
  - 34 1.1. "national" of the United States\* - 8 U.S.C. §1101(a)(21).
  - 35 1.2. "national of the United States\*\*" - 8 U.S.C. §1101(a)(22).
  - 36 1.3. "a person who, though not a citizen of the United States, owes permanent allegiance to the United States"  
 37 per 8 U.S.C. §1101(a)(22)(B).
- 38 2. Civil Status: "national but not citizen of the United States\*\* at birth" - 8 U.S.C. §1408 and 8 U.S.C. §1452.

39 So it must be concluded that nationality and Constitutional (e.g. Fourteenth Amendment) citizenship are NOT the same.

40 From the above article and the Supreme Court's own analysis above, it follows that that a "national of the United States\*\*\*\*"  
 41 (state citizen) cannot be a "citizen" or "resident" under federal statutory law without one of the following two conditions  
 42 existing:

- 43 1. You are physically present on federal territory AT SOME POINT, AND legally domiciled there. This means the  
 44 government as moving party has the burden of proving that you submitted a form indicating a "permanent address" in  
 45 the statutory but not constitutional "United States", and that YOU MEANT that the "United States" indicated meant

1 federal territory not within any state of the Union. This is impossible if you attach the following to every government  
2 form that you sign:

Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001  
<http://sedm.org/Forms/FormIndex.htm>

- 3 2. You are representing a government entity that is domiciled on federal territory, such as a federal and not state  
4 corporation, as a public officer, for instance. Hence, Federal Rule of Civil Procedure 17(b) MUST apply. BUT they  
5 must produce evidence that you are lawfully occupying said public office and may not PRESUME that you do. Simply  
6 citing a provision of the I.R.C. and thereby claiming the "benefits" of that franchise, for instance, is insufficient to  
7 CREATE said office. It must be created by some OTHER means because the I.R.C. doesn't authorize the CREATION  
8 of any new public offices, but regulates EXISTING public offices.

9 There is NO OTHER WAY for federal law from a legislatively foreign jurisdiction to be applied against a state citizen  
10 domiciled within a constitutional and not statutory state. Option 2 is the method most frequently used to legally but not  
11 physically KIDNAP most people and move their legal identity to federal territory.

#### 12 4.12.3.5 Supreme Court definition of "Constitutional citizen"

13 The U.S. Supreme Court defined what a constitutional citizen is in the following ruling:

14 *"Under our own systems of polity, the term 'citizen', implying the same or similar relations to the government and  
15 to society which appertain to the term, 'subject' in England, is familiar to all. Under either system, the term used  
16 is designed to apply to man in his individual character and to his natural capacities -- to a being or agent  
17 [PUBLIC OFFICER!] possessing social and political rights and sustaining social, political, and moral  
18 obligations. It is in this acceptation only, therefore, that the term 'citizen', in the article of the Constitution,  
19 can be received and understood. When distributing the judicial power, that article extends it to controversies  
20 between 'citizens' of different states. This must mean the natural physical beings composing those separate  
21 communities, and can by no violence of interpretation be made to signify artificial, incorporeal, theoretical,  
22 and invisible creations. A corporation, therefore, being not a natural person, but a mere creature of the mind,  
23 invisible and intangible, cannot be a citizen of a state, or of the United States, and cannot fall within the terms  
24 or the power of the above mentioned article, and can therefore neither plead nor be impleaded in the courts of  
25 the United States."*

26 *"Sir Edward Coke has declared, that a corporation cannot commit treason, felony, or other crime; neither is  
27 it capable of suffering a traitor's or felon's punishment, for it is not liable to corporeal penalties -- that it can  
28 perform no personal duties, for it cannot take an oath for the due execution of an office; neither can it be  
29 arrested or committed to prison, for its existence being ideal, no man can arrest it; neither can it be  
30 excommunicated, for it has no soul. But these doctrines of Lord Coke were founded upon an apprehension of  
31 the law now treated as antiquated and obsolete. His lordship did not anticipate an improvement by which a  
32 corporation could be transformed into a citizen, and by that transformation be given a physical existence, and  
33 endowed with soul and body too. The incongruities here attempted to be shown as necessarily deducible from  
34 the decisions of the cases of Bank of the United States v. Deveaux and of Cincinnati & Louisville Railroad  
35 Company v. Letson afford some illustration of the effects which must ever follow a departure from the settled  
36 principles of the law. These principles are always traceable to a wise and deeply founded experience; they are  
37 therefore ever consentaneous and in harmony with themselves and with reason, and whenever abandoned as  
38 guides to the judicial course, the aberration must lead to bewildering uncertainty and confusion. Conducted  
39 by these principles, consecrated both by time and the obedience of sages, I am brought to the following  
40 conclusions:*

41 *1st. That by no sound or reasonable interpretation, can a corporation -- a mere faculty in law, be transformed*  
42 *into a citizen or treated as a [CONSTITUTIONAL] citizen.*

43 *2d. That the second section of the Third Article of the Constitution, investing the courts of the United States*  
44 *with jurisdiction in controversies between citizens of different states, cannot be made to embrace controversies*  
45 *to which corporations and not citizens are parties, and that the assumption by those courts of jurisdiction in*  
46 *such cases must involve a palpable infraction of the article and section just referred to.*

47 *3d. That in the cause before us, the party defendant in the circuit court having been a corporation aggregate*  
48 *created by the State of New Jersey, the circuit court could not properly take cognizance thereof, and therefore*  
49 *this cause should be remanded to the circuit court with directions that it be dismissed for the want of*  
50 *jurisdiction."*

51 *[Rundle v. Delaware & Raritan Canal Company, 55 U.S. 80, 99 (1852) from dissenting opinion by Justice Daniel]*

52 In the above ruling, what we call a "statutory citizen" is referenced and described as:

- 53 1. Artificial

- 1 2. Incorporateal.
- 2 3. Theoretical.
- 3 4. Invisible creation.
- 4 5. A mere creature of the mind (meaning a creation of CONGRESS).
- 5 6. Invisible and intangible.

6 Note also that even a CONSTITUTIONAL citizen and therefore human being above is referred to as:

7 *“ . . . a being or agent [PUBLIC OFFICER!] possessing social and political rights and sustaining social,*  
 8 *political, and moral obligations”*  
 9 *[Rundle v. Delaware & Raritan Canal Company, 55 U.S. 80, 99 (1852) from dissenting opinion by Justice Daniel]*

10 The “social, political, and moral” obligations spoken of above, IN FACT, can ONLY ATTACH to a government office  
 11 exercising agency on behalf the government franchise grantor called “citizen”. Otherwise, they would represent a THEFT  
 12 of otherwise PRIVATE property under the Fifth Amendment. That office is created by the act of choosing a civil domicile  
 13 within a constitutional state. That is why the Fourteenth Amendment says “All persons born or naturalized in the United  
 14 States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.” To  
 15 “reside” has been held by the courts to imply a domicile rather than merely physical presence in the state.<sup>165</sup> Without such a  
 16 choice of domicile, the office is NOT created and its obligations CANNOT lawfully be enforced in any civil court of law.

17 **4.12.3.6 Statutory citizen/resident status is entirely voluntary and discretionary. Constitutional citizen status is**  
 18 **NOT**

19 An important distinction that needs to be understood by the reader is that no one can force you to acquire or retain statutory  
 20 “national and citizen of the United States” civil status. That status is entirely voluntary and discretionary. That is one of the  
 21 conclusions of the following pamphlet.

*Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008  
<http://sedm.org/Forms/FormIndex.htm>

22 Why? Because the LEGAL status you use to describe yourself is how you:

- 23 1. Contract with other parties, including the government. The purpose of establishing government, in fact, is to protect  
 24 your right to both CONTRACT and NOT CONTRACT as you see fit. You don’t become a “person” under a private  
 25 contract until you SIGN or consent in some way to the contract or agreement.
- 26 2. Politically and legally associate with groups you choose to associate with. The right of freedom of association and  
 27 freedom from COMPELLED association is protected by the First Amendment to the United States Constitution.
- 28 3. Choose or nominate the civil government that you want to protect your right to life, liberty, and property.
- 29 3.1. Choosing a domicile is an act of political association that has legal consequences in which you nominate a  
 30 specific municipal government to protect your rights and property.
- 31 3.2. If you never nominate such a government, then you retain the right to protect yourself and are not entitled to the  
 32 protection of a specific municipal government protector.

33 This is why the Declaration of Independence says that all just powers of government are derived from the consent of  
 34 the people. Those who don’t consent can’t be civilly governed. Yes, they are still liable for criminal infractions  
 35 because the criminal laws do not require consent. Civil laws, however DO require consent of the governed, and all  
 36 such civil laws attach to and associate with your choice of legal domicile.

37 Domicile is how you exercise right numbers 2 and 3 above. You can’t be a statutory citizen without CHOOSING and  
 38 CONSENTING TO a civil domicile in the federal zone. You get to decide where your domicile is and you can change it at  
 39 ANY TIME! If you don’t want to be a statutory citizen under federal law, change your domicile to a state of the Union and  
 40 correctly reflect that fact on government forms and correspondence.

41 The legal definition of “citizen” confirms that the status is voluntary. Notice the phrase “in their associated capacity”, which  
 42 is a First Amendment, voluntary act of political association. What the government doesn’t want you to know is WHAT status

<sup>165</sup> See section 5.4.8.11.12 later.



1 would you describe yourself with if you DO NOT consent to volunteer and yet did not expatriate your nationality to become  
2 a constitutional alien?

3 *citizen. One who, under the [Constitution](#) and laws of the [United States](#)[\*\*\*], or of a particular state, is a **member**  
4 **of the political community, owing allegiance and being entitled to the enjoyment of full civil rights.** All persons  
5 born or naturalized in the United States[\*\*\*], and subject to the jurisdiction thereof, are citizens of the United  
6 States[\*\*\*] and of the state wherein they reside. [U.S. Const., 14th Amend.](#) See [Citizenship](#).*

7 **"Citizens" are members of a political community who, in their associated capacity, have established or**  
8 **submitted themselves to the dominion of a government [by giving up their rights] for the promotion of their**  
9 **general welfare and the protection of their individual as well as collective rights.** *Herriott v. City of Seattle, 81*  
10 *Wash.2d. 48, 500 P.2d. 101, 109.*  
11 *[Black's Law Dictionary, Sixth Edition, p. 244]*

12 The "full civil rights" they are talking about above are enforced through municipal CIVIL law, which in turn can only attach  
13 to one's choice of legal domicile. Here is how the courts describe this process of volunteering to become a statutory "citizen":

14 **"The people of the United States resident within any State are subject to two governments: one State, and the**  
15 **other National; but there need be no conflict between the two. The powers which one possesses, the other does**  
16 **not. They are established for different purposes, and have separate jurisdictions.** *Together they make one whole,*  
17 *and furnish the people of the United States with a complete government, ample for the protection of all their rights*  
18 *at home and abroad. True, it may sometimes happen that a person is amenable to both jurisdictions for one and*  
19 *the same act. Thus, if a marshal of the United States is unlawfully resisted while executing the process of the*  
20 *courts within a State, and the resistance is accompanied by an assault on the officer, the sovereignty of the United*  
21 *States is violated by the resistance, and that of the State by the breach of peace, in the assault. So, too, if one*  
22 *passes counterfeit coin of the United States within a State, it may be an offence against the United States and*  
23 *the State: the United States, because it discredits the coin; and the State, because of the fraud upon him to whom*  
24 *it is passed. This does not, however, necessarily imply that the two governments possess powers in common, or*  
25 *bring them into conflict with each other. It is the natural consequence of a citizenship [92 U.S. 542, 551] which*

26 *owes allegiance to two sovereignties, and claims protection from both. **The citizen cannot***  
27 **complain, because he has voluntarily submitted himself**  
28 **to such a form of government.** *He owes allegiance to the two departments, so to*  
29 **speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws.**  
30 **In return, he can demand protection from each within its own jurisdiction.**"  
31 *[United States v. Cruikshank, 92 U.S. 542 (1875) [emphasis added]*

32 If the status is voluntary, then there MUST be some way to "un-volunteer", right? How is it that the "citizen" CANNOT  
33 complain? Because if he DIDN'T voluntarily submit himself to a specific state or national government by choosing a civil  
34 domicile within that specific government and thereby become subject to the civil laws of that place, he wouldn't call himself  
35 a statutory "citizen" under the civil law to begin with! Instead, he would call himself or herself any of the following terms  
36 in relation to that specific government and on all government forms he or she fills out. This is the HUGE secret that no one  
37 in the government or the courts want to talk about, in fact and will HIDE at every opportunity, because it renders them  
38 COMPLETELY powerless to govern you civilly.

- 39 1 "nonresident"  
40 2 "transient foreigner"  
41 3 "stateless person"  
42 4 "in transitu"  
43 5 "transient"  
44 6 "sojourner"

45 The state courts recognize that calling oneself a "U.S. citizen" is voluntary and hence, that you can instead refer to yourself  
46 as simply a "non-resident non-person" so as to avoid being confused with a statutory citizen as follows:

47 *"[W]e find nothing...which requires that a citizen of a state must also be a citizen of the United States, if no*  
48 *question of federal rights or jurisdiction is involved."*  
49 *[Crosse v. Bd. of Supvrs of Elections, 221 A.2d. 431 (1966)]*

50 The U.S. Department of State Foreign Affairs Manual (F.A.M.) also confirms that calling oneself a "U.S. citizen" or "citizen  
51 of the United States" is voluntary with the following language:

1 “7 Foreign Affairs Manual (F.A.M.), Section 012(a)

2 a. U.S. Nationals Eligible for Consular Protection and Other Services:

3 **Nationality is the principal relationship that connects an individual to a State.** International law recognizes the  
 4 right of a State to afford diplomatic and consular protection to its **nationals** and to represent their interests.  
 5 **Under U.S. law the term "national" is inclusive of citizens but "citizen" is not inclusive of nationals. All U.S.**  
 6 **citizens are U.S. nationals.** Section 101(a)(22) INA (8 U.S.C. §1101(a)(22)) provides that the term "national of  
 7 the United States" means (A) a citizen of the United States, or (B ) a person who, though not a citizen of the United  
 8 States, owes permanent allegiance to the United States. U.S. nationals are eligible for U.S. consular protection.  
 9 [SOURCE: <http://www.state.gov/documents/organization/86556.pdf>]

10 Below is an example of a case involving a party who had no civil domicile in either a statutory “State”, meaning federal  
 11 territory, or a constitutional state of the Union, and hence was classified by the court as a “stateless person” who had to be  
 12 dismissed from a class action lawsuit because he was BEYOND the civil jurisdiction of federal court.

13 **In order to be a citizen of a State within the meaning of the diversity statute, a natural person must both be a**  
 14 **citizen of the United States and be domiciled within the State. See Robertson v. Cease, 97 U.S. 646, 648-649**  
 15 **(1878); Brown v. Keene, 8 Pet. 112, 115 (1834) . The problem in this case is that Bettison, although a United**  
 16 **States citizen, has no domicile in any State. He is therefore "stateless" for purposes of § 1332(a)(3). Subsection**  
 17 **1332(a)(2), which confers jurisdiction in the District Court when a citizen of a State sues aliens only, also**  
 18 **could not be satisfied because Bettison is a United States citizen. [490 U.S. 829]**

19 When a plaintiff sues more than one defendant in a diversity action, the plaintiff must meet the requirements of  
 20 the diversity statute for each defendant or face dismissal. Strawbridge v. Curtiss, 3 Cranch 267 (1806).[1] **Here,**  
 21 **Bettison's "stateless" status destroyed complete diversity under § 1332(a)(3), and his United States citizenship**  
 22 **destroyed complete diversity under § 1332(a)(2).** Instead of dismissing the case, however, the Court of Appeals  
 23 panel granted Newman-Green's motion, which it had invited, to amend the complaint to drop Bettison as a party,  
 24 thereby producing complete diversity under § 1332(a)(2). 832 F.2d. 417 (1987). The panel, in an opinion by  
 25 Judge Easterbrook, relied both on 28 U.S.C. §1653 and on Rule 21 of the Federal Rules of Civil Procedure as  
 26 sources of its authority to grant this motion. The panel noted that, because the guarantors are jointly and severally  
 27 liable, Bettison is not an indispensable party, and dismissing him would not prejudice the remaining guarantors.  
 28 832 F.2d. at 420, citing Fed.Rule Civ.Proc. 19(b) . The panel then proceeded to the merits of the case, ruling in  
 29 Newman-Green's favor in large part, but remanding to allow the District Court to quantify damages and to  
 30 resolve certain minor issues.[2]  
 31 [[Newman-Green v. Alfonso Larrain, 490 U.S. 826 \(1989\)](#) ]

32 Only those who are constitutional aliens WHEN PHYSICALLY PRESENT WITHIN A FOREIGN COUNTRY can be forced  
 33 to submit themselves to the civil jurisdiction of that country absent their consent and voluntary choice of domicile. Those  
 34 who are not constitutional aliens, such as a state nationals, CANNOT be forced and must consent to be governed by choosing  
 35 a domicile. The U.S. Supreme Court describes the process of FORCING aliens into a privileged status to have a residence  
 36 in that place and be subject to the civil laws as an “implied license”:

37 *The reasons for not allowing to other aliens exemption 'from the jurisdiction of the country in which they are*  
 38 *found' were stated as follows: **When private individuals of one nation [states of the Unions are “nations” under***  
 39 ***the law of nations] spread themselves through another as business or caprice may direct, mingling***  
 40 ***indiscriminately with the inhabitants of that other, or when merchant vessels enter for the purposes of trade,***  
 41 ***it would be obviously inconvenient and dangerous to society, and would subject the laws to continual***  
 42 ***infraction, and the government to degradation, if such individuals or merchants did not owe temporary and***  
 43 ***local allegiance, and were not amenable to the jurisdiction of the country.** Nor can the foreign sovereign have*  
 44 *any motive for wishing such exemption. His subjects thus passing into foreign countries are not employed by him,*  
 45 *nor are they engaged in national pursuits. Consequently, there are powerful motives for not exempting persons*  
 46 *of this description from the jurisdiction of the country in which they are found, and no one motive for requiring*  
 47 *it. **The implied license, therefore, under which they enter, can never be construed to grant such exemption.** 7*  
 48 ***Cranch, 144.***

49 *In short, the judgment in the case of The Exchange declared, as incontrovertible principles, that the jurisdiction*  
 50 *of every nation within its own territory is exclusive and absolute, and is susceptible of no limitation not imposed*  
 51 *by the nation itself; that all exceptions to its full and absolute territorial jurisdiction must be traced up to its own*  
 52 *consent, express or implied; that upon its consent to cede, or to waive the exercise of, a part of its territorial*  
 53 *jurisdiction, rest the exemptions from that jurisdiction of foreign sovereigns or their armies entering its territory*  
 54 *with its permission, and of their foreign ministers and public ships of war; and that **the implied license, under***  
 55 ***which private individuals of another nation enter the territory and mingle indiscriminately with its inhabitants,***  
 56 ***for purposes of business or pleasure, can never be construed to grant to them an exemption from the***  
 57 ***jurisdiction of the country in which they are found.** See, also, Carlisle v. U.S. (1872) 16 Wall. 147, 155; Radich*  
 58 *v. Hutchins (1877) 95 U.S. 210; Wildenhus' Case (1887) 120 U.S. 1, 7 Sup.Ct. 385; Chae Chan Ping v. U.S.*  
 59 *(1889) 130 U.S. 581, 603, 604, 9 Sup.Ct. 623.*

[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]

If you are not physically present in a legislatively foreign civil jurisdiction, even if you are a constitutional alien in relation to that jurisdiction, then the above method of enfranchisement and enslavement CANNOT be employed. Only a corrupt government can or would waive these rules and make EVERYONE privileged. Furthermore, under the concept of equal protection and equal treatment, if they can force anyone to be subject to THEIR civil laws, then you are allowed to make your own law and force ANYONE else, including the court, to be subject to YOUR laws against their consent.

NATIONALITY, on the other hand, is NOT discretionary. Nationality is a product of the circumstances of your birth or the requirements for naturalization, which you in turn have no control over and cannot change. One can be a “national” of a country under 8 U.S.C. §1101(a)(21), have “nationality”, and call themselves a constitutional citizen and statutory “national” WITHOUT being a statutory citizen because their **political** status is separate and distinct from their **civil legal** status. YES, you can “expatriate” your constitutional citizenship and abandon your nationality, so your GIVING UP your nationality discretionary.

*“Expatriation is the voluntary renunciation or abandonment of nationality and allegiance.” Perkins v. Elg., 1939, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320. In order to be relieved of the duties of allegiance, consent of the sovereign is required. Mackenzie v. Hare, 1915, 239 U.S. 299, 36 S.Ct. 106, 60 L.Ed. 297. Congress has provided that the right of expatriation is a natural and inherent right of all people, and has further made a legislative declaration as to what acts shall amount to an exercise of such right. The enumerated methods set out in the chapter are expressly made the sole means of expatriation.”*

*“...municipal [civil] law determines how citizenship may be acquired...”*

*“The renunciations not being given a result of free and intelligent choice, but rather because of mental fear, intimidation and coercion, they were held void and of no effect.”*  
[Tomoya Kawakita v. United States, 190 F.2d. 506 (1951)]

But acquiring nationality and constitutional citizen status, for most of us, is NOT discretionary in most cases because:

1. You have no control over WHERE you were born or the citizenship of your parents at the time of birth.
2. You HAVE to be a “national” and constitutional citizen of SOME country on Earth. Otherwise, you would be an “alien” in EVERY country on Earth akin to a fugitive whose rights would be protected by NO ONE.

If you would like more information about the subject of domicile, see:

1. [Why Domicile and Becoming a “Taxpayer” Require Your Consent, Family Guardian Fellowship](http://famguardian.org/Subjects/Taxes/Remedies/DomicileBasisForTaxation.htm)
2. [Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002](http://sedm.org/Forms/FormIndex.htm)

#### **4.12.3.7 CONSTITUTIONAL citizenship is NOT a revocable “privilege”, nor are Any of the Bill of Rights contingent on having that status. The Bill of Rights is applicable to ALL, and not merely CONSTITUTIONAL citizens**

A common misconception of what we call “Fourteenth Amendment Conspiracy Theorists” is the idea that the Fourteenth Amendment essentially made the Bill of Rights into a PRIVILEGE that made everyone subject to federal jurisdiction. Below are some authorities proving that this is simply NOT the case.

*“All privileges granted to citizen by Amnds 1 to 10 against infringement by federal government HAVE NOT been absorbed by this amendment as privileges incident to citizenship of the United States and by this clause protected against infringement by the states.”*  
[Watkins v. Oaklawn Jockey Club. D.C.Ark.1949, 86 F.Supp. 1006, affirmed 183 F.2d. 440]

*“The principle to be deduced from these various cases is that the rights claimed by the plaintiff in error rest with the state governments, and are not protected by the particular clause of the amendment under discussion.”*  
[Maxwell v. Dow, Utah 1900, 20 S.Ct. 448, 176 U.S. 581, 601, 44 L.Ed. 597]

*“Although it has been vigorously asserted that the rights specified in the Amends. 1 to 8 are among the privileges and immunities protected by this clause, and although this view has been defended by many distinguished jurists, including several justices of the federal Supreme Court, that [this] court holds otherwise and asserts that it is the character of the right claimed, whether specified as above or not, that is controlling.”*

[State v. Felch, 1918, 105 A. 23, 92 Vt. 477]

The best way to distinguish between a RIGHT and a revocable PRIVILEGE is whether it can be taken away from you WITHOUT your consent. The rights found in Amendments 1-8 of the federal constitution are NON-REVOCABLE, and require your consent to give up. Therefore, they could not be privileges, and in fact the above cases say so.

There are certainly court cases we have read that identify portions of the Bill of Rights as “privileges”. This is a misnomer meant to confuse that conveys nothing useful. Earlier court cases identified the Bill of Rights as “Articles” rather than “Privileges”. The provisions of the Bill of Rights, however, cannot be lost without your CONSENT and therefore are NOT “franchises” and therefore “PUBLIC RIGHTS”. They are not “property of Congress” or “creations of Congress” which can be taken away without your express consent. In fact, these rights attach NOT to your CIVIL STATUS, whether “citizen” or otherwise, but rather to the LAND you stand on. That is why the Constitution identifies itself as “the law of the LAND”.

*“It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it.”*  
[Balzac v. Porto Rico, 258 U.S. 298 (1922)]

For further details on this important subject, refer to Why You are a “national”, “state national”, and Constitutional but not Statutory Citizen, Form #05.006, Section 18.2.

#### 4.12.3.8 Comparison

Congress enjoys two species of legislative power, and each has its own “citizens”:

*“It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these authorities was the law in question passed?”*  
[Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265; 5 L.Ed. 257 (1821)]

The above distinction is a product of what is called the separation of powers doctrine that is the heart of the United States Constitution and which is thoroughly described in the document below:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023  
<http://sedm.org/Forms/FormIndex.htm>

Based on the above and the foregoing section, there are TWO mutually exclusive and independent types of “nationals”. The U.S. Supreme Court sternly warned Americans not to confuse the two political jurisdictions when it held the following:

**“I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism..”**

[. . .]

**“The idea prevails with some, indeed it has found expression in arguments at the bar, that we have in this country substantially two national governments; one to be maintained under the Constitution, with all of its restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising such powers [of absolutism] as other nations of the earth are accustomed to..”**

[. . .]

**“It will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution.”**  
[Downes v. Bidwell, 182 U.S. 244 (1901), Justice Harlan, Dissenting]

Prior to the Fourteenth Amendment, Constitutional citizenship derived from and was dependent upon being what the U.S. Supreme Court also called a “citizens of the states” or “state citizens”.

"It would be the vainest show of learning to attempt to prove by citations of authority, that up to the adoption of the recent Amendments [the Thirteenth and Fourteenth Amendment], no claim or pretense was set up that those rights depended on the Federal government for their existence or protection, beyond the very few express limitations which the Federal Constitution imposed upon the states—such as the prohibition against *ex post facto* laws, bill of attainder, and laws impairing the obligation of contracts. **But with the exception of these and a few other restrictions, the entire domain of the privileges and immunities of citizens of the states, as above defined, lay within the constitutional and legislative power of the states, and without that of the Federal government. Was it the purpose of the 14<sup>th</sup> Amendment, by the simple declaration that no state should make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, to transfer the security and protection of all the civil rights which we have mentioned, from the states to the Federal government?** And where it is declared that Congress shall have the power to enforce that article, was it intended to bring within the power of Congress the entire domain of civil rights heretofore belonging exclusively to the states?"

**We are convinced that no such result was intended by the Congress which proposed these amendments, nor by the legislatures of the states, which ratified them. Having shown that the privileges and immunities relied on in the argument are those which belong to citizens of the states as such, and that they are left to the state governments for security and protection, and not by this article placed under the special care of the Federal government, we may hold ourselves excused from defining the privileges and immunities of citizens of the United States which no state can abridge, until some case involving those privileges may make it necessary to do so.**

[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873) , emphasis added]

After the Fourteenth Amendment, constitutional citizenship became the primary citizenship and a person not domiciled in a constitutional state is a “national” but not a state citizen:

**“The first of these questions is one of vast importance, and lies at the very foundations of our government. The question is now settled by the fourteenth amendment itself, that citizenship of the United States is the primary citizenship in this country; and that State citizenship is secondary and derivative, depending upon citizenship of the United States and the citizen’s place of residence. The States have not now, if they ever had, any power to restrict their citizenship to any classes or persons. A citizen of the United States has a perfect constitutional right to go to and reside in any State he chooses, and to claim citizenship therein, [83 U.S. 36, 113] and an equality of rights with every other citizen; and the whole power of the nation is pledged to sustain him in that right. He is not bound to cringe to any superior, or to pray for any act of grace, as a means of enjoying all the rights and privileges enjoyed by other citizens. And when the spirit of lawlessness, mob violence, and sectional hate can be so completely repressed as to give full practical effect to this right, we shall be a happier nation, and a more prosperous one than we now are. Citizenship of the United States ought to be, and, according to the Constitution, is, a surt and undoubted title to equal rights in any and every States in this Union, subject to such regulations as the legislature may rightfully prescribe. If a man be denied full equality before the law, he is denied one of the essential rights of citizenship as a citizen of the United States.”**

[Slaughter-House Cases, 83 U.S. 36 (1873)]

**“There are, then, under our republican form of government, two classes of citizens, one of the United States[\*] and one of the state. One class of citizenship may exist in a person, without the other, as in the case of a resident of the District of Columbia; but both classes usually exist in the same person.”**

[Gardina v. Board of Registrars, 160 Ala. 155]

Statutory citizenship, however, does not derive from citizenship under the constitution of a state of the Union. Statutory citizenship equates with the status of being a “national and citizen of the United States\*\* at birth” under 8 U.S.C. §1401 or a “citizen of the United States\*\*” under 8 U.S.C. §1101(a)(22)(A). The types of “citizens” spoken of in the United States Constitution are ONLY biological people and not artificial creations such as corporations. Here is what the Annotated Fourteenth Amendment published by the Congressional Research Service has to say about this subject:

**“Citizens of the United States within the meaning of this Amendment must be natural and not artificial persons; a corporate body is not a citizen of the United States.14**

14 Insurance Co. v. New Orleans, 13 Fed.Cas. 67 (C.C.D.La. 1870). Not being citizens of the United States, corporations accordingly have been declared unable “to claim the protection of that clause of the Fourteenth Amendment which secures the privileges and immunities of citizens of the United States against abridgment or impairment by the law of a State.” Orient Ins. Co. v. Dagg, 172 U.S. 557, 561 (1869) . This conclusion was in harmony with the earlier holding in Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869), to the effect that corporations were not within the scope of the privileges and immunities clause of state citizenship set out in Article IV, Sec. 2. See also Selover, Bates & Co. v. Walsh, 226 U.S. 112, 126 (1912) ; Berea College v. Kentucky, 211 U.S. 45 (1908) ; Liberty Warehouse Co. v. Tobacco Growers, 276 U.S. 71, 89 (1928) ; Grosjean v. American Press Co., 297 U.S. 233, 244 (1936) .

[Annotated Fourteenth Amendment, Congressional Research Service.

SOURCE: [http://www.law.cornell.edu/amncon/html/amdt14a\\_user.html#amdt14a\\_hd1](http://www.law.cornell.edu/amncon/html/amdt14a_user.html#amdt14a_hd1)]

1 Fourteenth Amendment Conspiracy Theorists who deny that they are “citizens of the United States\*\*\*” as described in the  
 2 Fourteenth Amendment, indirectly, are admitting that the ONLY thing they can be or are is a corporation or artificial entity.  
 3 Why? Because:

- 4 1. There are only two types of American citizens: Statutory and Constitutional.
- 5 2. The ONLY one of the two types of “citizens” who is, in fact, expressly identified by the U.S. Supreme Court as a  
 6 human being and emphatically NOT an artificial entity or corporation IS a constitutional or Fourteenth Amendment  
 7 “citizen of the United States\*\*\*”.
- 8 3. If you are born or naturalized here and deny being a constitutional citizen, the only other thing you can be is a statutory  
 9 citizen.

10 We talk about this common freedom fighter fallacy in more detail in:

*Flawed Tax Arguments to Avoid*, Form #08.004, Section 8.1

<http://sedm.org/Forms/FormIndex.htm>

11 It seems ironic that ignorant freedom lovers who don’t read the law and who even want to avoid being associated with a  
 12 corporation would do that to themselves, don’t you think? Some people might try to escape this logic by saying that there  
 13 are TWO types of Constitutional citizens: “citizen of the United States\*\*\*” as identified in the Fourteenth Amendment and  
 14 the “Citizen” of the original Constitution. However, the following case holds that the Fourteenth Amendment “citizen of the  
 15 United States\*\*\*” is a SUPERSET that includes EVERYONE, including the white capital “C” males of the original  
 16 constitution, so this assertion is clearly flawed:

17 **“By the language ‘citizens of the United States’ was meant all such citizens; and by ‘any person’ was meant all**  
 18 **persons within the jurisdiction of the state. No distinction is intimated on account of race or color. This court**  
 19 **has no authority to interpolate a limitation that is neither expressed nor implied. Our duty is to execute the law,**  
 20 **not to make it. The protection provided was not intended to be confined to those of any particular race or class,**  
 21 **but to embrace equally all races, classes, and conditions of men.’** *Id.* 128, 129.

22 [ . . . ]

23 **The fourteenth amendment, by the language, ‘all persons born in the United States, and subject to the**  
 24 **jurisdiction thereof,’ was intended to bring all races, without distinction of color, within the rule which prior**  
 25 **to that time pertained to the white race.”**

26 [*United States v. Wong Kim Ark*, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ]

27 The U.S. Supreme Court also described WHAT is meant by “subject to the jurisdiction”, and it means DOMICILED  
 28 somewhere within the country or what they call the “territory of the nation” rather than the statutory “United States”:

29 **“The amendment, in clear words and in manifest intent, includes the children born within the territory of the**  
 30 **United States of all other persons, of whatever race or color, domiciled within the United States. Every citizen or**  
 31 **subject of another country, while domiciled here [the COUNTRY, not the statutory “United States”], is within**  
 32 **the allegiance and the protection, and consequently subject to the jurisdiction, of the United States. His**  
 33 **allegiance to the United States is direct and immediate, and, although but local and temporary, continuing only**  
 34 **so long as he remains within our territory, is yet, in the words of Lord Coke in Calvin’s Case, 7 Coke, 6a, ‘strong**  
 35 **enough to make a natural subject, for, if he hath issue here, that issue is a natural-born subject’; and his child,**  
 36 **as said by Mr. Binney in his essay before quoted, ‘If born in the country, is as much a citizen as the natural-**  
 37 **born child of a citizen, and by operation of the same principle.’ It can hardly be denied that an alien is completely**  
 38 **subject to the political jurisdiction of the country in which he resides, seeing that, as said by Mr. Webster, when**  
 39 **secretary of state, in his report to the president on Thrasher’s case in 1851, and since repeated by this court:**  
 40 **‘Independently of a residence with intention to continue such residence; independently of any domiciliation;**  
 41 **independently of the taking of any oath of allegiance, or of renouncing any former allegiance,—it is well known**  
 42 **that by the public law an alien, or a stranger born, for so long a time as he continues within the dominions of**  
 43 **a foreign government, owes obedience to the laws of that government, and may be punished for treason or**  
 44 **other crimes as a native-born subject might be, unless his case is varied by some treaty stipulations.’** *Executive*  
 45 *Documents H. R. No. 10, 1st Sess. 32d Cong. p. 4; 6 Webster’s Works, 526; U.S. v. Carlisle, 16 Wall. 147, 155;*  
 46 *Calvin’s Case, 7 Coke, 6a; Ellesmere, Postnati, 63; 1 Hale, P. C. 62; 4 Bl. Comm. 74, 92.’*  
 47 [*United States v. Wong Kim Ark*, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ]

48 The case below is talking about constitutional and not statutory citizenship:

49 **“As the mind cannot conceive an army without the men to compose it, on the face of the Constitution the objection**  
 50 **that it does not give power to provide for such men would seem to be too frivolous for further notice. It is said,**

1 *however, that since under the Constitution as originally framed state citizenship was primary and United States*  
 2 *citizenship but derivative and dependent thereon, therefore the power conferred upon Congress to raise armies*  
 3 *was only coterminous with United States citizenship and could not be exerted so as to cause that citizenship to*  
 4 *lose its dependent character and dominate state citizenship. But the proposition simply denies to Congress the*  
 5 *power to raise armies which the Constitution gives. That power by the very terms of the Constitution, being*  
 6 *delegated, is supreme. Article 6. In truth the contention simply assails the wisdom of the framers of the*  
 7 *Constitution in conferring authority on Congress and in not retaining it as it was under the Confederation in the*  
 8 *several states."*  
 9 *[Arver v. United States, 245 U.S. 366 (1918)]*

10 Below are a few additional case cites that prove that those who are NOT citizens of a state of the Union such as those  
 11 domiciled on federal territory in the District of Columbia, are Statutory and not Constitutional citizens:

12 *"... citizens of the District of Columbia were not granted the privilege of litigating in the federal courts on the*  
 13 *ground of diversity of citizenship. Possibly no better reason for this fact exists than such citizens were not thought*  
 14 *of when the judiciary article [III] of the federal Constitution was drafted. ... citizens of the United States[\*\*] ...*  
 15 *were also not thought of; but in any event a citizen of the United States[\*\*], who is not a citizen of any state,*  
 16 *is not within the language of the [federal] Constitution.*  
 17 *[Pannill v. Roanoke, 252 F. 910, 914]*

18 *"There are, then, under our republican form of government, two classes of citizens, one of the United States[\*\*\*]*  
 19 *and one of the state. One class of citizenship may exist in a person, without the other, as in the case of a resident*  
 20 *of the District of Columbia; but both classes usually exist in the same person."*  
 21 *[Gardina v. Board of Registrars, 160 Ala. 155]*

22 Below is a table comparing the two contexts to make the differences perfectly clear. We will build on these distinctions  
 23 throughout the remainder of this pamphlet.

24 **Table 4-23: Statutory v. Constitutional "Citizens" compared**

#	Characteristic	"Statutory" citizen or resident	"Constitutional" citizen or resident
1	Status of "person" holding this status	<u>Artificial beings or human beings.</u> All these "citizens" are public officers in the government partaking of government franchises.	<u>Human being ONLY and NOT artificial entities or corporations.</u> See Insurance Co. v. New Orleans, 13 Fed.Cas. 67 (C.C.D.La. 1870); Orient Ins. Co. v. Dagg, <a href="#">172 U.S. 557</a> , 561 (1869); Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869); Selover, Bates & Co. v. Walsh, <a href="#">226 U.S. 112</a> , 126 (1912) ; Berea College v. Kentucky, <a href="#">211 U.S. 45</a> (1908) ; Liberty Warehouse Co. v. Tobacco Growers, <a href="#">276 U.S. 71</a> , 89 (1928) ; Grosjean v. American Press Co., <a href="#">297 U.S. 233</a> , 244 (1936).
2	Nature of this status	LEGAL status under statutory civil law	POLITICAL status under the Constitution
3	Status created by	Congressional grant by statute (public right)	We the People in the Constitution
4	Status is	A privilege/franchise	1. An right that cannot be taken away, once granted. 2. A privilege for permanent residents who apply for it but not for those who ALREADY have it.
5	Type of jurisdiction created	Legislative/statutory jurisdiction	Political jurisdiction
6	Jurisdiction called	"Subject to ITS jurisdiction" in 26 C.F.R. §1.1-1(c)	"Subject to THE jurisdiction" in the Fourteenth Amendment
7	"citizen" defined in	<a href="#">8 U.S.C. §1401</a> 26 C.F.R. §1.1-1(c) 26 C.F.R. §31.3121-1(e) ;	1. <a href="#">Fourteenth Amendment, Section 1</a> 2. <a href="#">8 U.S.C. §1101</a> (a)(21)

#	Characteristic	“Statutory” citizen or resident	“Constitutional” citizen or resident
8	Domicile located in	Federal statutory “State” (territory) as defined in <a href="#">4 U.S.C. §110(d)</a>	State of the Union, as used in the Constitution
9	A “U.S. person” as defined in 26 U.S.C. §7701(a)(30)?	Yes	No
10	May lawfully be issued a “Social Security Number” or “Taxpayer Identification Number”?	Yes	No (see: <i>Why It is Illegal for Me to Request or Use a “Taxpayer Identification Number”</i> , Form #04.205; <a href="http://sedm.org/Forms/FormIndex.htm">http://sedm.org/Forms/FormIndex.htm</a> )
11	Human beings called	1. “U.S. citizen” 2. “citizen of the United States**”	1. “national” but not a “citizen” 2. “national” (see <a href="#">8 U.S.C. §1101(a)(21)</a> ) 3. “American citizen” (see 1 Stat. 477) 4. “citizen of the United States <b>of America</b> ” (see 1 Stat. 477) 5. “citizen of the United States***”
12	“resident” (alien) defined in	<a href="#">8 U.S.C. §1101(a)(3)</a> <a href="#">26 U.S.C. §7701(b)(1)(A)</a> 26 C.F.R. §1.1441-1(c)(3)(i)	Not defined
13	Sovereign?	No (A “SUBJECT citizen”)	Yes
14	“Rights” protected by	Enactments of Congress (privileges, not rights)	<a href="#">The Constitution of the United States, Bill of Rights</a> State Constitution
15	Rights protected by the United States Constitution?	No (NO rights. Only legislative “privileges”)	Yes
16	Rights protected by state Constitution?	No (NO rights. Only legislative “privileges”)	Yes
17	Rights are	Revocable at the whim of Congress by legislative enactment and constitute “privileges”	Inalienable
18	Rights are surrendered by	No rights to surrender.	1. Incorrectly declaring yourself to be a statutory “U.S. Citizen” 2. Accepting any government benefit and thereby waiving “sovereign immunity” pursuant to <a href="#">28 U.S.C. §1605(a)(2)</a>
19	Definition of “ <a href="#">United States</a> ” upon which term “citizen of the United States” depends, from previous section	United States**	United States*** United States of America
20	Allegiance is to	The <i>government</i> of the United States (Your PAGAN false God)	The <i>people</i> in states of the Union (Your neighbors: Love your neighbor. Exodus 20:12-17; Gal. 5:14)
21	Relationship to “national” government	Domestic	Foreign (See “Sovereign=Foreign”: <a href="http://famguardian.org/Subjects/Freedom/Sovereignty/Sovereign=Foreign.htm">http://famguardian.org/Subjects/Freedom/Sovereignty/Sovereign=Foreign.htm</a> )



#	Characteristic	“Statutory” citizen or resident	“Constitutional” citizen or resident
22	Tax status	Statutory “U.S. citizen”, as defined in 26 C.F.R. §1.1-1(c) and “U.S. person” (26 U.S.C. §7701(a)(30))	“Nonresident alien” as defined in <a href="#">26 U.S.C. §7701(b)(1)(B)</a> if engaged in a public office. “Non-resident non-person” if not engaged in a public office.
23	File which federal tax form	IRS Form 1040	IRS Form 1040NR WITHOUT a TIN/SSN
24	Protected by Foreign Sovereign Immunities Act as an instrumentality of a foreign state? (see <a href="#">28 U.S.C. §1602 through 1611</a> )	No	Yes
25	A “stateless person” in federal court? (See definition of “State” found in <a href="#">28 U.S.C. §1332(e)</a> )	No	Yes (States of the Union are not “States” within the meaning of <a href="#">28 U.S.C. §1332(e)</a> )
26	Can vote in state elections	As a “voter”	As an “elector” who very carefully fills out the voter registration (See: <a href="http://famguardian.org/TaxFreedom/Instructions/3.13ChangeUSCitizenshipStatus.htm">http://famguardian.org/TaxFreedom/Instructions/3.13ChangeUSCitizenshipStatus.htm</a> )
27	Allegiance directed at	Federal “State”, which is a federal corporation and the “government” that runs it	Constitutional “state”, which is all the sovereign people within a territory

#### 4.12.3.9 STATUTORY “Citizen of the United States” is a corporation franchise

The federal regulations prove WHO the “U.S. citizen” or “Citizen of the United States” is that Congress has jurisdiction over. It is a corporation!

46 C.F.R. §356.5 - Affidavit of U.S. Citizenship.

[CFR Updates Authorities \(U.S. Code\)](#)

§ 356.5 Affidavit of U.S. Citizenship.

(a) In order to establish that a corporation or other entity is a Citizen of the United States within the meaning of section 2(c) of the 1916 Act, or where applicable, section 2(b) of the 1916 Act, the form of Affidavit is hereby prescribed for execution in behalf of the owner, charterer, Mortgagee, or Mortgage Trustee of a Fishing Industry Vessel. Such Affidavit must include information required of parent corporations and other stockholders whose stock ownership is being relied upon to establish that the requisite ownership in the entity is owned by and vested in Citizens of the United States. A certified copy of the Articles of Incorporation and Bylaws, or comparable corporate documents, must be submitted along with the executed Affidavit.

(b) This Affidavit form set forth in paragraph (d) of this section may be modified to conform to the requirements of vessel owners, Mortgagees, or Mortgage Trustees in various forms such as partnerships, limited liability companies, etc. A copy of an Affidavit of U.S. Citizenship modified appropriately, for limited liability companies, partnerships (limited and general), and other entities is available on MARAD's internet home page at <http://www.marad.dot.gov>.

(c) As indicated in § 356.17, in order to renew annually the fishery endorsement on a Fishing Industry Vessel, the owner must submit annually to the Citizenship Approval Officer evidence of U.S. Citizenship within the meaning of section 2(c) of the 1916 Act and 46 App. U.S.C. 12102(c).

(d) The prescribed form of the Affidavit of U.S. Citizenship is as follows:

State of \_\_\_\_ County of \_\_\_\_ Social Security Number: \_\_\_\_\_

I, \_\_\_\_\_, (Name) of \_\_\_\_\_, (Residence address) being duly sworn, depose and say:

1 1. That I am the \_\_\_\_ (Title of office(s) held) of \_\_\_\_, (Name of corporation) a corporation organized and existing  
 2 under the laws of the State of \_\_\_\_ (hereinafter called the "Corporation"), with offices at \_\_\_\_, (Business  
 3 address) in evidence of which incorporation a certified copy of the Articles or Certificate of Incorporation (or  
 4 Association) is filed herewith (or has been filed) together with a certified copy of the corporate Bylaws. [Evidence  
 5 of continuing U.S. citizenship status, including amendments to said Articles or Certificate and Bylaws, should be  
 6 filed within 45 days of the annual documentation renewal date for vessel owners. Other parties required to  
 7 provide evidence of U.S. citizenship status must file within 30 days after the annual meeting of the stockholders  
 8 or annually, within 30 days after the original affidavit if there has been no meeting of the stockholders prior to  
 9 that time.];

10 2. That I am authorized by and in behalf of the Corporation to execute and deliver this Affidavit of U.S.  
 11 Citizenship;

12 3. That the names of the Chief Executive Officer, by whatever title, the Chairman of the Board of Directors, all  
 13 Vice Presidents or other individuals who are authorized to act in the absence or disability of the Chief Executive  
 14 Officer or Chairman of the Board of Directors, and the Directors of the Corporation are as follows:<sup>1</sup>

15 Footnote(s):  
 16

17 <sup>1</sup> Offices that are currently vacant should be noted when listing Officers and Directors in the Affidavit.

18 Notice the OFFICER of the corporation who files the above must have a Social Security Number, which in turn functions as  
 19 a license to represent a public office in the national but not federal government.

20 The "Citizen of the United States" they are referring to in the above regulation can ONLY mean a STATUTORY citizen.  
 21 CONSTITUTIONAL citizens include ONLY human beings according to the U.S. Supreme Court.

22 "Citizens of the United States within the meaning of this Amendment must be natural and not artificial persons;  
 23 a corporate body is not a citizen of the United States. 14

24  
 25 14 Insurance Co. v. New Orleans, 13 Fed.Cas. 67 (C.C.D.La. 1870). Not being citizens of the United States,  
 26 corporations accordingly have been declared unable "to claim the protection of that clause of the Fourteenth  
 27 Amendment which secures the privileges and immunities of citizens of the United States against abridgment or  
 28 impairment by the law of a State." Orient Ins. Co. v. Daggs, 172 U.S. 557, 561 (1869) . This conclusion was in  
 29 harmony with the earlier holding in Paul v. Virginia, 75 U.S. (8 Wall.) 168 (1869), to the effect that corporations  
 30 were not within the scope of the privileges and immunities clause of state citizenship set out in Article IV, Sect. 2.  
 31 See also Selover, Bates & Co. v. Walsh, 226 U.S. 112, 126 (1912) ; Berea College v. Kentucky, 211 U.S. 45 (1908)  
 32 ; Liberty Warehouse Co. v. Tobacco Growers, 276 U.S. 71, 89 (1928); Grosjean v. American Press Co., 297 U.S.  
 33 233, 244 (1936) .

34 [Annotated Fourteenth Amendment, Congressional Research Service.

35 SOURCE: [http://www.law.cornell.edu/anncon/html/amdt14a\\_user.html#amdt14a\\_hd1](http://www.law.cornell.edu/anncon/html/amdt14a_user.html#amdt14a_hd1)]

#### 36 4.12.3.10 You're not a STATUTORY "citizen" under the Internal Revenue Code<sup>166</sup>

37 As was proved exhaustively so far, there are TWO contexts in which one may be a "citizen", and these two contexts are  
 38 mutually exclusive and not overlapping:

- 39 1. Statutory: Relies on statutory definitions of "United States", which mean federal territory that is no part of any state of  
 40 the Union.
- 41 2. Constitutional. Relies on the Constitutional meaning of "United States", which means states of the Union and excludes  
 42 federal territory.

43 Within the field of citizenship, CONTEXT is everything in discerning the meaning of geographical terms. By "context", we  
 44 mean ONE of the two contexts as indicated above:

45 "Citizenship of the United States is defined by the Fourteenth Amendment and federal statutes, **but the**  
 46 **requirements for citizenship of a state generally depend not upon**

<sup>166</sup> Source: *Great IRS Hoax*, Form #11.302, Section 5.2.19, Version 4.54; <http://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>.

**definition but the constitutional or statutory context in which the term is used. *Risewick v. Davis*, 19 Md. 82, 93 (1862); *Halaby v. Board of Directors of University of Cincinnati*, 162 Ohio St. 290, 293, 123 N.E.2d 3 (1954) and authorities therein cited.**

*The decisions illustrate the diversity of the term's usage. In *Field v. Adreon*, 7 Md. 209 (1854), our predecessors held that an unnaturalized foreigner, residing and doing business in this State, was a citizen of Maryland within the meaning of the attachment laws. The Court held that the absconding debtor was a citizen of the State for commercial or business purposes, although not necessarily for political purposes. *Dorsey v. Kyle*, 30 Md. 512, 518 (1869), is to the same effect. Judge Alvey, for the Court, said in that case, that 'the term citizen, used in the formula of the affidavit prescribed by the 4th section of the Article of the Code referred to, is to be taken as synonymous with inhabitant or permanent resident.'*

**Other jurisdictions have equated residence with citizenship of the state for political and other non-commercial purposes. *In re Wehlitz*, 16 Wis. 443, 446 (1863), held that the Wisconsin statute designating 'all able-bodied, white, male citizens' as subject to enrollment in the militia included an unnaturalized citizen who was a resident of the state. 'Under our complex system of government,' the court said, 'there may be a citizen of a state, who is not a citizen of the United States in the full sense of the term.' *McKenzie v. Murphy*, 24 Ark. 155, 159 (1863), held that an alien, domiciled in the state for over ten years, was entitled to the homestead exemptions provided by the Arkansas statute to 'every free white citizen of this state, male or female, being a householder or head of a family \* \* \*'. The court said: 'The word 'citizen' is often used in common conversation and writing, as meaning only an inhabitant, a resident of a town, state, or county, without any implication of political or civil privileges; and we think it is so used in our constitution.' *Halaby v. Board of Directors of University*, *supra*, involved the application of a statute which provided free university instruction to citizens of the municipality in which the university is located. The court held that the plaintiff, an alien minor whose parents were residents of and conducted a business in the city, was entitled to the benefits of that statute, saying: 'It is to be observed that the term, 'citizen,' is often used in legislation where 'domicile' is meant and where United States citizenship has no reasonable relationship to the subject matter and purpose of the legislation in question.'**

Closely in point to the interpretation of the constitutional provision here involved is a report of the Committee of Elections of the House of Representatives, made in 1823. A petitioner had objected to the right of a Delegate to retain his seat from what was then the Michigan Territory. One of the objections was that the Delegate had not resided in the Territory one year previous to the election in the status of a citizen of the United States. An act of Congress passed in 1819, 3 Stat. 483 provided that 'every free white male citizen of said Territory, above the age of twenty-one years, who shall have resided therein one year next preceding' an election shall be entitled to vote at such election for a delegate to Congress. An act of 1823, 3 Stat. 769 provided that all citizens of the United States having the qualifications set forth in the former act shall be eligible to any office in the Territory. The Committee held that the statutory requirement of citizenship of the Territory for a year before the election did not mean that the aspirant for office must also have been a United States citizen during that period. The report said: 'It is the person, the individual, the man, who is [221 A.2d 435] spoken of, and who is to possess the qualifications of residence, age, freedom, &c. at the time he offers to vote, or is to be voted for \* \* \*'. Upon the filing of the report, and the submission of a resolution that the Delegate was entitled to his seat, the contestant of the Delegate's election withdrew his protest, and the sitting Delegate was confirmed. *Biddle v. Richard, Clarke and Hall, Cases of Contested Elections in Congress* (1834) 407, 410.

There is no express requirement in the Maryland Constitution that sheriffs be United States citizens. Voters must be, under Article I, Section 1, but Article IV, Section 44 does not require that sheriffs be voters. A person does not have to be a voter to be a citizen of either the United States or of a state, as in the case of native-born minors. In Maryland, from 1776 to 1802, the Constitution contained requirements of property ownership for the exercise of the franchise; there was no exception as to native-born citizens of the State. *Steiner, Citizenship and Suffrage in Maryland* (1895) 27, 31.

The Maryland Constitution provides that the Governor, Judges and the Attorney General shall be qualified voters, and therefore, by necessary implication, citizens of the United States. Article II, Section 5, Article IV, Section 2, and Article V, Section 4. The absence of a similar requirement as to the qualifications of sheriffs is significant. So also, in our opinion, is the absence of any period of residence for a sheriff except that he shall have been a citizen of the State for five years. The Governor, Judges and Attorney General in addition to being citizens of the State and qualified voters, must have been a resident of the State for various periods. The conjunction of the requisite period of residence with state citizenship in the qualifications for sheriff strongly indicates that, as in the authorities above referred to, state citizenship, as used in the constitutional qualifications for this office, was meant to be synonymous with domicile, and that citizenship of the United States is not required, even by implication, as a qualification for this office. The office of sheriff, under our Constitution, is ministerial in nature; a sheriff's function and province is to execute duties prescribed by law. See *Buckeye Dev. Crop. v. Brown & Schilling, Inc., Md.*, 220 A.2d. 922, filed June 23, 1966 and the concurring opinion of Le Grand, C. J. in *Mayor & City Council of Baltimore v. State, ex rel. Bd. of Police*, 15 Md. 376, 470, 488-490 (1860).

It may well be that the phrase, 'a citizen of the State,' as used in the constitutional provisions as to qualifications, implies that a sheriff cannot owe allegiance to another nation. By the naturalization act of 1779, the Legislature

1 provided that, to become a citizen of Maryland, an alien must swear allegiance to the State. The oath or  
 2 affirmation provided that the applicant renounced allegiance 'to any king or prince, or any other State or  
 3 Government.' Act of July, 1779, Ch. VI; Steiner, op. cit. 15. In this case, on the admitted facts, there can be no  
 4 question of the appellant's undivided allegiance.

5 The court below rested its decision on its conclusion that, under the Fourteenth Amendment, no state may confer  
 6 state citizenship upon a resident alien until such resident alien becomes a naturalized citizen of the United States.  
 7 The court relied, as does not Board in this appeal, upon *City of Minneapolis v. Reum*, 56 F. 576, 581 (8th Cir.  
 8 1893). In that case, an alien resident of Minnesota, who had declared his intention to become a citizen of the  
 9 United States but had not been naturalized, brought a suit, based on diversity of citizenship, against the city in  
 10 the Circuit Court of the United States for the District of Minnesota under Article III, Section 2 of the United States  
 11 Constitution which provides that the federal judicial power shall extend to 'Controversies between \* \* \* a State,  
 12 or the Citizens thereof, and foreign States, Citizens or Subjects.' At the close of the evidence, the defendant moved  
 13 to dismiss the action for want of jurisdiction, on the [221 A.2d 436] ground that the evidence failed to establish  
 14 the allegation that the plaintiff was an alien. The court denied the motion, the plaintiff recovered judgment, and  
 15 the defendant claimed error in the ruling on jurisdiction. The Circuit Court of Appeals affirmed. Judge Sanborn,  
 16 for the court, stated that even though the plaintiff were a citizen of the state, that fact could not enlarge or restrict  
 17 the jurisdiction of the federal courts over controversies between aliens and citizens of the state. The court said:  
 18 'It is not in the power of a state to denationalize a foreign subject who has not complied with the federal  
 19 naturalization laws, and constitute him a citizen of the United States or of a state, so as to deprive the federal  
 20 courts of jurisdiction \* \* \*'

21 *Reum* dealt only with the question of jurisdiction of federal courts under the diversity of citizenship clause of the  
 22 federal Constitution. That a state cannot affect that jurisdiction by granting state citizenship to an unnaturalized  
 23 alien does not mean it cannot make an alien a state citizen for other purposes. Under the Fourteenth Amendment  
 24 all persons born or naturalized in the United States are citizens of the United States and of the state in which they  
 25 reside, but we find nothing in *Reum* of any other case which requires that a citizen of a state must also be a citizen  
 26 of the United States, if no question of federal rights or jurisdictions is involved. As the authorities referred to in  
 27 the first portion of this opinion evidence, the law is to the contrary.

28 Absent any unconstitutional discrimination, a state has the right to extend qualification for state office to its  
 29 citizens, even though they are not citizens of the United States. This, we have found, is what Maryland has done  
 30 in fixing the constitutional qualifications for the office of sheriff. The appellant meets the qualifications which our  
 31 Constitution provides."

32 [*Crosse v. Board of Sup'rs of Elections of Baltimore City*, 221 A.2d. 431, 243 Md. 555 (Md., 1966) ]

33 The confusion over citizenship prevalent today is caused by a deliberate confusion of the above two contexts with each other  
 34 so as to make every American appear to be a statutory citizen and therefore an public officer of the "United States Inc"  
 35 government corporation. This fact was first identified by the U.S. Supreme Court as follows:

36 "Under our own systems of polity, the term 'citizen', implying the same or similar relations to the government and  
 37 to society which appertain to the term, 'subject' in England, is familiar to all. Under either system, the term used  
 38 is designed to apply to man in his individual character and to his natural capacities -- **to a being or agent**  
 39 **[PUBLIC OFFICER!] possessing social and political rights and sustaining social, political, and moral**  
 40 **obligations. It is in this acceptation only, therefore, that the term 'citizen', in the article of the Constitution,**  
 41 **can be received and understood.** When distributing the judicial power, that article extends it to controversies  
 42 between 'citizens' of different states. **This must mean the natural physical beings composing those separate**  
 43 **communities, and can by no violence of interpretation be made to signify artificial, incorporeal, theoretical,**  
 44 **and invisible creations. A corporation, therefore, being not a natural person, but a mere creature of the mind,**  
 45 **invisible and intangible, cannot be a citizen of a state, or of the United States, and cannot fall within the terms**  
 46 **or the power of the above mentioned article, and can therefore neither plead nor be impleaded in the courts of**  
 47 **the United States."**

48 "Sir Edward Coke has declared, that a corporation cannot commit treason, felony, or other crime; neither is  
 49 it capable of suffering a traitor's or felon's punishment, for it is not liable to corporeal penalties -- that it can  
 50 perform no personal duties, for it cannot take an oath for the due execution of an office; neither can it be  
 51 arrested or committed to prison, for its existence being ideal, no man can arrest it; neither can it be  
 52 excommunicated, for it has no soul. But these doctrines of Lord Coke were founded upon an apprehension of  
 53 the law now treated as antiquated and obsolete. His lordship did not anticipate an improvement by which a  
 54 corporation could be transformed into a citizen, and by that transformation be given a physical existence, and  
 55 endowed with soul and body too. The incongruities here attempted to be shown as necessarily deducible from  
 56 the decisions of the cases of *Bank of the United States v. Deveaux* and of *Cincinnati & Louisville Railroad*  
 57 *Company v. Letson* afford some illustration of the effects which must ever follow a departure from the settled  
 58 principles of the law. **These principles are always traceable to a wise and deeply**  
 59 **founded experience; they are therefore ever consentaneous and in**  
 60 **harmony with themselves and with reason, and whenever abandoned as**

**guides to the judicial course, the aberration must lead to bewildering uncertainty and confusion.**

[Rundle v. Delaware & Raritan Canal Company, 55 U.S. 80, 99 (1852) from dissenting opinion by Justice Daniel]

**"The principal issue in this petition is the territorial scope of the term "the United States" in the Citizenship Clause of the Fourteenth Amendment. U.S. Const. amend. XIV, § 1 ("All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." (emphasis added)). Petitioner, who was born in the Philippines in 1934 during its status as a United States territory, argues she was "born ... in the United States" and is therefore a United States citizen.**<sup>167</sup>

Petitioner's argument is relatively novel, having been addressed previously only in the Ninth Circuit. See Rabang v. I.N.S., 35 F.3d 1449, 1452 (9th Cir.1994) ("**No court has addressed whether persons born in a United States territory are born 'in the United States,' within the meaning of the Fourteenth Amendment.**"), cert. denied sub nom. Samidad v. INS, 515 U.S. 1130, 115 S.Ct. 2554, 132 L.Ed.2d. 809 (1995). In a split decision, **the Ninth Circuit held that "birth in the Philippines during the territorial period does not constitute birth 'in the United States' under the Citizenship Clause of the Fourteenth Amendment,** and thus does not give rise to United States citizenship." Rabang, 35 F.3d at 1452. We agree.<sup>168</sup>

Despite the novelty of petitioner's argument, **the Supreme Court in the Insular Cases**<sup>169</sup> **provides authoritative guidance on the territorial scope of the term "the United States" in the Fourteenth Amendment.** The Insular Cases were a series of Supreme Court decisions that addressed challenges to duties on goods transported from Puerto Rico to the continental United States. Puerto Rico, like the Philippines, had been recently ceded to the United States. **The Court considered the territorial scope of the term "the United States" in the Constitution and held that this term as used in the uniformity clause of the Constitution was territorially limited to the states of the Union.** U.S. Const. art. I, § 8 ("[A]ll Duties, Imposts and Excises shall be uniform throughout the United States." (emphasis added)); see Downes v. Bidwell, 182 U.S. 244, 251, 21 S.Ct. 770, 773, 45 L.Ed. 1088 (1901) ("**It can nowhere be inferred that the territories were considered a part of the United States. The Constitution was created by the people of the United States, as a union of States, to be governed solely by representatives of the States; ... In short, the Constitution deals with States, their people, and their representatives.**"); Rabang, 35 F.3d at 1452. **Puerto Rico was merely a territory "appurtenant and belonging to the United States, but not a part of the United States within the revenue clauses of the Constitution."** Downes, 182 U.S. at 287, 21 S.Ct. at 787.

The Court's conclusion in Downes was derived in part by analyzing the territorial scope of the Thirteenth and Fourteenth Amendments. The Thirteenth Amendment prohibits slavery and involuntary servitude "within the United States, or any place subject to their jurisdiction." U.S. Const. amend. XIII, § 1 (emphasis added). The Fourteenth Amendment states that persons "born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." U.S. Const. amend XIV, § 1 (emphasis added). **The disjunctive "or" in the Thirteenth Amendment demonstrates that "there may be places within the jurisdiction of the United States that are no[t] part of the Union" to which the Thirteenth Amendment would apply.** Downes, 182 U.S. at 251, 21 S.Ct. at 773. **Citizenship under the Fourteenth Amendment, however, "is not extended to persons born in any place 'subject to [the United States'] jurisdiction," "but is limited to persons born or naturalized in the states of the Union.** Downes, 182 U.S. at 251, 21 S.Ct. at 773 (emphasis added); see also id. at 263, 21 S.Ct. at 777 ("**In dealing with foreign sovereignties, the term 'United States' has a broader meaning than when used in the Constitution, and includes all territories subject to the jurisdiction of the Federal government, wherever located.**")<sup>170</sup>.

<sup>167</sup> Although this argument was not raised before the immigration judge or on appeal to the BIA, it may be raised for the first time in this petition. See INA, supra, § 106(a)(5), 8 U.S.C. §1105a(a)(5).

<sup>168</sup> For the purpose of deciding this petition, we address only the territorial scope of the phrase "the United States" in the Citizenship Clause. We do not consider the distinct issue of whether citizenship is a "fundamental right" that extends by its own force to the inhabitants of the Philippines under the doctrine of territorial incorporation. Dorr v. United States, 195 U.S. 138, 146, 24 S.Ct. 808, 812, 49 L.Ed. 128 (1904) ("Doubtless Congress, in legislating for the Territories would be subject to those fundamental limitations in favor of personal rights which are formulated in the Constitution and its amendments." (citation and internal quotation marks omitted)); Rabang, 35 F.3d at 1453 n. 8 ("We note that the territorial scope of the phrase 'the United States' is a distinct inquiry from whether a constitutional provision should extend to a territory." (citing Downes v. Bidwell, 182 U.S. 244, 249, 21 S.Ct. 770, 772, 45 L.Ed. 1088 (1901))). The phrase "the United States" is an express territorial limitation on the scope of the Citizenship Clause. Because we determine that the phrase "the United States" did not include the Philippines during its status as a United States territory, we need not determine the application of the Citizenship Clause to the Philippines under the doctrine of territorial incorporation. Cf. United States v. Verdugo-Urquidez, 494 U.S. 259, 291 n. 11, 110 S.Ct. 1056, 1074 n. 11, 108 L.Ed.2d 222 (1990) (Brennan, J., dissenting) (arguing that the Fourth Amendment may be applied extraterritorially, in part, because it does not contain an "express territorial limitation[ ]").

<sup>169</sup> De Lima v. Bidwell, 182 U.S. 1, 21 S.Ct. 743, 45 L.Ed. 1041 (1901); Dooley v. United States, 182 U.S. 222, 21 S.Ct. 762, 45 L.Ed. 1074 (1901); Armstrong v. United States, 182 U.S. 243, 21 S.Ct. 827, 45 L.Ed. 1086 (1901); and Downes v. Bidwell, 182 U.S. 244, 21 S.Ct. 770, 45 L.Ed. 1088 (1901).

<sup>170</sup> Congress, under the Act of February 21, 1871, ch. 62, § 34, 16 Stat. 419, 426, expressly extended the Constitution and federal laws to the District of Columbia. See Downes, 182 U.S. at 261, 21 S.Ct. at 777 (stating that the "mere cession of the District of Columbia" from portions of Virginia and Maryland did not "take [the District of Columbia] out of the United States or from under the aegis of the Constitution.").

1 Following the decisions in the Insular Cases, the Supreme Court confirmed that the Philippines, during its  
 2 status as a United States territory, was not a part of the United States. See *Hooven & Allison Co. v. Evatt*, 324  
 3 U.S. 652, 678, 65 S.Ct. 870, 883, 89 L.Ed. 1252 (1945) ("As we have seen, [the Philippines] are not a part of the  
 4 United States in the sense that they are subject to and enjoy the benefits or protection of the Constitution, as  
 5 do the states which are united by and under it."); see *id.* at 673-74, 65 S.Ct. at 881 (Philippines "are territories  
 6 belonging to, but not a part of, the Union of states under the Constitution," and therefore imports "brought  
 7 from the Philippines into the United States ... are brought from territory, which is not a part of the United States,  
 8 into the territory of the United States.").

9 Accordingly, the Supreme Court has observed, without deciding, that persons born in the Philippines prior to  
 10 its independence in 1946 are not [CONSTITUTIONAL] citizens of the United States. See *Barber v. Gonzales*,  
 11 347 U.S. 637, 639 n. 1, 74 S.Ct. 822, 823 n. 1, 98 L.Ed. 1009 (1954) (stating that although the inhabitants of the  
 12 Philippines during the territorial period were "nationals" of the United States, they were not "United States  
 13 citizens"); *Rabang v. Boyd*, 353 U.S. 427, 432 n. 12, 77 S.Ct. 985, 988 n. 12, 1 L.Ed.2d. 956 (1957) ("The  
 14 inhabitants of the Islands acquired by the United States during the late war with Spain, not being citizens of  
 15 the United States, do not possess right of free entry into the United States." (emphasis added) (citation and  
 16 internal quotation marks omitted)).  
 17 [*Valmonte v. I.N.S.*, 136 F.3d. 914 (C.A.2, 1998)]

18 The STATUTORY context for the term "citizen" described in 26 C.F.R. §1.1-1(c) and 26 U.S.C. §3121(e) relies on the  
 19 geographical term "United States" found in 26 U.S.C. §7701(a)(9) and (a)(10) and 4 U.S.C. §110(d), which means federal  
 20 territory and not a state of the Union. Therefore, the "citizen" and "U.S. person" found in the Internal Revenue Code is a  
 21 TERRITORIAL rather than a STATE citizen. For details on why STATUTORY "citizens" are all public officers and not  
 22 private humans, read:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037  
 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
 DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

23 The U.S. Supreme Court has held in [Hooven & Allison Co. v. Evatt, 324 U.S. 652 \(1945\)](#) that there are THREE different  
 24 meanings and contexts for the word "United States". Hence, there are THREE different types of "citizens of the United  
 25 States" as used in federal statutes and the Constitution. All three types of citizens are called "citizens of the United States",  
 26 but each relies on a different meaning of the "United States". The meaning that applies depends on the context. For instance,  
 27 the meaning of "United States" as used in the Constitution implies states of the Union and excludes federal territory, while  
 28 the term "United States" within federal statutory law means federal territory and excludes states of the Union. Here is an  
 29 example demonstrating the Constitutional context. Note that they use "part of the United States within the meaning of the  
 30 Constitution", and the word "the" and the use of the singular form of "meaning" implies only ONE meaning, which means  
 31 states of the Union and excludes federal territory:

32 "As the only judicial power vested in Congress is to create courts whose judges shall hold their offices during  
 33 good behavior, it necessarily follows that, if Congress authorizes the creation of courts and the appointment of  
 34 judges for limited time, it must act independently of the Constitution upon territory which is not part of the  
 35 United States within the meaning of the Constitution."  
 36 [*O'Donoghue v. United States*, 289 U.S. 516, 53 S.Ct. 740 (1933)]

37 The U.S. Supreme Court and lower courts have also held specifically that:

- 38 1. The statutes conferring citizenship in Title 8 of the U.S. Code are a PRIVILEGE and not a CONSTITUTIONAL  
 39 RIGHT, and are therefore not even necessary in the case of state citizens.

40 "Finally, this Court is mindful of the years of past practice in which territorial citizenship has been treated as  
 41 a statutory [PRIVILEGE!], and not a constitutional, right. In the unincorporated territories of Puerto Rico,  
 42 Guam, the U.S. Virgin Islands, and the Northern Mariana Islands, birthright citizenship was conferred upon their  
 43 inhabitants by various statutes many years after the United States acquired them. See *Amicus Br.* at 10-11. If the  
 44 Citizenship Clause guaranteed birthright citizenship in unincorporated territories, these statutes would have  
 45 been unnecessary."  
 46 [*Tuaua v. U.S.A.*, 951 F.Supp.2d. 88 (2013)]

- 47 2. A citizen of the District of Columbia is NOT equivalent to a constitutional citizen. Note also that the "United States" as  
 48 defined in the Internal Revenue Code, for instance, includes the "District of Columbia" and nowhere expressly includes  
 49 states of the Union in 26 U.S.C. §7701(a)(9) and (a)(10). We therefore conclude that the statutory term "citizen of the  
 50 United States" as used in 8 U.S.C. §1401 includes District of Columbia citizens and all those domiciled on federal  
 51 territory "statutory citizens" and EXCLUDES those domiciled within states of the Union:

1 “The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited,  
 2 opens with a definition of citizenship—not only citizenship of the United States[\*\*\*], but citizenship of the states.  
 3 No such definition was previously found in the Constitution, nor had any attempt been made to define it by act  
 4 of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the  
 5 public journals. It had been said by eminent judges that no man was a citizen of the United States[\*\*\*] except  
 6 as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided  
 7 always in the District of Columbia or in the territories, though within the United States[\*], were not citizens.”  
 8 [Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

- 9 3. An 8 U.S.C. §1401 "national and citizen of the United States\*\* at birth" born on federal territory is NOT a  
 10 CONSTITUTIONAL citizen mentioned in the Fourteenth Amendment when it held:

11 “The Court today holds that Congress can indeed rob a citizen of his citizenship just so long as five members  
 12 of this Court can satisfy themselves that the congressional action was not 'unreasonable, arbitrary,' ante, at  
 13 831; 'misplaced or arbitrary,' ante, at 832; or 'irrational or arbitrary or unfair,' ante, at 833. My first comment  
 14 is that not one of these 'tests' appears in the Constitution. Moreover, it seems a little strange to find such 'tests' as  
 15 these announced in an opinion which condemns the earlier decisions it overrules for their resort to clichés, which  
 16 it describes as 'too handy and too easy, and, like most clichés, can be misleading'. Ante, at 835. That description  
 17 precisely fits those words and clauses which the majority uses, but which the Constitution does not.

18 The Constitution, written for the ages, cannot rise and fall with this Court's passing notions of what is 'fair,' or  
 19 'reasonable,' or 'arbitrary.' [ . . . ]

20 The Court today holds that the Citizenship Clause of the Fourteenth Amendment has no application to Bellei.  
 21 The Court first notes that Afroyim was essentially a case construing the Citizenship Clause of the Fourteenth  
 22 Amendment. Since the Citizenship Clause declares that: 'All persons born or naturalized in the United States \* \*  
 23 \* are citizens of the United States \* \* \*.' the Court reasons that the protections against involuntary expatriation  
 24 declared in Afroyim do not protect all American citizens, but only those 'born or naturalized in the United States.'  
 25 Afroyim, the argument runs, was naturalized in this country so he was protected by the Citizenship Clause, but  
 26 Bellei, since he acquired his American citizenship at birth in Italy as a foreignborn child of an American citizen,  
 27 was neither born nor naturalized in the United States and, hence, falls outside the scope of the Fourteenth  
 28 Amendment guarantees declared in Afroyim. One could hardly call this a generous reading of the great purposes  
 29 the Fourteenth Amendment was adopted to bring about. While conceding that Bellei is an American citizen, the  
 30 majority states: 'He simply is not a Fourteenth-Amendment-first-sentence citizen.' Therefore, the majority  
 31 reasons, the congressional revocation of his citizenship is not barred by the Constitution. I cannot accept the  
 32 Court's conclusion that the Fourteenth Amendment protects the citizenship of some Americans and not others.  
 33 [ . . . ]

34 The Court today puts aside the Fourteenth Amendment as a standard by which to measure congressional  
 35 action with respect to citizenship, and substitutes in its place the majority's own vague notions of 'fairness.'  
 36 The majority takes a new step with the recurring theme that the test of constitutionality is the Court's own view  
 37 of what is 'fair, reasonable, and right.' Despite the concession that Bellei was admittedly an American citizen,  
 38 and despite the holding in Afroyim that the Fourteenth Amendment has put citizenship, once conferred, beyond  
 39 the power of Congress to revoke, the majority today upholds the revocation of Bellei's citizenship on the ground  
 40 that the congressional action was not 'irrational or arbitrary or unfair.' The majority applies the 'shock-the-  
 41 conscience' test to uphold, rather than strike, a federal statute. It is a dangerous concept of constitutional law  
 42 that allows the majority to conclude that, because it cannot say the statute is 'irrational or arbitrary or unfair,'  
 43 the statute must be constitutional.

44 [ . . . ]

45 Since the Court this Term has already downgraded citizens receiving public welfare, Wyman v. James, 400 U.S.  
 46 309, 91 S.Ct. 381, 27 L.Ed.2d. 408 (1971), and citizens having the misfortune to be illegitimate, Labine v. Vincent,  
 47 401 U.S. 532, 91 S.Ct. 1917, 28 L.Ed.2d. 288, I suppose today's decision downgrading citizens born outside the  
 48 United States should have been expected. Once again, as in James and Labine, the Court's opinion makes evident  
 49 that its holding is contrary to earlier decisions. Concededly, petitioner was a citizen at birth, not by constitutional  
 50 right, but only through operation of a federal statute.  
 51 [Rogers v. Bellei, 401 U.S. 815 (1971)]

52 The Internal Revenue Code relies on the statutory definition of "United States", which means federal territory. The term  
 53 "citizen" is nowhere defined within the Internal Revenue Code and is defined twice within the implementing regulations at  
 54 26 C.F.R. §1.1-1 and 26 C.F.R. §31.3121(e)-1 . Below is the first of these two definitions:

55 26 C.F.R. §1.1-1 Income tax on individuals

56 (c) Who is a citizen.

Every person born or naturalized in the United States and subject to its jurisdiction is a citizen. For other rules governing the acquisition of citizenship, see chapters 1 and 2 of title III of the Immigration and Nationality Act (8 U.S.C. §1401-1459). For rules governing loss of citizenship, see sections 349 to 357, inclusive, of such Act (8 U.S.C. 1481-1489), *Schneider v. Rusk*, 377 U.S. 163 (1964), and Rev.Rul. 70-506, C.B. 1970-2, 1. For rules pertaining to persons who are nationals but not citizens at birth, e.g., a person born in American Samoa, see section 308 of such Act (8 U.S.C. 1408). For special rules applicable to certain expatriates who have lost citizenship with a principal purpose of avoiding certain taxes, see section 877. A foreigner who has filed his declaration of intention of becoming a citizen but who has not yet been admitted to citizenship by a final order of a naturalization court is an alien.

Notice the term “born or naturalized in the United States and subject to its jurisdiction”, which means the exclusive legislative jurisdiction of the federal government within the District of Columbia and its territories and possessions under Article 1, Section 8, Clause 17 of the Constitution and Title 48 of the U.S. Code. If they meant to include states of the Union, they would have used “their jurisdiction” or “the jurisdiction” as used in section 1 of the Fourteenth Amendment instead of “its jurisdiction”.

*“The 13th Amendment to the Constitution, prohibiting slavery and involuntary servitude ‘within the United States, or in any place subject to their jurisdiction,’ is also significant as showing that there may be places within the jurisdiction of the United States that are no part of the Union. To say that the phraseology of this amendment was due to the fact that it was intended to prohibit slavery in the seceded states, under a possible interpretation that those states were no longer a part of the Union, is to confess the very point in issue, since it involves an admission that, if these states were not a part of the Union, they were still subject to the jurisdiction of the United States.*

*Upon the other hand, the 14th Amendment, upon the subject of citizenship, declares only that ‘all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the state wherein they reside.’ Here there is a limitation to persons born or naturalized in the United States, which is not extended to persons born in any place ‘subject to their jurisdiction.’”  
[*Downes v. Bidwell*, 182 U.S. 244 (1901)]*

The above definition of “citizen” applying exclusively to the Internal Revenue Code reveals that it depends on 8 U.S.C. §1401 means a human being and NOT artificial person born anywhere in the country but domiciled in the federal United States\*\*/federal zone, which includes territories or possessions and excludes states of the Union. These people possess a special “non-constitutional” class of citizenship that is not covered by the Fourteenth Amendment or any other part of the Constitution.

People born in states of the Union are technically not STATUTORY “nationals and citizens of the United States\*\*\*” under 8 U.S.C. §1401, but instead are STATUTORY “non-resident non-persons” with a legislatively but not constitutionally foreign domicile under 8 U.S.C. §1101(a)(21). The term “national” is defined in 8 U.S.C. §1101(a)(21) as follows:

8 U.S.C. §1101 Definitions [for the purposes of citizenship]

(a) As used in this chapter—

(21) The term “national” means a person owing permanent allegiance to a state.

In the case of “nationals” who are also statutory “non-resident non-persons” under 8 U.S.C. §1101(a)(21), these are people who owe their permanent allegiance to the confederation of states in the Union called the “United States of America\*\*\*\*” and NOT the “United States\*\*\*\*\*”, which is the government and legal person they created to preside ONLY over community property of states of the Union and foreign affairs but NOT internal affairs within the states..

The definition of “citizen of the United States” found in 26 C.F.R. §31.3121(e)-1 corroborates the above conclusions, keeping in mind that “United States” within that definition means the federal zone instead of the states of the Union. Remember: “United States” or “United States of America” in the Constitution means the states of the Union while “United States” in federal statutes means the federal zone only and excludes states of the Union.

26 C.F.R. §31.3121(e)-1 State, United States, and citizen

(e)...The term ‘citizen of the United States’ includes a citizen of the Commonwealth of Puerto Rico or the Virgin Islands, and, effective January 1, 1961, a citizen of Guam or American Samoa.



Puerto Rico, the Virgin Islands, Guam, and American Samoa are all U.S. *territories* and *federal* “States” that are within the federal zone. They are not “states” under the Internal Revenue Code. The proper subjects of Internal Revenue Code, Subtitle A are *only* the people who are born in these federal “States”, and these people are the *only* people who are in fact “citizens and nationals of the United States” under 8 U.S.C. §1401 and under 26 C.F.R. §1.1-1(c).

The basis of citizenship in the United States is the English doctrine under which nationality meant “birth within allegiance of the king”. The U.S. Supreme Court helped explain this concept precisely in the case of *U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898) :

*“The supreme court of North Carolina, speaking by Mr. Justice Gaston, said: ‘Before our Revolution, all free persons born within the dominions of the king of Great Britain, whatever their color or complexion, were native-born British subjects; those born out of his allegiance were aliens.’ ‘Upon the Revolution, no other change took place in the law of North Carolina than was consequent upon the transition from a colony dependent on an European king to a free and sovereign [169 U.S. 649, 664] state.’ ‘British subjects in North Carolina became North Carolina freemen;’ ‘and all free persons born within the state are born citizens of the state.’ ‘The term ‘citizen,’ as understood in our law, is precisely analogous to the term ‘subject’ in the common law, and the change of phrase has entirely resulted from the change of government. The sovereignty has been transferred from the man to the collective body of the people; and he who before was a ‘subject of the king’ is now ‘a citizen of the state.’ *State v. Manuel* (1838) 4 Dev. & b. 20, 24-26. “  
[*U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898)]*

In our country following the victorious Revolution of 1776, the “king” was therefore replaced by “the people”, who are collectively and individually the “sovereigns” within our republican form of government. The group of people within whatever “body politic” one is referring to who live within the territorial limits of that “body politic” are the thing that you claim allegiance to when you claim “nationality” to any one of the following three distinctive political bodies:

1. A state the Union.
2. The *country* “United States”, as defined in our Constitution.
3. The municipal government of the federal zone called the “District of Columbia”, which was chartered as a federal corporation under 16 Stat. 419 §1 and 28 U.S.C. §3002(15)(A).

Each of the three above political bodies have “citizens” who are distinctively their own. When you claim to be a “citizen” of any one of the three, you aren’t claiming allegiance to the *government* of that “body politic”, but to the *people* (the sovereigns) that the government *serves*. If that government is rebellious to the will of the people, and is outside the boundaries of the Constitution that defines its authority so that it becomes a “de facto” government rather than the original “de jure” government it was intended to be, then your allegiance to the *people* must be *superior* to that of the *government* that *serves* the people. In the words of Jesus Himself in John 15:20:

*“Remember the word that I said to you, ‘A servant is not greater than his master.’”*  
[*John 15:20, Bible, NKJV*]

The “master” or “sovereign” in this case, is the *people*, who have expressed their sovereign will through a written and unchangeable Constitution.

*“The glory of our American system of government is that it was created by a written constitution which protects the people against the exercise of arbitrary, unlimited power, and the limits of which instrument may not be passed by the government it created, or by any branch of it, or even by the people who ordained it, except by amendment or change of its provisions.”*  
[*Downes v. Bidwell*, 182 U.S. 244, 21 S.Ct. 770 (1901)]

This is a crucial distinction you *must* understand in order to fully comprehend the foundations of our republican system of government. Let’s look at the definition of “citizen” according to the U.S. Supreme Court in order to clarify the points we have made so far on what it means to be a “citizen” of our glorious republic:

*“There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association. He owes it allegiance and is entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance.”*

*“For convenience it has been found necessary to give a name to this membership. The object is to designate by a title the person and the relation he bears to the nation. For this purpose the words ‘subject,’ ‘inhabitant,’ and*

'citizen' have been used, and the choice between them is sometimes made to depend upon the form of the government. Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the Constitution of the United States. When used in this sense it is understood as conveying the idea of membership of a nation, and nothing more."

"To determine, then, who were citizens of the United States before the adoption of the amendment it is necessary to ascertain what persons originally associated themselves together to form the nation, and what were afterwards admitted to membership.

"Looking at the Constitution itself we find that it was ordained and established by 'the people of the United States,'<sup>3</sup> and then going further back, we find that these were the people of the several States that had before dissolved the political bands which connected them with Great Britain, and assumed a separate and equal station among the powers of the earth,<sup>4</sup> and that had by Articles of Confederation and Perpetual Union, in which they took the name of 'the United States of America,' entered into a firm league of [88 U.S. 162, 167] friendship with each other for their common defence, the security of their liberties and their mutual and general welfare, binding themselves to assist each other against all force offered to or attack made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever. 5

"Whoever, then, was one of the people of either of these States when the Constitution of the United States was adopted, became ipso facto a citizen-a member of the nation created by its adoption. He was one of the persons associating together to form the nation, and was, consequently, one of its original citizens. As to this there has never been a doubt. Disputes have arisen as to whether or not certain persons or certain classes of persons were part of the people at the time, but never as to their citizenship if they were. "  
[Minor v. Happersett, 88 U.S. 162 (1874), emphasis added]

The thing to focus on in the above is the phrase "he owes allegiance and is entitled to its protection". People domiciled in states of the Union have dual allegiance and dual nationality: They owe allegiance to two governments not one, so they are "dual-nationals". They are "dual nationals" because the states of the Union are independent nations<sup>171</sup>:

Dual citizenship. Citizenship in two different countries. Status of citizens of United States who reside within a state; i.e., person who are born or naturalized in the U.S. are citizens of the U.S. and the state wherein they reside.  
[Black's Law Dictionary, Sixth Edition, p. 498]

Likewise, those people who live in a federal "State" like Puerto Rico also owe dual allegiance: one to the District of Columbia, which is their municipal government and which possesses the police powers that protect them, and the other allegiance to the government of the United States of America, which is the general government for the whole country. As we said before, Congress wears two hats and operates in two capacities or jurisdictions simultaneously, each of which covers a different and mutually exclusive geographical area:

1. As the municipal government for the District of Columbia and all U.S. territories. All "Acts of Congress" or federal statutes passed in this capacity are referred to as "private international law". This political community is called the "National Government".
2. As the general government for the states of the Union. All "Acts of Congress" or federal statutes passed in this capacity are called "public international law". This political community is called the "Federal Government."

Each of the two capacities above has different types of "citizens" within it and each is a unique and separate "body politic". Most laws that Congress writes pertain to the first jurisdiction above only. Below is a summary of these two classes of "citizens":

**Table 4-24: Types of citizens**

#	Jurisdiction	Land area	Name of "citizens"
1	Municipal government of the District of Columbia and all U.S. territories. Also called the "National Government"	"Federal zone" (District of Columbia + federal "States")	"Statutory citizens" or "citizens and nationals of the United States" as defined in 8 U.S.C. §1401

<sup>171</sup> See *Bank of Augusta v. Earle*, 38 U.S. (13 Pet.) 519, 10 L.Ed. 274 (1839), in which the Supreme Court ruled:

"The States between each other are sovereign and independent. They are distinct and separate sovereignties, except so far as they have parted with some of the attributes of sovereignty by the Constitution. They continue to be nations, with all their rights, and under all their national obligations, and with all the rights of nations in every particular; except in the surrender by each to the common purposes and objects of the Union, under the Constitution. The rights of each State, when not so yielded up, remain absolute."

2	General government for the states of the Union. Also called the "Federal Government"	"United States <i>of America</i> " (50 Union "states")	"Constitutional citizens" or "nationals but not citizens of the United States" as defined in 8 U.S.C. §1101(a)(21).
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1 The U.S. Supreme Court recognized the above two separate political and legislative jurisdictions and their respective separate  
2 types of "citizens" when it held the following:

3 *"The 1<sup>st</sup> section of the 14<sup>th</sup> article [Fourteenth Amendment], to which our attention is more specifically invited,*  
4 *opens with a definition of citizenship—not only citizenship of the United States[\*\*\*], but citizenship of the states.*  
5 *No such definition was previously found in the Constitution, nor had any attempt been made to define it by act*  
6 *of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the*  
7 *public journals. It had been said by eminent judges that no man was a citizen of the United States[\*\*\*] except*  
8 *as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided*  
9 *always in the District of Columbia or in the territories, though within the United States[\*], were not citizens.*  
10 *Whether this proposition was sound or not had never been judicially decided."*  
11 *[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

12 Federal statutes and "Acts of Congress" *do not* and *cannot* prescribe the STATUTORY citizenship status of human beings  
13 born in and domiciled in states of the Union and *outside* of the exclusive or general legislative jurisdiction of Congress. 8  
14 U.S.C. §1408(2) comes the closest to defining their citizenship status, but even that definition doesn't address most persons  
15 born in states of the Union neither of whose parents ever resided in the federal zone. No federal statute or "act of Congress"  
16 directly can or does prescribe the citizenship status of people born in states of the Union because *state law*, and *not federal*  
17 *law*, prescribes their status under the *Law of Nations*.<sup>172</sup> The reason is because no government may write civil laws that apply  
18 *outside* of their subject matter or exclusive territorial jurisdiction, and states of the Union are STATUTORILY but not  
19 CONSTITUTIONALLY "foreign" to the United States government for the purposes of police powers and legislative  
20 jurisdiction. Here is confirmation of that fact which the geographical definitions within federal also CONFIRM:

21 *"Judge Story, in his treatise on the Conflict of Laws, lays down, as the basis upon which all reasonings on the*  
22 *law of comity must necessarily rest, the following maxims: First, 'that every nation possesses an exclusive*  
23 *sovereignty and jurisdiction within its own territory'; secondly, 'that no state or nation can by its laws directly*  
24 *affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural*  
25 *born subjects or others.' The learned judge then adds: 'From these two maxims or propositions there follows a*  
26 *third, and that is that whatever force and obligation the laws of one country have in another depend solely upon*  
27 *the laws and municipal regulation of the matter; that is to say, upon its own proper jurisdiction and polity, and*  
28 *upon its own express or tacit consent.' Story on Conflict of Laws, §23."*  
29 *[Baltimore & Ohio Railroad Co. v. Chambers, 73 Ohio.St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]*

30 Congress is given the authority under the Constitution, Article 1, Section 8, Clause 4 to write "an uniform Rule of  
31 Naturalization" and they have done this in Title 8 of the U.S. Code called the "Aliens and Nationality", but they were *never*  
32 given any authority under the Constitution to prescribe laws for the states of the Union relating to citizenship by birth *rather*  
33 *than* naturalization. That subject is, and always has been, under the *exclusive* jurisdiction of states of the Union.  
34 Naturalization is only one of *two* ways by which a person can acquire citizenship, and Congress has jurisdiction only over  
35 *one* of the two ways of acquiring citizenship.

36 *"The question, now agitated, depends upon another question; whether the State of Pennsylvania, since the 26<sup>th</sup>*  
37 *of March, 1790, (when the act of Congress was passed) has a right to naturalize an alien? And this must receive*  
38 *its answer from the solution of a third question; whether, according to the constitution of the United States, the*  
39 *authority to naturalize is exclusive, or concurrent? We are of the opinion, then, that the States, individually,*  
40 *still enjoy a concurrent authority upon this subject; but that their individual authority cannot be exercised so*  
41 *as to contravene the rule established by the authority of the Union.*

42 *"The true reason for investing Congress with the power of naturalization has been assigned at the Bar: --It*  
43 *was to guard against too narrow, instead of too liberal, a mode of conferring the rights of citizenship. Thus,*  
44 *the individual States cannot exclude those citizens, who have been adopted by the United States; but they can*  
45 *adopt citizens upon easier terms, than those which Congress may deem it expedient to impose.*

46 *"But the act of Congress itself, furnishes a strong proof that the power of naturalization is concurrent. In the*  
47 *concluding proviso, it is declared, 'that no person heretofore proscribed by any State, shall be admitted a citizen*  
48 *as aforesaid, except by an act of the Legislature of the State, in which such person was proscribed.' Here, we*  
49 *find, that Congress has not only circumscribed the exercise of its own authority, but has recognized the*  
50 *authority of a State Legislature, in one case, to admit a citizen of the United States; which could not be done*

<sup>172</sup> See *The Law of Nations*, Vattel, available on our website at: <http://famguardian.org/Publications/LawOfNations/vattel.htm>

in any case, if the power of naturalization, either by its own nature, or by the manner of its being vested in the Federal Government, was an exclusive power.  
[Collet v. Collet, 2 U.S. 294, 1 L.Ed. 387 (1792)]

Many freedom fighters overlook the fact that the STATUTORY “citizen” mentioned in 26 C.F.R. §1.1-1 can also be a corporation, and this misunderstanding is why many of them think that they are the only proper subject of the Subtitle A federal income tax. In fact, a corporation is also a STATUTORY “person” and an “individual” and a “citizen” within the meaning of the Internal Revenue Code.

*“A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only.”*  
[19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003); Legal encyclopedia]

Corporations, however, cannot be either a CONSTITUTIONAL “person” or “citizen” nor can they have a legal existence outside of the sovereignty that they were created in.

“Citizens of the United States within the meaning of this Amendment must be natural and not artificial persons; a corporate body is not a citizen of the United States.”<sup>14</sup>

<sup>14</sup> *Insurance Co. v. New Orleans*, 13 Fed.Cas. 67 (C.C.D.La. 1870). Not being citizens of the United States, corporations accordingly have been declared unable “to claim the protection of that clause of the Fourteenth Amendment which secures the privileges and immunities of citizens of the United States against abridgment or impairment by the law of a State.” *Orient Ins. Co. v. Daggs*, 172 U.S. 557, 561 (1869). This conclusion was in harmony with the earlier holding in *Paul v. Virginia*, 75 U.S. (8 Wall.) 168 (1869), to the effect that corporations were not within the scope of the privileges and immunities clause of state citizenship set out in Article IV, Sect. 2. See also *Selover, Bates & Co. v. Walsh*, 226 U.S. 112, 126 (1912); *Berea College v. Kentucky*, 211 U.S. 45 (1908); *Liberty Warehouse Co. v. Tobacco Growers*, 276 U.S. 71, 89 (1928); *Grosjean v. American Press Co.*, 297 U.S. 233, 244 (1936).

[Annotated Fourteenth Amendment, Congressional Research Service.  
SOURCE: [http://www.law.cornell.edu/anncon/html/amdi14a\\_user.html#amdi14a\\_hd1](http://www.law.cornell.edu/anncon/html/amdi14a_user.html#amdi14a_hd1)]

Consequently, the only corporations who are “citizens” and the only “corporate profits” that are subject to tax under Internal Revenue Code, Subtitle A are those that are formed under the laws of the District of Columbia, and not those under the laws of states of the Union. Congress can ONLY tax or regulate that which it creates as a VOLUNTARY franchise, and corporations are just such a franchise. Here is why:

*“Now, a grant of corporate existence is a grant of special privileges to the incorporators, enabling them to act for certain designated purposes as a single individual, and exempting them (unless otherwise specifically provided) from individual liability. The corporation being the mere creation of local law, can have no legal existence beyond the limits of the sovereignty where created. As said by this court in Bank of Augusta v. Earle, ‘It must dwell in the place of its creation and cannot migrate to another sovereignty.’ The recognition of its existence even by other States, and the enforcement of its contracts made therein, depend purely upon the comity of those States—a comity which is never extended where the existence of the corporation or the exercise of its powers are prejudicial to their interests or repugnant to their policy.”*  
[*Paul v. Virginia*, 8 Wall (U.S.) 168, 19 L.Ed. 357 (1868)]

In conclusion, you aren’t the STATUTORY “citizen” described in 26 C.F.R. §1.1-1 who is the proper subject of Internal Revenue Code, Subtitle A, nor are you a “resident” of the “United States” defined in 26 U.S.C. §7701(a)(9) if you were born in a state of the Union and are domiciled there. Internal Revenue Code, Subtitle A only applies to persons domiciled in the federal zone and payments originating from within the United States government. If you are domiciled in a state of the Union, then you aren’t domiciled in the federal zone. Consequently, the only type of person you can be as a person born in a state of the Union is:

1. A “national” as defined in 8 U.S.C. §1101(a)(21).
2. A CONSTITUTIONAL “person”.
3. A statutory “non-resident non-person”.
4. NOT any of the following:
  - 4.1. A STATUTORY “person”.
  - 4.2. An “alien” under 8 U.S.C. §1101(a)(3).
  - 4.3. A statutory “national and citizen of the United States\*\* at birth” as defined in 8 U.S.C. §1401.

- 1 4.4. A "National but not citizen of the United States\*\* at birth" under 8 U.S.C. §1408.  
 2 4.5. A "U.S.[\*\*] non-citizen national" under 8 U.S.C. §1452.  
 3 4.6. "a person who, though not a citizen of the United States[\*\*], owes permanent allegiance to the United States[\*\*]"  
 4 under 8 U.S.C. §1101(a)(22)(B).

5 We call the confluence of the above a "non-resident non-person " as described below:

*Non-Resident Non-Person Position*, Form #05.020

FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/NonresidentNonPersonPosition.pdf>

6 You only become a statutory "nonresident alien" as defined in 26 U.S.C. §7701(b)(1)(B) when you surrender your PRIVATE,  
 7 sovereign status and sovereign immunity by entering into contracts with the government, such as accepting a public office or  
 8 a government "benefit".

9 The reason most Americans falsely think they owe income tax and why they continue to illegally be the target of IRS  
 10 enforcement activity is because of one or more of the following:

- 11 1. They don't understand the definition of "individual" under 26 C.F.R. §1.1441-1(c)(3) and therefore falsely identify  
 12 themselves as "individuals" on government forms.  
 13 2. They are the victim of false information returns. See Form #04.001. These false returns give rise to unlawful IRS  
 14 collection activity that intimidates people into filing knowingly false tax returns. This is covered in:

*Why It's a Crime for a State Citizen to File a 1040 Income Tax Return*, Form #08.021

<https://sedm.org/Forms/FormIndex.htm>

- 15 3. They file the wrong tax return form and thereby create false presumptions about their status in relation to the  
 16 federal government. IRS Form 1040 is only for use by resident aliens, not those who are non-residents such as  
 17 state nationals. The "individual" mentioned in the upper left corner of the form is defined in 26 C.F.R. §1.1441-  
 18 1(c)(3) as an "alien". STATUTORY "citizens" are not included in the definition and this is the only definition of  
 19 "individual" anywhere in the I.R.C. or the Treasury Regulations. It also constitutes fraud for a state national to  
 20 declare themselves to be a resident alien. A state national who chooses a domicile in the federal zone is classified  
 21 as a statutory "U.S.\*\* citizen" pursuant to 8 U.S.C. §1101(a)(22)(A) and NOT a "resident" (alien). It is  
 22 furthermore a criminal violation of 18 U.S.C. §911 for a state national to impersonate a statutory "U.S. citizen".  
 23 The only tax return form a state national can file without committing fraud or a crime is IRS Form 1040NR, and  
 24 even then he or she is committing a fraud unless lawfully serving in a public office in the national government.

25 If you still find yourself confused or uncertain about citizenship in the context of the Internal Revenue Code after having read  
 26 this section, you might want to go back and reread the following to refresh your memory, because these resources are the  
 27 foundation to understanding this section:

- 28 1. *Citizenship and Sovereignty Course*, Form #12.001- basic introduction  
 29 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
 30 DIRECT LINK: <http://sedm.org/LibertyU/CitAndSovereignty.pdf>  
 31 VIDEO: <http://www.youtube.com/watch?v=xMrSiiAqJAU>  
 32 2. This memorandum of law.  
 33 3. *Great IRS Hoax*, Form #11.302, Sections 4.11 through 4.11.11.  
 34 <http://sedm.org/Forms/FormIndex.htm>  
 35 4. *Citizenship Status v. Tax Status*, Form #10.011  
 36 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
 37 DIRECT LINK: <http://sedm.org/Forms/10-Emancipation/CitizenshipStatusVTaxStatus/CitizenshipVTaxStatus.htm>

38 Lastly, this section does NOT suggest the following LIES found on Wikipedia ([click here](#), for instance) about its content:

39 *Fourteenth Amendment*

40 *Some tax protesters argue that all Americans are citizens of individual states as opposed to citizens of the United*  
 41 *States, and that the United States therefore has no power to tax citizens or impose other federal laws outside of*  
 42 *Washington D.C. and other federal enclaves[7][20] The first sentence of Section 1 of the [Fourteenth Amendment](#)*  
 43 *states:*

1 All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the  
 2 United States and of the State wherein they reside.  
 3 [Wikipedia: Tax Protester Constitutional Arguments, Downloaded 1/16/2013,  
 4 [http://en.wikipedia.org/wiki/Tax\\_protester\\_constitutional\\_arguments/](http://en.wikipedia.org/wiki/Tax_protester_constitutional_arguments/)]

5 The power to tax of the national government extends to wherever STATUTORY "citizens" or [federal territory](#) are found,  
 6 including states of the Union. HOWEVER, those [domiciled](#) in states of the Union are NOT STATUTORY "citizens" under  
 7 [8 U.S.C. §1401](#) or [26 C.F.R. §1.1-1](#) and the ONLY statutory "citizens" or STATUTORY "taxpayers" described in the Internal  
 8 Revenue Code Subtitles A or C are in fact PUBLIC OFFICERS within the national but not state government. For exhaustive  
 9 proof on this subject, see:

*Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes*, Form #05.008  
 DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/WhyThiefOrPubOfficer.pdf>  
 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

10 We contend that Wikipedia, like most federal judges and prosecutors, are deliberately confusing and perpetuating the  
 11 confusion between STATUTORY and CONSTITUTIONAL contexts in order to unlawfully enforce federal law in places  
 12 that they KNOW they have no jurisdiction. The following forms PREVENT them from doing the very thing that Wikipedia  
 13 unsuccessfully tried to do, and we encourage you to use this every time you deal with priests of the civil religion of socialism  
 14 called "attorneys" or "judges":

- 15 1. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001 (OFFSITE LINK)- use this in administrative  
 16 correspondence  
 17 <http://sedm.org/Forms/FormIndex.htm>
- 18 2. *Citizenship, Domicile, and Tax Status Options*, Form #10.003 (OFFSITE LINK)- use this in all legal settings. Attach to  
 19 your original complaint or response.  
 20 <http://sedm.org/Forms/FormIndex.htm>

#### 21 **4.12.3.11 Territorial STATUTORY citizens are "subject to ITS jurisdiction" in statutes rather than "subject to** 22 **THE jurisdiction" in the Fourteenth Amendment**

23 STATUTORY "U.S. citizens" are described as being "subject to ITS jurisdiction", as indicated in 26 C.F.R. §1.1-1(c):

24 [26 C.F.R. §1.1-1 Income tax on individuals](#)

25 (c) Who is a citizen.

26 ***Every person born or naturalized in the [federal] United States[\*\*] and subject to *its* jurisdiction is a citizen.***  
 27 *For other rules governing the acquisition of citizenship, see chapters 1 and 2 of title III of the Immigration and*  
 28 *Nationality Act (8 U.S.C. §1401–1459). "*  
 29 *[26 C.F.R. §1.1-1(c)]*

30 "It's" implies the exclusive legislative jurisdiction of Congress from a SINGULAR source, which is what the U.S. Supreme  
 31 Court calls "the body corporate" of the national government. A similar but not identical phrase appears in the Fourteenth  
 32 Amendment:

33 *United States Constitution*  
 34 *Fourteenth Amendment*

35 "Section 1. All persons born or naturalized in the United States and subject to **the** jurisdiction thereof, are  
 36 citizens of the United States and of the State wherein they reside."

37 The definition of statutory "national and citizen of the United States[\*\*]" in 8 U.S.C. §1401 further complicates the mix by  
 38 ALSO using the phrase "subject to THE jurisdiction":

39 [TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part 1 > Sec. 1401.](#)  
 40 [Sec. 1401. - Nationals and citizens of United States\[\\*\\*\] at birth](#)

41 *The following shall be nationals and citizens of the United States[\*\*] at birth:*

(a) a person born in the United States[\*\*], and subject to the jurisdiction thereof;

(b) a person born in the United States[\*\*] to a member of an Indian, Eskimo, Aleutian, or other aboriginal tribe: Provided, That the granting of citizenship under this subsection shall not in any manner impair or otherwise affect the right of such person to tribal or other property;

To make things even worse, even the U.S. Supreme Court incorrectly refers to the phrase “subject to THE jurisdiction” as used in the Fourteenth Amendment as “subject to ITS jurisdiction”:

*To remove this difficulty primarily, and to establish a clear and comprehensive definition of citizenship which should declare what should constitute citizenship of the United States, and also citizenship of a State, the first clause of the first section was framed.*

*"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."*

*The first observation we have to make on this clause is, that it puts at rest both the questions which we stated to have been the subject of differences of opinion. It declares that persons may be citizens of the United States without regard to their citizenship of a particular State, and it overturns the Dred Scott decision by making all persons born within the United States and subject to its jurisdiction citizens of the United States. That its main purpose was to establish the citizenship of the negro can admit of no doubt. The phrase, "subject to its jurisdiction" was intended to exclude from its operation children of ministers, consuls, and citizens or subjects of foreign States born within the United States.*

*[Slaughter-House Cases, 83 U.S. 36, 73 (1873) (Justice Miller); SOURCE: [https://scholar.google.com/scholar\\_case?case=12565118578780815007](https://scholar.google.com/scholar_case?case=12565118578780815007)]*

We believe the above incorrect description of the Fourteenth Amendment by the U.S. Supreme Court was deliberately intended to further confuse the two contexts in order to facilitate equivocation of the two contexts and thus, to illegally extend federal legislative jurisdiction into states of the Union. Even the U.S. Supreme Court later admitted the inaccuracy and carelessness of the above statement when it said:

*Mr. Justice Miller, indeed, while discussing the causes which led to the adoption of the Fourteenth Amendment, made this remark: "The phrase, 'subject to its jurisdiction,' was intended to exclude from its operation children of ministers, consuls, and citizens or subjects of foreign States, born within the United States." 16 Wall. 73. This was wholly aside from the question in judgment, and from the course of reasoning bearing upon that question. It was unsupported by any argument, or by any reference to authorities; and that it was not formulated with the same care and exactness, as if the case before the court had called for an exact definition of the phrase, is apparent* from its classing foreign ministers and consuls together — whereas it was then well settled law, as has since been recognized in a judgment of this court in which Mr. Justice Miller concurred, that consuls, as such, and unless expressly invested with a diplomatic character in addition to their ordinary powers, are not considered as entrusted with authority to represent their sovereign in his intercourse with foreign States or to vindicate his prerogatives, or entitled by the law of nations to the privileges and immunities of ambassadors or public ministers, but are subject to the jurisdiction, civil and criminal, of the courts of the country in which they reside. 1 Kent Com. 44; Story Conflict of Laws, § 48; Wheaton International Law, (8th ed.) § 249; The Anne, (1818) 3 Wheat. 435, 445, 446; Gittings v. Crawford, (1838) Taney, 1, 10; In re Baiz, (1890) 135 U.S. 403, 424.

*In weighing a remark uttered under such circumstances, it is well to bear in mind the often quoted words of Chief Justice Marshall: "It is a maxim not to be disregarded, that general expressions, in every opinion, are to be taken in connection with the case in which those expressions are used. If they go beyond the case, they may be respected, but ought not to control the judgment in a subsequent suit when the very point is presented for decision. The reason of this maxim is obvious. The question actually before the court is investigated with care, and considered in its full extent. Other principles which may serve to illustrate it are considered in their relation to the case decided, but their possible bearing on all other cases is seldom completely investigated."*  
*Cohens v. Virginia, (1821) 6 Wheat. 264, 399.*  
*[United States v. Wong Kim Ark, 169 U.S. 649 (1898)]*

The IRS capitalized on the above confusion in their description of “citizen” in the Treasury regulations at 26 C.F.R. §1.1-1(c) by using “subject to ITS jurisdiction” rather than “subject to THE jurisdiction”. They never clarify WHICH of the two types of citizens or jurisdictions they mean, because like the U.S. Supreme Court, they want to encourage equivocation that will make BOTH STATE citizens and TERRITORIAL citizens appear equal AND subject to the LEGISLATIVE jurisdiction of Congress. We know, however, that according to the U.S. Supreme Court, they are NOT equal as admitted in the above case:

1 “The 1<sup>st</sup> section of the 14<sup>th</sup> article [Fourteenth Amendment], to which our attention is more specifically invited,  
 2 opens with a definition of citizenship—not only citizenship of the United States[\*\*\*], but citizenship of the states.  
 3 No such definition was previously found in the Constitution, nor had any attempt been made to define it by act  
 4 of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the  
 5 public journals. It had been said by eminent judges that no man was a citizen of the United States[\*\*\*] except  
 6 as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided  
 7 always in the District of Columbia or in the territories, though within the United States[\*], were not citizens.  
 8 Whether this proposition was sound or not had never been judicially decided.”  
 9 [Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

10 You CANNOT be a citizen of BOTH places at the SAME TIME: federal territory and a state of the Union. It’s ONE or the  
 11 OTHER. Furthermore, if you are a citizen of a state of the Union because born or naturalized there, then you are a  
 12 FOREIGNER in respect to federal territory!:

13 “Constitutionally, only those born or naturalized in the United States and subject to the jurisdiction thereof, are  
 14 citizens. Const.Amdt. XIV. The power to fix and determine the rules of naturalization is vested in the Congress.  
 15 Const.Art. I, sec. 8, cl. 4. Since all persons born outside of the [CONSTITUTIONAL] United  
 16 States, are “foreigners,”[1] and not subject to the jurisdiction of the United States, the  
 17 statutes, such as § 1993 and 8 U.S.C.A. §601 [currently 8 U.S.C. §1401], derive their  
 18 validity from the naturalization power of the Congress. Elk v. Wilkins, 1884, 112 U.S. 94, 101, 5  
 19 S.Ct. 41, 28 L.Ed. 643; Wong Kim Ark v. U. S., 1898, 169 U.S. 649, 702, 18 S.Ct. 456, 42 L.Ed. 890. Persons  
 20 in whom citizenship is vested by such statutes are naturalized citizens and not native-  
 21 born citizens. Zimmer v. Acheson, 10 Cir. 1951, 191 F.2d. 209, 211; Wong Kim Ark v. U. S., supra.”  
 22 [Ly Shew v. Acheson, 110 F.Supp. 50 (N.D. Cal., 1953)]

23  
 24 FOOTNOTES:

25 [1] See Boyd v. State of Nebraska ex rel. Thayer, 1892, 143 U.S. 135, 12 S.Ct. 375, 36 L.Ed. 103; U.S. v.  
 26 Harbanuk, 2 Cir. 1933, 62 F.2d. 759, 761

27 State nationals are foreign in relation to federal territory and territorial statutory “U.S. citizens” under 8 U.S.C. §1401 are  
 28 foreigners in relation to states of the Union. Even though they are “foreigners” they are NOT “aliens” in relation to federal  
 29 territory. Hence, they cannot ALSO be statutory “individuals” as defined in 26 C.F.R. §1.1441-1(c)(3).

30 Below is an example proving that STATUTORY “nationals” can be CONSTITUTIONAL “aliens”, where the petitioner was  
 31 a Filipino citizen and a STATUTORY “national of the United States\*\*\*” under 8 U.S.C. §1101(a)(22). Even then, they  
 32 identified him as an “alien”:

33 The petitioner urges finally that the requirement of “entry” is implicit in the 1931 Act. Citing Fong Yue Ting v.  
 34 United States, 149 U. S. 698, he argues that the bounds of the power to deport aliens are circumscribed by the  
 35 bounds of the power to exclude them, and that the power to exclude extends only to “foreigners” and does not  
 36 embrace Filipinos admitted from the Islands when they were a territory of the United States. It is true that  
 37 Filipinos were not excludable from the country under any general statute relating to the exclusion of “aliens.”  
 38 See Gonzales v. Williams, 192 U. S. 1, 12-13; Toyota v. United States, 268 U. S. 402, 411.

39 But the fallacy in the petitioner’s argument is the erroneous assumption that Congress was without power to  
 40 legislate the exclusion of Filipinos in the same manner as “foreigners.” This Court has held that “. . . the power  
 41 to acquire territory by treaty implies not only the power to govern such territory, but to prescribe upon what  
 42 terms the United States will receive its inhabitants, and what their status shall be . . . .” Downes v. Bidwell, 182  
 43 U. S. 244, 279.<sup>[12]</sup> Congress not only had, but exercised, 433\*433 the power to exclude Filipinos in the provision  
 44 of § 8 (a) (1) of the Independence Act, which, for the period from 1934 to 1946, provided:

45 “For the purposes of the Immigration Act of 1917, the Immigration Act of 1924 (except section 13 (c)), this  
 46 section, and all other laws of the United States relating to the immigration, exclusion, or expulsion of aliens,  
 47 citizens of the Philippine Islands who are not citizens of the United States shall be considered as if they were  
 48 aliens. For such purposes the Philippine Islands shall be considered as a separate country and shall have for  
 49 each fiscal year a quota of fifty. . . .” 48 Stat. 462, 48 U. S. C. (1934 ed.) § 1238.

50 The 1931 Act plainly covers the situation of the petitioner, who was an alien, and who was convicted of a federal  
 51 narcotics offense. Cf. United States ex rel. Eichenlaub v. Shaughnessy, 338 U.S. 521. We therefore conclude that  
 52 the petitioner was deportable as an alien under that Act. The judgment is Affirmed.”

53 [. . .]



1 MR. JUSTICE DOUGLAS, dissenting.

2 [. . .]

3 No matter how the case is viewed, the 1931 Act is applicable only to aliens who had made an "entry" in this  
4 country.

5 This Filipino came to the United States in 1930 and he has never left here. If the spirit of the 1931 Act is to be  
6 observed, he should not be lumped with all other "aliens" who made an "entry." The Filipino alien, who came  
7 here while he was a national, stands in a class by himself and should remain there, until and unless Congress  
8 extends these harsh deportation measures to his class.

9 [Rabang v. Boyd, 353 U.S. 427 (1957); SOURCE:

10 [https://scholar.google.com/scholar\\_case?case=9072441037225227210](https://scholar.google.com/scholar_case?case=9072441037225227210)]

11 The Filipino referenced above was both an "alien" and a "national" at the same time! How can this be? The answer is that  
12 each word applies to a different context. He was a CONSTITUTIONAL alien and a STATUTORY "national" at the SAME  
13 TIME. He was alien to states of the Union (United States\*\*\*) but still a member of the NATION United States\*.

14 The only way to correctly resolve this deliberate confusion of contexts is to conclude the following:

- 15 1. There are TWO contexts for the phrases "subject to THE jurisdiction" and "subject to ITS jurisdiction":
  - 16 1.1. STATUTORY.
  - 17 1.2. CONSTITUTIONAL.
- 18 2. There are TWO "United States" one can owe allegiance to:
  - 19 2.1. The collective states of the Union under the Constitution.
  - 20 2.2. The CORPORATION "United States" under federal statutes. 28 U.S.C. §3002(15)(A).
- 21 3. "Subject to ITS jurisdiction" as used in 26 C.F.R. §1.1-1(c):
  - 22 3.1. Is the STATUTORY context and therefore refers to the exclusive jurisdiction of Congress and to federal territory  
23 ONLY.
  - 24 3.2. Is LEGISLATIVE rather than POLITICAL jurisdiction.
  - 25 3.3. NOWHERE used in the Constitution and therefore CANNOT be the Constitutional context.
- 26 4. "Subject to THE jurisdiction" as used in 8 U.S.C. §1401:
  - 27 4.1. Refers ALSO to allegiance, but the allegiance is owed to the CORPORATION "United States" rather than to the  
28 individual states of the Union or to the United States\*\*\*.
  - 29 4.2. Is the origin of how one becomes a STATUTORY but not CONSTITUTIONAL "national". "national", after all,  
30 is defined in 8 U.S.C. §1101(a)(22) as someone owing allegiance to the "United States[\*\*]".
- 31 5. "Subject to THE jurisdiction" in the Fourteenth Amendment:
  - 32 5.1. Refers to allegiance to the United States of America as a collective and to the constitutional State one is born in or  
33 naturalized in.
  - 34 5.2. Is POLITICAL jurisdiction rather than LEGISLATIVE jurisdiction.
  - 35 5.3. Is equivalent to "subject to THEIR jurisdiction" as used in the Thirteenth Amendment.
- 36 6. The deliberate confusion between "subject to THE jurisdiction" and "subject to ITS jurisdiction" found in  
37 Slaughterhouse Cases above was put there to make the reader falsely presume that the two phrases are equivalent. We  
38 can clearly see that they are NOT, and that believing they are is a logical fallacy called equivocation.

### 39 [equivocation](#)

40 *EQUIVOCATION, n. Ambiguity of speech; the use of words or expressions that are susceptible of a double*  
41 *signification. Hypocrites are often guilty of equivocation, and by this means lose the confidence of their fellow*  
42 *men. **Equivocation is incompatible with the Christian character and profession.***

43 [SOURCE: <http://1828.mshaffer.com/d/search/word/equivocation/>]

44  
45 *Equivocation ("to call by the same name") is an informal logical fallacy. It is the misleading use of a term with*  
46 *more than one meaning or sense (by glossing over which meaning is intended at a particular time). It generally*  
47 *occurs with polysemic words (words with multiple meanings).*

1 *Albeit in common parlance it is used in a variety of contexts, when discussed as a fallacy, equivocation only*  
 2 *occurs when the arguer makes a word or phrase employed in two (or more) different senses in an argument*  
 3 *appear to have the same meaning throughout.*<sup>173</sup>

4 *It is therefore distinct from (semantic) [ambiguity](#), which means that the context doesn't make the meaning of the*  
 5 *word or phrase clear, and [amphiboly](#) (or syntactical ambiguity), which refers to ambiguous sentence structure*  
 6 *due to [punctuation](#) or [syntax](#).*<sup>174</sup>

7 *[Wikipedia: Equivocation, Downloaded 9/15/2015; SOURCE: <https://en.wikipedia.org/wiki/Equivocation>]*

8 Any OTHER approach to these two phrases as described above leads to irreconcilable inconsistencies that no court can  
 9 rationally explain away. That is why they leave this issue alone and refuse to clarify it: So that they can protect their right  
 10 to continue the MASSIVE identity theft that results from assuming that CONSTITUTIONAL citizens are equivalent to  
 11 STATUTORY citizens.

12 Therefore, the ONLY type of “citizen” that the income tax is imposed upon in 26 C.F.R. §1.1-1 is people born on federal  
 13 territory. It does NOT include people born or naturalized in a constitutional state.

#### 14 **4.12.3.12 Who started the STATUTORY v. CONSTITUTIONAL citizen confusion SCAM**

15 The deliberate scheme to confuse STATUTORY and CONSTITUTIONAL “persons” was first enacted by none other than  
 16 Franklin Delano Roosevelt immediately after he took office in 1933. The law he enacted to confiscate all gold was the  
 17 Emergency Banking Relief Act, 48 Stat. 1 and that act ONLY applied to STATUTORY “persons” WITHIN the EXCLUSIVE  
 18 jurisdiction of the national government and NOT to CONSTITUTIONAL “persons” or “citizens”. Of course, none of the  
 19 thieves in government were honest enough to admit the differences in these two types of “persons” or “citizens” and they  
 20 exploited this confusion to STEAL all the gold of Americans, and move it to the then new Fort Knox in seven railcars packed  
 21 to the brim with gold.

22 Let's go back to March 6-9, 1933 and find out what FDR did. Instead of formulating a plan demanding that the Federal  
 23 Reserve honor their contractual obligations to the People he instead consulted the Federal Reserve as to how they believed  
 24 the crisis should be solved! Remember the REAL emergency was that the bankers did not want to honor their contractual  
 25 obligation to convert the People's gold certificates to gold. The cats were consulted about what their punishment should be  
 26 for eating mice. Of course, the cats ruled that they should be fed more mice! What did the private federal reserve conclude  
 27 that their punishment should be for embezzling the People's gold and dishonoring their fiduciary responsibilities and  
 28 legitimate contractual obligations? The cats at the FED decided that they should be fed more mice and the President was  
 29 instructed to pass a law demanding that the People return ALL of their gold to the bankers or be subjected to a stiff fine and  
 30 jail time. Roosevelt's Proclamations were taken word for word from the Resolution adopted by Federal Reserve.

31 *Resolution Adopted by the Federal Reserve Board of New York.*

32 *“Whereas, in the opinion of the Board of Directors of the Federal Reserve Bank of New York, the continued and*  
 33 *increasing withdrawal of currency and gold from the banks of the country has now created a national*  
 34 *emergency...”*

35 Remember, the controllers of the Federal Reserve were extremely well educated in law. History has shown them to be the  
 36 brains behind all major Wars throughout the world. They create a conflict and then fund all sides. War is big business for  
 37 banks. The fed understood how Congress can legislate for its Territorial subject “persons” through Art. I, Sec. 8, Clause 17,  
 38 without regards to the Constitution (see also *Downes v. Bidwell*, 182 U.S. 244 (1901)). These same scoundrels probably  
 39 created the loophole! They also knew the difference between the CONSTITUTIONAL citizens and STATUTORY citizens  
 40 and they were well aware of the War Powers. Following is the original October 6, 1917 combined with the Amendments of  
 41 March 9, 1933:

<sup>173</sup> Damer, T. Edward (2009), *Attacking Faulty Reasoning: A Practical Guide to Fallacy-free Arguments* (6th ed.), Wadsworth, p. 121, ISBN 978-0-495-09506-4

Fischer, D. H. (June 1970), *Historians' fallacies: toward a logic of historical thought*, Harper torchbooks (first ed.), New York: HarperCollins, p. 274, ISBN 978-0-06-131545-9, OCLC 185446787

<sup>174</sup> Damer, T. Edward (2009), *Attacking Faulty Reasoning: A Practical Guide to Fallacy-free Arguments* (6th ed.), Wadsworth, p. 123, ISBN 978-0-495-09506-4

Note: **Bold faced** and single underlines are added by the author for emphasis and understanding. Double underlines and ~~strike through deletions~~ are Amendments to the original “Trading With the Enemy Act” made in the Act of March 9, 1933.

SIXTY FIFTH CONGRESS Sess. I Chapter 106, Page 411, October 6, 1917, 48 Stat. 1

CHAP 106—An Act To define, regulate, and punish trading with the enemy, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that this Act shall be known as the “Trading With the Enemy Act.”

SEC. 2. That the word “enemy” as used herein shall be deemed to mean, for the purposes of such trading and of this Act—

(a) Any individual, partnership, or other party of individuals, or any nationality, resident within the territory (including that occupied by the military and naval forces of any nation with which the United States is at war or resident outside the United States and doing business within such territory and any corporation incorporated within any country other than the United States and doing business with such [enemy] territory, and any corporation incorporated within such territory with which the United States is at war or incorporated within any country other than the United States.

(b) The government of any nation with which the United States is at war, or any political or municipal subdivision thereof.

(c) Such other individuals or body or class of individuals, as may be natives, citizens, or subjects of any nation with which the United States is at war, other than citizens of the United States, wherever resident or wherever doing business, as the President, if he shall find the safety of the United States or the successful prosecution of the war shall so require may, by proclamation, include within the term enemy”

[this section then continues to define an “ally of an enemy” in the same terms as the “enemy” and again states, “other than citizens of the United States.”]

Public Laws of the Seventy-Third Congress, Chapter 1, Title I, March 9, 1933 Sec. 2

Subdivision (b) of Section 5 of the Act of October 6, 1917 (40 Stat. L. 411), as amended, is hereby amended to read as follows:

SEC. 5(b) “During time of war or during any other period of national emergency declared by the President, the President may through any agency that he may designate, or otherwise, investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions of foreign exchange, export or earmarkings of gold or silver coin or bullion or currency, transfers of credits ~~in any form~~ (other than credits relating solely to transactions to be executed wholly within the United States) between or payments by banking institutions as defined by the President, and export, hoarding melting, or earmarking of gold or silver coin or bullion or currency by any person within the United States or any place subject to the jurisdiction thereof; and transfers of evidences of indebtedness or of ownership of property between the United States and any foreign country, whether enemy, ally of enemy or otherwise, or between residents of one or and he the President may require any such person engaged in any such transaction referred to in this subdivision to furnish under oath, complete information relative thereto, including the production of any books of account, contracts, letters or other papers, in connection therewith in the custody or control of such person, either before or after such transaction is completed. Whoever willfully violates any of the provisions of this subdivision or of any license, order, rule or regulation issued thereunder, shall, upon conviction be fined not more than \$10,000, or, if a natural person, may be imprisoned for not more than ten years, or both;’...”

Following the above act, socialist FDR then signed Executive Order 6102 ordering “citizens of the United States” to turn in their gold. Information on Executive Order 6102:

1. Wikipedia: Executive Order 6102  
[http://en.wikipedia.org/wiki/Executive\\_Order\\_6102](http://en.wikipedia.org/wiki/Executive_Order_6102)
2. Text of Executive Order 6102  
<http://www.presidency.ucsb.edu/ws/index.php?pid=14611&st=&st1=>

The only “individuals” or “persons” he could lawfully be referring to in Executive Order 6102 are STATUTORY citizens who are ALSO public officers in the government, because the ability to regulate exclusively private rights is repugnant to the Constitution. Furthermore, even in times of national emergency, it is illegal to violate such a constitutional limitation:

**THE AMERICAN CONSTITUTION IS NON-SUSPENDIBLE!**

*"No emergency justifies the violation of any of the provisions of the United States Constitution."<sup>175</sup> An emergency, however, while it cannot create power, increase granted power, or remove or diminish the restrictions imposed upon the power granted or reserved, may allow the exercise of power already in existence, but not exercised except during an emergency.<sup>176</sup>*

*The circumstances in which the executive branch may exercise extraordinary powers under the Constitution are very narrow.<sup>177</sup> The danger must be immediate and impending, or the necessity urgent for the public service, such as will not admit of delay, and where the action of the civil authority would be too late in providing the means which the occasion calls for.<sup>178</sup> For example, there is no basis in the Constitution for the seizure of steel mills during a wartime labor dispute, despite the President's claim that the war effort would be crippled if the mills were shut down.<sup>179</sup>"*

[16 American Jurisprudence 2d, Constitutional Law, §52 (1999)]

If you would like to read the above enactments, see:

[Legislative History of Money in the United States](http://famguardian.org/Subjects/MoneyBanking/Money/LegHistory/LegHistoryMoney.htm), Family Guardian Fellowship  
<http://famguardian.org/Subjects/MoneyBanking/Money/LegHistory/LegHistoryMoney.htm>

**4.12.3.13 STATUTORY and CONSTITUTIONAL "aliens" are equivalent under U.S.C. Title 8**

Many people mistakenly try to apply the STATUTORY and CONSTITUTIONAL context dichotomy to the term "alien" and this is a mistake. The distinction between STATUTORY citizens v. CONSTITUTIONAL citizens does not apply to the term "alien". We don't think we have confused people by using the term "statutory citizen" and then excluding "alien" from the statutory context in Title 8 because.

1. Title 8 covers TWO opposites based on its name: "Aliens and nationality". You are either an "alien" or a "national". Statutory citizens under 8 U.S.C. §1401 and 8 U.S.C. §1101(a)(22)(A) are a SUBSET of "nationals". A "citizen" under U.S. Code Titles 8, 26, and 42 is a "national of the United States\*\*" domiciled on federal territory.
2. A "nonresident alien" under 26 U.S.C. §7701(b)(1)(B) is someone who is:
  - 2.1. Neither a STATUTORY "national and citizen of the United States\*\* at birth" under 8 U.S.C. §1401 nor a "resident" (alien" of the United States\*\*). . .AND
  - 2.2. A foreign domiciled party or a "non-citizen national of the United States\*\*" under 8 U.S.C. §1101(a)(22)(B), 8 U.S.C. §§1408, or 1452. . .AND
  - 2.3. A public officer in the national government. If they are not a public officer, they would be a "non-resident non-person".
3. The context for whether one is a "national" is whether they were born or naturalized "within allegiance to the sovereign" or on territory within a country or place that has allegiance. That is what the "pledge of allegiance" is about, in fact. The flag flies in lots of places, not just on federal territory or even constitutional states. As described in the United States v. Curtiss-Wright Export Corporation, 299 U.S. 304 (1936), the "United States of America" is THAT country, and that entity is a POLITICAL and not a GEOGRAPHIC entity. The U.S. supreme court calls this entity "the body politic". It is even defined politically as a CORPORATION and not a geographic region in United States v. Curtiss-Wright Export Corporation, 299 U.S. 304 (1936). "States" are not geography, but political groups. "citizens" are political members of this group. Physical presence on territory protected by a "state" does not imply political

<sup>175</sup> As to the effect of emergencies on the operation of state constitutions, see § 59.

<sup>176</sup> Veix v. Sixth Ward Building & Loan Ass'n of Newark, 310 U.S. 32, 60 S.Ct. 792, 84 L.Ed. 1061 (1940); Home Bldg. & Loan Ass'n v. Blaisdell, 290 U.S. 398, 54 S.Ct. 231, 78 L.Ed. 413, 88 A.L.R. 1481 (1934).

The Constitution was adopted in a period of grave emergency and its grants of power to the Federal Government and its limitations of the power of the states were determined in the light of emergency, and are not altered by emergency. First Trust Co. of Lincoln v. Smith, 134 Neb. 84, 277 N.W. 762 (1938).

<sup>177</sup> Halperin v. Kissinger, 606 F.2d. 1192 (D.C. Cir. 1979), cert. granted, 446 U.S. 951, 100 S.Ct. 2915, 64 L.Ed.2d. 807 (1980) and aff'd in part, cert. dismissed in part, 452 U.S. 713, 101 S.Ct. 3132, 69 L.Ed.2d. 367 (1981), reh'g denied, 453 U.S. 928, 102 S.Ct. 892, 69 L.Ed.2d. 1024 (1981) and on remand to, 542 F. Supp. 829 (D.D.C. 1982) and on remand to, 578 F. Supp. 231 (D.D.C. 1984), aff'd in part, remanded in part, 807 F.2d. 180 (D.C. Cir. 1986), on remand to, 723 F. Supp. 1535 (D.D.C. 1989), related reference, 1991 WL 120167 (D.D.C. 1991), remanded, 1992 WL 394503 (D.C. Cir. 1992).

<sup>178</sup> Mitchell v. Harmony, 54 U.S. 115, 13 How. 115, 14 L.Ed. 75 (1851).

<sup>179</sup> Youngstown Sheet & Tube Co. v. Sawyer, 343 U.S. 579, 72 S.Ct. 863, 96 L.Ed. 1153, 47 Ohio.Op. 430, 47 Ohio.Op. 460, 62 Ohio.L.Abs. 417, 62 Ohio.L.Abs. 473, 26 A.L.R.2d. 1378 (1952).

membership. Rather, the coincidence of DOMICILE and NATIONALITY together establish membership. Without BOTH, you can't be a member of the political group. THIS group is called "We the People" in the USA constitution and it is PEOPLE, not territory or geography.

4. The terms "CONSTITUTIONAL" and "STATUTORY" only relate to the coincidence of DOMICILE and the GEOGRAPHY it is tied to. It has nothing to do with nationality, because nationality is not a source of civil jurisdiction or civil status. "national", in fact, is a political status, not a civil status. The allegiance that gives rise to nationality is, in fact, political and not territorial in nature. Abandoning that allegiance is an expatriating act according to 8 U.S.C. §1481.

HOWEVER, the STATUTORY and CONSTITUTIONAL contexts DO apply to the term "nonresident alien" as defined in 26 U.S.C. §7701(b)(1)(B) because:

1. "nonresident aliens" are a SUBSET of "aliens", not a SUPERSET. See 26 C.F.R. §1.1441-1(c)(3).
2. A STATUTORY "national of the United States\*\*" under 8 U.S.C. §1101(a)(22) and a "national" as mentioned in the definition of "nonresident alien" under 26 U.S.C. §7701(b)(1)(A) are the SAME thing.
3. Those who are state nationals per 8 U.S.C. §1101(a)(21) and who are engaged in a public office can be "nonresident aliens" under 26 U.S.C. §7701(b)(1)(B) but STILL not be "aliens" as defined in 26 U.S.C. §7701(b)(1)(A). This exception would apply to both "non-citizen nationals of the United States\*\*" defined in 8 U.S.C. §1408 as well as state nationals. HOWEVER, the office being served MUST be expressly authorized by 4 U.S.C. §72 to be exercised where it is exercised and that place must be in the federal zone when exercised.

#### 4.12.4 Proof that Statutory citizens/residents are a franchise status that has nothing to do with your domicile

The following subsections will prove that statutory "U.S. citizen" or "citizen and national of the United States" status found in 8 U.S.C. §1401, 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c) is a franchise status that has nothing to do with one's domicile. If you would like to know more about the devious abuse of franchises to destroy your rights and break the chains of the Constitution that bind your public servants and protect your rights, see:

Government Instituted Slavery Using Franchises, Form #05.030  
<http://sedm.org/Forms/FormIndex.htm>

##### 4.12.4.1 Background

The biggest complaint most people have about the government is that it imposes mandatory obligations that appear to institute involuntary servitude. How do they do it without violating the Thirteenth Amendment prohibition on involuntary servitude or the Fifth Amendment prohibition on taking PRIVATE property without compensation? This section will attempt to answer that question.

The "obligations" owed to the state by STATUTORY "citizens" (8 U.S.C. §1401) are spoken of in Baker v. Keck, 13 F.Supp. 486 (1936):

*"Citizenship and domicile are substantially synonymous. Residency and inhabitation are too often confused with the terms and have not the same significance. Citizenship implies more than residence [domicile]. It carries with it the idea of identification with the state and a participation in its functions. As a citizen, one sustains social, political, and moral obligation to the state and possesses social and political rights under the Constitution and laws thereof. Harding v. Standard Oil Co. et al. (C.C.), 182 F. 421; Baldwin v. Franks, 120 U.S. 678, 7 S.Ct. 763, 32 L.Ed. 766; Scott v. Sandford, 19 How. 393, 476, 15 L.Ed. 691."*  
 [Baker v. Keck, 13 F.Supp. 486 (1936)]

The above obligations are civil STATUTORY obligations. Yet the Thirteenth Amendment forbids involuntary servitude. The following series of facts is the ONLY thing that explains how these statutes can impose DUTIES or obligations against those who are STATUTORY citizens WITHOUT violating the Thirteenth Amendment:

1. There are, in fact, two capacities in which every human can act: PUBLIC and PRIVATE. Here is a maxim of law on the subject:

*"Quando duo juro concurrunt in und personâ, æquum est ac si essent in diversis.  
 When two rights [PUBLIC right v. PRIVATE right] concur in one person, it is the same as if they were two separate persons. 4 Co. 118.*

[Bouvier's Maxims of Law, 1856;

SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviereMaxims.htm>]

2. Consent of the PRIVATE human being is required to FILL said PUBLIC office.
  - 2.1. The only way anything PUBLIC can attach to otherwise PRIVATE property is WITH the EXPRESS CONSENT of the OWNER of that property. Otherwise there has been an unconstitutional Fifth Amendment taking.
  - 2.2. When we refer to the method of connecting humans to government/public offices, we simply say that the PUBLIC (office) and the PRIVATE (human) cannot be connected together and thereby become an object of legislation WITHOUT the CONSENT of the human that is BEING connected. That connection, in fact is called the "res" or "thing" that is the only thing Congress can legislate against.

*Res. Lat. The subject matter of a trust or will. In the civil law, a thing; an object. As a term of the law, this word has a very wide and extensive signification, including not only things which are objects of property, but also such as are not capable of individual ownership. And in old English law it is said to have a general import, comprehending both corporeal and incorporeal things of whatever kind, nature, or species. By "res," according to the modern civilians, is meant everything that may form an object of rights, in opposition to "persona," which is regarded as a subject of rights. "Res," therefore, in its general meaning, comprises actions of all kinds; while in its restricted sense it comprehends every object of right, except actions. This has reference to the fundamental division of the Institutes that all law relates either to persons, to things, or to actions.*

*Res is everything that may form an object of rights and includes an object, subject-matter or status. In re Riggle's Will, 11 A.D.2d. 51 205 N.Y.S.2d. 19, 21, 22. **The term is particularly applied to an object, subject-matter, or status, considered as the defendant in an action, or as an object against which, directly, proceedings are taken.** Thus, in a prize case, the captured vessel is "the res"; and proceedings of this character are said to be in rem. (See In personam; In Rem.) "Res" may also denote the action or proceeding, as when a cause, which is not between adversary parties, is entitled "In re \_\_\_\_\_".*  
[Black's Law Dictionary, Sixth Edition, pp. 1304-1306]

- 2.3. If the PUBLIC and PRIVATE never get connected, the PUBLIC OFFICE is civilly dead and constitutes an abandoned estate.
- 2.4. Remember: All just powers of the government derive from CONSENT. The implication is that anything not traceable BACK to consent is inherently UNJUST, UNCONSTITUTIONAL, and ILLEGAL.
3. ALL the powers of the government, including its authority to enact civil laws imposing an obligation upon you, depend EITHER on a public office or a contract made with otherwise PRIVATE people. Since the average American has no contracts with the national government, then the ONLY way for the obligations of BEING a STATUTORY "citizen" can attach is through a public office called "U.S.\*\* citizen" or "citizen of the United States\*\*".

*"A private person cannot make constitutions or laws, nor can he with authority construe them, nor can he administer or execute them."<sup>180</sup>*  
[United States v. Harris, 106 U.S. 629, 1 S.Ct. 601, 27 L.Ed. 290 (1883)]

*"All the powers of the government [including ALL of its civil enforcement powers against the public] must be carried into operation **by individual agency, either through the medium of public officers, or contracts made with [private] individuals.**"*  
[Osborn v. Bank of U.S., 22 U.S. 738 (1824)]

- Those who disagree with the assertion in this step are asked simply to prove HOW a person can "obey" or be the "subject" of a specific statute WITHOUT "executing" it as indicated above? The answer is that it is IMPOSSIBLE!
4. The statutory obligations must attach to a PUBLIC office and privilege called STATUTORY "U.S.\*\* citizen" and not to the PRIVATE human being FILLING said office.

**"Finally, this Court is mindful of the years of past practice in which territorial citizenship has been treated as a statutory [PRIVILEGE!], and not a constitutional, right. In the unincorporated territories of Puerto Rico, Guam, the U.S. Virgin Islands, and the Northern Mariana Islands, birthright citizenship was conferred upon their inhabitants by various statutes many years after the United States acquired them. See Amicus Br. at 10-11. If the Citizenship Clause guaranteed birthright citizenship in unincorporated territories, these statutes would have been unnecessary. While longstanding practice is not sufficient to demonstrate constitutionality, such a practice requires special scrutiny before being set aside. See, e.g., Jackman v. Rosenbaum Co., 260 U.S. 22, 31 (1922) (Holmes, J.) ("If a thing has been practiced for two hundred years by common consent, it will need a strong case for the Fourteenth Amendment to affect it."); Walz v. Tax Comm'n, 397 U.S. 664, 678 (1970) ("It is obviously correct that no one acquires a vested or**

protected right in violation of the Constitution by long use . . . . Yet an unbroken practice . . . is not something to be lightly cast aside."). And while Congress cannot take away the citizenship of individuals covered by the Citizenship Clause, it can bestow citizenship upon those not within the Constitution's breadth. See U.S. Const. art. IV, § 3, cl. 2 ("Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory belonging to the United States[\*]\*\*."); *id.* at art. I, § 8, cl. 4 (Congress may "establish an uniform Rule of Naturalization . . ."). To date, Congress has not seen fit to bestow birthright citizenship upon American Samoa, and in accordance with the law, this Court must and will respect that choice.<sup>16</sup> [Tuaua v. U.S.A, 951 F.Supp.2d. 88 (2013)]

5. "Citizenship" must be voluntary, because the Thirteenth Amendment outlaws INVOLUNTARY servitude EVERYWHERE, including federal territory. Certainly, being compelled to occupy a PUBLIC OFFICES in the government would qualify as unconstitutional involuntary servitude.
6. When a public office is associated with a specific person, it is called "citizenship" by the courts.
7. Those who refuse the public office called STATUTORY "U.S.\*\* citizen":
  - 7.1. Are called "nonresidents" and are NOT protected by the civil statutory law.
  - 7.2. Lack STATUTORY diversity of citizenship no matter WHERE they are domiciled, under 28 U.S.C. §1332.
  - 7.3. Can ONLY invoke CONSTITUTIONAL diversity of citizenship under Article III, Section 2.
  - 7.4. Have a civil domicile on geographic territory and are NOT subject to civil statutory law.
  - 7.5. Cannot lawfully have the choice of law switched to federal territory because they are not within the STATUTORY geographical "United States" under 26 U.S.C. §7701(a)(9) and (a)(10).
8. You must declare yourself to BE a STATUTORY "citizen" (8 U.S.C. §1401, born on federal territory) in order to invoke the PRIVILEGES of the PUBLIC office.
9. Federal territory is NOT protected by the Constitution or the Bill of Rights:

"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America, and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights." [Downes v. Bidwell, 182 U.S. 244 (1901)]

10. STATUTORY citizens (8 U.S.C. §1401, born on federal territory), by definition, are both domiciled on federal territory AND present there, and hence HAVE no constitutional rights. Otherwise, they wouldn't BE STATUTORY citizens but rather "stateless persons" and "nonresidents". You can't have a CIVIL STATUS in a place unless you are DOMICILED there.
11. Those who invoke the congressionally granted statutory PRIVILEGES of the PUBLIC OFFICE, meaning those who are STATUTORY "citizens" (8 U.S.C. §1401, born on federal territory) are not covered by the Thirteenth Amendment or the legal obligations imposed upon them would be unconstitutional.
  - 11.1. If these STATUTORY "U.S. citizens" aren't protected by the Thirteenth Amendment, then they must NOT be protected by ANY part of the REST of the Bill of Rights either!
  - 11.2. The question then becomes: why would ANYONE want to be a STATUTORY citizen if they are not protected by the Constitution and have no CONSTITUTIONAL rights? The answer is that they are AN IDIOT!
12. Do you REALLY have to give up ALL your constitutional rights to become a STATUTORY citizen? The answer is YES! Here is what one court said on that subject:

When one becomes a member of society, he necessarily parts with some rights or privileges which, as an individual not affected by his relations to others, he might retain. "A body politic," as aptly defined in the preamble of the Constitution of Massachusetts, "is a social compact by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good." This does not confer power upon the whole people to control rights which are purely and exclusively private, Thorpe v. R. & B. Railroad Co., 27 Vt. 143; but it does authorize the establishment of laws requiring each citizen to so conduct himself, and so use his own property, as not unnecessarily to injure another. This is the very essence of government, and 125\*125 has found expression in the maxim sic utere tuo ut alienum non laedas. From this source come the police powers, which, as was said by Mr. Chief Justice Taney in the License

**Cases, 5 How. 583, "are nothing more or less than the powers of government inherent in every sovereignty, . . . that is to say, . . . the power to govern men and things."** Under these powers the government regulates the conduct of its citizens one towards another, and the manner in which each shall use his own property, when such regulation becomes necessary for the public good. In their exercise it has been customary in England from time immemorial, and in this country from its first colonization, to regulate ferries, common carriers, hackmen, bakers, millers, wharfingers, innkeepers, &c., and in so doing to fix a maximum of charge to be made for services rendered, accommodations furnished, and articles sold. To this day, statutes are to be found in many of the States upon some or all these subjects; and we think it has never yet been successfully contended that such legislation came within any of the constitutional prohibitions against interference with private property. With the Fifth Amendment in force, Congress, in 1820, conferred power upon the city of Washington "to regulate . . . the rates of wharfage at private wharves, . . . the sweeping of chimneys, and to fix the rates of fees therefor, . . . and the weight and quality of bread," 3 Stat. 587, sect. 7; and, in 1848, "to make all necessary regulations respecting hackney carriages and the rates of fare of the same, and the rates of hauling by cartmen, wagoners, carmen, and draymen, and the rates of commission of auctioneers," 9 id. 224, sect. 2.  
[Munn v. Illinois, 94 U.S. 113 (1876),  
SOURCE: [http://scholar.google.com/scholar\\_case?case=6419197193322400931](http://scholar.google.com/scholar_case?case=6419197193322400931)]

Notice based on the above, that the power of the government to control and regulate you REQUIRES that you FIRST VOLUNTEER become a STATUTORY "citizen". Otherwise you would be EXCLUSIVELY PRIVATE and beyond their control. If you don't want to be controlled or regulated then don't volunteer to become a citizen and instead be a "non-resident non-person" protected ONLY by the common law.

*"Under these powers the government regulates the conduct of its citizens one towards another, and the manner in which each shall use his own property, when such regulation becomes necessary for the public good."*  
[Munn v. Illinois, 94 U.S. 113 (1876),  
SOURCE: [http://scholar.google.com/scholar\\_case?case=6419197193322400931](http://scholar.google.com/scholar_case?case=6419197193322400931)]

**"...we are of the opinion that there is a clear distinction in this particular between an [PRIVATE] individual and a [PUBLIC] corporation, and that the latter has no right to refuse to submit its books and papers for an examination at the suit of the state. The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no duty to the state or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may tend to criminate him. He owes no such duty to the state, since he receives nothing therefrom, beyond the protection of his life and property. His rights are such as existed by the law of the land long antecedent to the organization of the state, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights.**

**"Upon the other hand, the [PUBLIC] corporation is a creature of the state. It is presumed to be incorporated for the benefit of the public. It receives certain special privileges and franchises, and holds them subject to the laws of the state and the limitations of its charter. Its powers are limited by law. It can make no contract not authorized by its charter. Its rights to [201 U.S. 43, 75] act as a corporation are only preserved to it so long as it obeys the laws of its creation. There is a reserved right in the legislature to investigate its contracts and find out whether it has exceeded its powers.** It would be a strange anomaly to hold that a state, having chartered a corporation to make use of certain franchises, could not, in the exercise of its sovereignty, inquire how these franchises had been employed, and whether they had been abused, and demand the production of the corporate books and papers for that purpose. The defense amounts to this: That an officer of a corporation which is charged with a criminal violation of the statute, may plead the criminality of such corporation as a refusal to produce its books. To state this proposition is to answer it. While an individual may lawfully refuse to answer incriminating questions unless protected by an immunity statute, it does not follow that a corporation, vested with special privileges and franchises, may refuse to show its hand when charged with an abuse of such privileges. "  
[Hale v. Henkel, 201 U.S. 43 (1906)]

13. The U.S. Supreme Court also confirmed that PUBLIC officers of the national government such as STATUTORY "U.S. citizens" (8 U.S.C. §1401, born on federal territory) have no constitutional rights, when it held:

*"The restrictions that the Constitution places upon the government in its capacity as lawmaker, i.e., as the regulator of private conduct, are not the same as the restrictions that it places upon the government in its capacity as employer. We have recognized this in many contexts, with respect to many different constitutional guarantees. Private citizens perhaps cannot be prevented from wearing long hair, but policemen can. Kelley v. Johnson, 425 U.S. 238, 247 (1976). Private citizens cannot have their property searched without probable cause, but in many circumstances government employees can. O'Connor v. Ortega, 480 U.S. 709, 723 (1987) (plurality opinion); id., at 732 (SCALIA, J., concurring in judgment). Private citizens cannot be punished for refusing to provide the government information that may incriminate them, but government employees can be dismissed when the incriminating information that they refuse to provide relates to the performance of their job. Gardner v.*



Broderick, [497 U.S. 62, 95] [392 U.S. 273, 277](#) -278 (1968). With regard to freedom of speech in particular: Private citizens cannot be punished for speech of merely private concern, but government employees can be fired for that reason. *Connick v. Myers*, [461 U.S. 138, 147](#) (1983). Private citizens cannot be punished for partisan political activity, but federal and state employees can be dismissed and otherwise punished for that reason. *Public Workers v. Mitchell*, [330 U.S. 75, 101](#) (1947); *Civil Service Comm'n v. Letter Carriers*, [413 U.S. 548, 556](#) (1973); *Broadrick v. Oklahoma*, [413 U.S. 601, 616](#) -617 (1973).”  
[*Rutan v. Republican Party of Illinois*, [497 U.S. 62](#) (1990)]

14. These same STATUTORY “U.S. citizens” MUST be public officers, because when they serve on jury duty, they are identified in statutes as said officers, and they CAN’T serve on jury duty in federal court WITHOUT being STATUTORY “U.S. citizens” WITH a domicile on federal territory NOT within any state of the Union.

[TITLE 18](#) > [PART I](#) > [CHAPTER 11](#) > § 201  
[§ 201. Bribery of public officials and witnesses](#)

(a) For the purpose of this section—

(1) **the term “public official” means** Member of Congress, Delegate, or Resident Commissioner, either before or after such official has qualified, or an officer or employee or person acting for or on behalf of the United States, or any department, agency or branch of Government thereof, including the District of Columbia, in any official function, under or by authority of any such department, agency, or branch of Government, **or a juror**;

So WHERE did the above public office come from: the JUROR status or the STATUTORY “U.S. citizen” status that is the PREREQUISITE for BEING a juror? We think it came from the STATUTORY “U.S. citizen” status and that jury service, like voting, is a PUBLIC PRIVILEGE and a PUBLIC FRANCHISE rather than a PRIVATE RIGHT that can be lawfully exercised ONLY by a public officer in the government. All franchises presume the actors are public officers.

“Long ago in *Yick Wo v. Hopkins*, [118 U.S. 356, 370](#), [6 S.Ct. 1064, 1071](#), [30 L.Ed. 220](#) **the Court referred to 'the political franchise of voting' as a 'fundamental political right, because preservative of all rights.'** *Recently in Reynolds v. Sims*, [377 U.S. 533, 561](#)—562, [84 S.Ct. 1362, 1381](#), [12 L.Ed.2d. 506](#), we said, 'Undoubtedly, the right of suffrage is a fundamental matter in a free and democratic society. Especially since **the right to exercise the franchise in a free and unimpaird manner is preservative of other basic civil and political rights, any alleged infringement of the right of citizens to vote must be carefully and meticulously scrutinized.**' *There we were considering charges that voters in one part of the State had greater representation per person in the State Legislature than voters in another part of the State.* We concluded:

'A citizen, a qualified voter, is no more nor no less so because he lives in the city or on the farm. This is the clear and strong command of our Constitution's Equal Protection Clause. This is an essential part of the concept of a government of laws and not men. This is at the heart of Lincoln's vision of 'government of the people, by the people, (and) for the people.' The Equal Protection Clause demands no less than substantially equal state legislative representation for all citizens, of all places as well as of all races.' *Id.*, at 568, 84 S.Ct. at 1385.”  
[*Harper v. Virginia State Board of Elections* *Butts v. Harrison*, [383 U.S. 663, 86 S.Ct. 1079, 16 L.Ed.2d. 169, 1965 WL 130114](#) (1966)]

“The National Government and the States may not deny or abridge the right to vote on account of race. **The Amendment reaffirms the equality of races at the most basic level of the democratic process, the exercise of the voting franchise.** It protects all persons, not just members of a particular race. Important precedents give instruction in the instant case. The Amendment was quite sufficient to invalidate a grandfather clause that did not mention race but instead used ancestry in an attempt to confine and restrict **the voting franchise.** *Guinn v. United States*, [238 U.S. 347, 364](#) 365; and it sufficed to strike down the white primary systems designed to exclude one racial class (at least) from **voting.** see, e.g., *Terry v. Adams*, [345 U.S. 461, 469](#) 470.”  
[*Rice v. Cayetano*, [528 U.S. 495, 120 S.Ct. 1044, 145 L.Ed.2d. 1007](#) (2000)]

“...there are some matters so related to state sovereignty that, even though they are important rights of a resident of that state, discrimination against a nonresident is permitted. <sup>181</sup> **These privileges which states give only to**

<sup>181</sup> *Presser v. People of State of Ill.*, [116 U.S. 252, 6 S.Ct. 580, 29 L.Ed. 615](#) (1886); *Schulz v. New York State Executive*, [960 F.Supp. 568](#) (N.D.N.Y. 1997).

**their own residents are not secured to residents of other states by the Federal Constitution. Included are such matters as the elective franchise, the right to sit upon juries, and the right to hold public office.** The reasons are obvious. If a state were to entrust the elective franchise to residents of another state, its sovereignty would not rest upon the will of its own citizens; and if it permitted its offices to be filled and their functions to be exercised by persons from other states, the state citizens to that extent would not enjoy the right of self-government.<sup>182</sup> here are also numerous privileges that may be accorded by a state to its own people in which citizens of other states may not participate except in conformity to such reasonable regulations as may be established by the state.<sup>183</sup> For instance, a state cannot forbid citizens of other states to sue in its courts, that right being enjoyed by its own people; but it may require a nonresident, although a citizen of another state, to give a bond for costs, although such bond is not required of a resident.<sup>184</sup> A statute restricting the right to carry a concealed weapon to state residents does not violate the Privileges and Immunities Clause of the Fourteenth Amendment; the factor of residence has a legitimate connection with the statute, since substantial danger to the public interest would be caused by an unrestricted flow of dangerous weapons into and through the state.<sup>185</sup> “[16B American Jurisprudence 2d, Constitutional law, §751: State citizenship and its privileges (1999)]

#### 4.12.4.2 **All statutory “U.S.\*\* citizens” are naturalized aliens whose nationality is a revocable taxable privilege**

It may surprise the reader to learn that all STATUTORY “U.S.\*\* citizens” under the Internal Revenue Code are naturalized aliens born, collectively naturalized, or collectively NATIONALIZED (“U.S.\*\* national”) in a federal territory or possession not within a constitutional state. This section will establish that fact.

In order to be a privilege and therefore taxable, statutory “U.S. citizen” status under 8 U.S.C. §1401 must:

1. Be unilaterally revocable by the government without the consent of the person holding it. Anything that is revocable is public property loaned temporarily to the recipient with legal strings attached. All franchises are temporary loans of public property.<sup>186</sup> In order to be revocable, the status must ALSO initially be granted by the same entity that revokes it.
2. Be created and granted ONLY by statute. The grant of the privilege occurs in 8 U.S.C. §§1401-1409.
3. Not be granted by the Constitution such that Congress, rather than the Sovereign People created the public right. The CREATOR of a right is always the OWNER.<sup>187</sup> The constitution confers CONSTITUTIONAL citizenship by birth or naturalization, but only in the case of those born in constitutional states. It requires no statute (such as 8 U.S.C. §1401) to acquire the “force of law”. For everyone else, such as those born in territories or abroad, 8 U.S.C. §§1401-1409 is the only authority or grant of the privilege of statutory citizenship. The following case establishes that rights created by the Constitution do not NEED statutes, which indirectly admits that STATUTORY privileges and CONSTITUTIONAL rights are mutually exclusive in most cases:

**“Finally, this Court is mindful of the years of past practice in which territorial citizenship has been treated as a statutory [PRIVILEGE!], and not a constitutional, right.** In the unincorporated territories of Puerto Rico, Guam, the U.S. Virgin Islands, and the Northern Mariana Islands, birthright citizenship was conferred upon their inhabitants by various statutes many years after the United States acquired them. See *Amicus Br.* at 10-11. **If the Citizenship Clause guaranteed birthright citizenship in unincorporated territories, these statutes would have been unnecessary.”**  
 [Tuaua v. U.S.A, 951 F.Supp.2d. 88 (2013)]

In order to establish that a statutory “national and citizen of the United States [\*\*] at birth” under 8 U.S.C. §1401 is a revocable and taxable privilege, we need only establish statutory authority to REVOKE it to begin with. That authority is found in 8 U.S.C. §1401(g) and is described at length in *Rogers v. Bellei*, 401 U.S. 815 (1971).

8 U.S. Code § 1401 - Nationals and citizens of United States at birth

<sup>182</sup> Steed v. Harvey, 18 Utah 367, 54 P. 1011 (1898).

<sup>183</sup> Duehay v. Acacia Mut. Life Ins. Co., 105 F.2d. 768, 124 A.L.R. 1268 (App.D.C D.C. Cir. 1939).

<sup>184</sup> Blake v. McClung, 172 U.S. 239, 19 S.Ct. 165, 43 L.Ed. 432 (1898).

<sup>185</sup> Application of Ware, 474 A.2d. 131 (Del. 1984).

<sup>186</sup> See: *Government Instituted Slavery Using Franchises*, Form #05.030.

<sup>187</sup> See: *Hierarchy of Sovereignty: The Power to Create is the Power to Tax*, Family Guardian Fellowship; <https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm>.

(g) a person born outside the geographical limits of the United States and its outlying possessions of parents one of whom is an alien, and the other a citizen of the United States who, prior to the birth of such person, was physically present in the United States or its outlying possessions for a period or periods totaling not less than five years, at least two of which were after attaining the age of fourteen years: Provided, That any periods of honorable service in the Armed Forces of the United States, or periods of employment with the United States Government or with an international organization as that term is defined in [section 288 of title 22](#) by such citizen parent, or any periods during which such citizen parent is physically present abroad as the dependent unmarried son or daughter and a member of the household of a person (A) honorably serving with the Armed Forces of the United States, or (B) employed by the United States Government or an international organization as defined in [section 288 of title 22](#), may be included in order to satisfy the physical-presence requirement of this paragraph. This proviso shall be applicable to persons born on or after December 24, 1952, to the same extent as if it had become effective in its present form on that date; and

The Rogers v. Bellei case mentioned above hinged on the loss of 8 U.S.C. §1401 citizenship by Bellei because he had not met the residence requirements found in 8 U.S.C. §1401(g).

**The Court today holds that the Citizenship Clause of the Fourteenth Amendment has no application to Bellei [an 8 U.S.C. §1401 STATUTORY citizen].** The Court first notes that Afroyim was essentially a case construing the Citizenship Clause of the Fourteenth Amendment. Since the Citizenship Clause declares that: 'All persons born or naturalized in the United States \* \* \* are citizens of the United States \* \* \*,' the Court reasons that the protections against involuntary expatriation declared in Afroyim do not protect all American citizens, but only those 'born or naturalized in the United States.' Afroyim, the argument runs, was naturalized in this country so he was protected by the Citizenship Clause, but Bellei, since he acquired his American citizenship at birth in Italy as a foreignborn child of an American citizen, was neither born nor naturalized in the United States and, hence, falls outside the scope of the Fourteenth Amendment guarantees declared in Afroyim. One could hardly call this a generous reading of the great purposes the Fourteenth Amendment was adopted to bring about. **While conceding that Bellei is an American citizen,** the majority states: 'He simply is not a Fourteenth-Amendment-first-sentence citizen.' Therefore, the majority reasons, the congressional revocation of his citizenship is not barred by the Constitution. **I cannot accept the Court's conclusion that the Fourteenth Amendment protects the citizenship of some Americans and not others.** [ . . . ]

**The Court today puts aside the Fourteenth Amendment as a standard by which to measure congressional action with respect to citizenship, and substitutes in its place the majority's own vague notions of 'fairness.'** **The majority takes a new step with the recurring theme that the test of constitutionality is the Court's own view of what is 'fair, reasonable, and right.'** **Despite the concession that Bellei was admittedly an American citizen, and despite the holding in Afroyim that the Fourteenth Amendment has put citizenship, once conferred, beyond the power of Congress to revoke, the majority today upholds the revocation of Bellei's citizenship on the ground that the congressional action was not 'irrational or arbitrary or unfair.'** **The majority applies the 'shock-the-conscience' test to uphold, rather than strike, a federal statute. It is a dangerous concept of constitutional law that allows the majority to conclude that, because it cannot say the statute is 'irrational or arbitrary or unfair,' the statute must be constitutional.**

[ . . . ]

Since the Court this Term has already downgraded citizens receiving public welfare, Wyman v. James, 400 U.S. 309, 91 S.Ct. 381, 27 L.Ed.2d. 408 (1971), and citizens having the misfortune to be illegitimate, Labine v. Vincent, 401 U.S. 532, 91 S.Ct. 1917, 28 L.Ed.2d. 288, I suppose today's decision downgrading citizens born outside the United States should have been expected. Once again, as in James and Labine, the Court's opinion makes evident that its holding is contrary to earlier decisions. **Concededly, petitioner was a citizen at birth, not by constitutional right, but only through operation of a federal statute.** [Rogers v. Bellei, 401 U.S. 815 (1971)]

In a like fashion, those born in unincorporated territories that were later emancipated to become independent nations must LOSE their statutory citizenship and/or nationality by necessity. With these two examples, we have demonstrated that STATUTORY citizenship is revocable and therefore a FRANCHISE PRIVILEGE rather than a RIGHT. Because statutory citizenship is revocable and a franchise, it is subject to regulation and/or taxation.

Constitutional citizenship, on the other hand, is NOT revocable and therefore is a right and a PRIVATE right not subject to regulation or taxation.

"The entire legislative history of the 1868 Act makes it abundantly clear that there was a strong feeling in the Congress that the only way the citizenship it conferred could be lost was by the voluntary renunciation or abandonment by the citizen himself. And this was the unequivocal statement of the Court in the case of United States v. Wong Kim Ark."

[Afroyim v. Rusk, 387 U.S. 253, 87 S.Ct. 1660 (1967)]

The ability to assign statutory citizenship to territories once acquired derives from Congress' power of naturalization, or more particularly COLLECTIVE naturalization:

*“Constitutionally, only those born or naturalized in the United States and subject to the jurisdiction thereof, are citizens. Const.Amdt. XIV. The power to fix and determine the rules of naturalization is vested in the Congress. Const.Art. I, sec. 8, cl. 4. Since all persons born outside of the United States, are “foreigners,”<sup>188</sup> and not subject to the jurisdiction of the United States, the statutes, such as § 1993 and 8 U.S.C.A. §601, derive their validity from the naturalization power of the Congress. Elk v. Wilkins, 1884, 112 U.S. 94, 101, 5 S.Ct. 41, 28 L.Ed. 643; Wong Kim Ark v. U. S., 1898, 169 U.S. 649, 702, 18 S.Ct. 456, 42 L.Ed. 890. Persons in whom citizenship is vested by such statutes are naturalized citizens and not native-born citizens. Zimmer v. Acheson, 10 Cir. 1951, 191 F.2d. 209, 211; Wong Kim Ark v. U. S., supra.”*  
*[Ly Shew v. Acheson, 110 F.Supp. 50 (N.D. Cal., 1953)]*

8 U.S.C. §601 above was repealed in 1952. It refers to what is now 8 U.S.C. §1401 “nationals and citizens of the United States\*\* at birth”, not Constitutional “citizens of the United States”. For details, see the notes:

<https://www.law.cornell.edu/uscode/text/8/601>

NOTE: Natural born state nationals are NOT “naturalized”. Hence, they do NOT fall under 8 U.S.C. §1401. STATUTORY naturalization is REVOCABLE, and hence the status of “national and citizen of the United States\*\* at birth” under 8 U.S.C. §1401 is a STATUTORY PRIVILEGE, and not a CONSTITUTIONAL RIGHT, which applies only to those subject to the laws of the national congress and effectively domiciled on federal territory wherever physically situated.

When a territory is emancipated and its inhabitants are STATUTORY “nationals and citizens of the United States\*\*\*”, its inhabitants must be DENATURALIZED by an act of Congress to become aliens. This type of legislative activity is called “collective denaturalization”. If that former territory remained unincorporated such as the Philippines, then its inhabitants are “nationals” but not “citizens” under 8 U.S.C. §1408 rather than statutory “U.S. citizens” per 8 U.S.C. §1401. There aren’t a lot of examples of collective denaturalization in the history of our country, but the ruling below alludes to this power:

*Congress' reclassification of Philippine "nationals" to alien status under the Philippine Independence Act was not tantamount to a "collective denaturalization" as petitioner contends. See Afroyim v. Rusk, 387 U.S. 253, 257, 87 S.Ct. 1660, 1662, 18 L.Ed.2d. 757 (1967) (holding that Congress has no authority to revoke United States citizenship). Philippine "nationals" of the United States were not naturalized United States citizens. See Manlangit v. INS, 488 F.2d. 1073, 1074 (4th Cir.1973) (holding that Afroyim addressed the rights of a naturalized American [CONSTITUTIONAL] citizen and therefore does not stand as a bar to Congress' authority to revoke the non-citizen, "national" status of the Philippine inhabitants).*  
*[Valmonte v. I.N.S., 136 F.3d. 914 (C.A.2, 1998)]*

People of the Philippines were therefore “COLLECTIVELY NATIONALIZED” rather than “COLLECTIVELY NATURALIZED” because according to the above, they were not STATUTORY “citizens”. Note that 8 U.S.C. §1401 comes under 8 U.S.C. Part 1: Nationality at Birth and Collective Naturalization.

*8 U.S. Code Part I - Nationality at Birth and Collective Naturalization*

SOURCE: <https://www.law.cornell.edu/uscode/text/8/chapter-12/subchapter-III/part-1>

The presumption is therefore firmly established that all those enjoying the type of STATUTORY citizenship in the above part, including STATUTORY “U.S.\*\* citizens” defined in 8 U.S.C. §1401 acquired either their NATIONALITY or their “CITIZEN” status from COLLECTIVE NATIONALIZATION in the case of possessions or COLLECTIVE NATURALIZATION in the case of territories.

Puerto Ricans are STATUTORY “U.S. citizens” and their territory remains unincorporated. If they were emancipated, they would all have to be “collectively denaturalized” by an act of Congress. As such, their citizenship is a PRIVILEGE and not a RIGHT that is subject to taxation:

*“The people of Puerto Rico were collectively naturalized by the Jones Act of 1917, ch. 145, § 5, 39 Stat. 951 (1917) (current version codified at 8 U.S.C. §1402). The people of Guam became citizens of the United States by virtue of the Organic Act of Guam, ch. 512, § 4, 64 Stat. 384 (1950) (current version codified at 8 U.S.C. §1407).”*  
*[Jose Napoleon Marquez-Almanzar v. INS, 418 F.3d. 210 (2005)]*

<sup>188</sup> See Boyd v. State of Nebraska ex rel. Thayer, 1892, 143 U.S. 135, 12 S.Ct. 375, 36 L.Ed. 103; U.S. v. Harbanuk, 2 Cir. 1933, 62 F.2d. 759, 761.

The IRS Website also confirms that a STATUTORY “U.S. citizen” is a naturalized alien:

**U.S. Citizen**

1. An individual born in the United States [federal territory].

2. An individual whose parent is a U.S. citizen.\*

3. **A former alien who has been naturalized as a U.S. citizen**

4. **An individual born in Puerto Rico.**

5. **An individual born in Guam.**

6. **An individual born in the U.S. Virgin Islands.**

[Immigration Terms and Definitions Involving Aliens, IRS Website;

<https://www.irs.gov/individuals/international-taxpayers/immigration-terms-and-definitions-involving-aliens>

Note that CONSTITUTIONAL states of the Union are NOT listed above. Note also that the STATUTORY “individual” referenced above is defined by statute as being ONLY an “alien” or “nonresident alien”. Hence, EVERYONE in the above list is an ALIEN and the list does not include state citizens or state nationals. ONLY by going abroad can the STATUTORY “U.S.\*\* citizen” mentioned in 26 U.S.C. §911 become a STATUTORY “individual” and therefore an “alien” under a tax treaty with the foreign country that he or she is in.

[26 C.F.R. §1.1441-1 Requirement for the deduction and withholding of tax on payments to foreign persons.](#)

**(c) Definitions**

**(3) Individual.**

(i) Alien individual.

*The term alien individual means an individual who is not a citizen or a national of the United States. See Sec. 1.1-1(e).*

[26 C.F.R. §1.1441-1T Requirement for the deduction and withholding of tax on payments to foreign persons.](#)

**(c) Definitions**

**(3) Individual.**

(ii) Nonresident alien individual.

*The term nonresident alien individual means [persons](#) described in section 7701(b)(1)(B), alien [individuals](#) who are treated as [nonresident aliens](#) pursuant to [§ 301.7701\(b\)-7 of this chapter](#) for [purposes](#) of computing their U.S. [tax liability](#), or an alien individual who is a resident of Puerto Rico, Guam, the Commonwealth of Northern Mariana Islands, the U.S. Virgin Islands, or American Samoa as determined under [§ 301.7701\(b\)-1\(d\) of this chapter](#). An alien individual who has made an [election](#) under section 6013(g) or [\(h\)](#) to be treated as a resident of the [United States](#) is nevertheless treated as a [nonresident alien](#) individual for [purposes](#) of [withholding](#) under chapter 3 of the Code and the regulations thereunder.*

***“No provision of the Internal Revenue Code or the regulations thereunder holds that a citizen of the United States is a resident of the United States for purposes of its tax.** Several sections of the Code provide Federal income tax relief or benefits to citizens of the United States who are residents without the United States for some specified period. See sections 911, 934, and 981. These sections give recognition to the fact that not all the citizens of the United States are residents of the United States.”*

[IRS Revenue Rule 75-489]

Section 1 of the Internal Revenue Code imposes the income tax upon “citizens of the United States[\*\*] wherever resident”, meaning wherever they ARE STATUTORY “residents”, meaning ALIENS per 26 U.S.C. §7701(b)(1)(A).

26 C.F.R. §1.1-1 - Income tax on individuals.

§ 1.1-1 [Income tax on individuals.](#)

1 (a)General rule.

2 (I) Section 1 of the Code imposes an income tax on the income of every individual who is a citizen or resident  
 3 of the United States and, to the extent provided by section 871(b) or 877(b), on the income of a nonresident alien  
 4 individual.

5 That means the “citizen of the United States\*\*” mentioned is a naturalized alien who is abroad under 26 U.S.C. §911 and  
 6 who is receiving the excise taxable “benefits” of the protection of a tax treaty with the foreign country they are in. They  
 7 interface to the Internal Revenue Code as “aliens” under that treaty, which is why both “residents” and “citizens” are grouped  
 8 TOGETHER in 26 U.S.C. §911: They are BOTH aliens in respect to the national government under the tax treaty. This is  
 9 an implementation of what is called the Ejusdem Generis Rule:

10 *“Ejusdem generis. Of the same kind, class, or nature. In the construction of laws, wills, and other instruments,*  
 11 *the “ejusdem generis rule” is, that where general words follow an enumeration of persons or things, by words of*  
 12 *a particular and specific meaning, such general words are not to be construed in their widest extent, but are to*  
 13 *be held as applying only to persons or things of the same general kind or class as those specifically mentioned.*  
 14 *U.S. v. LaBrecque, D.C. N.J., 419 F.Supp. 430, 432. The rule, however, does not necessarily require that the*  
 15 *general provision be limited in its scope to the identical things specifically named. Nor does it apply when the*  
 16 *context manifests a contrary intention.*

17 *Under “ejusdem generis” canon of statutory construction, where general words follow the enumeration of*  
 18 *particular classes of things, the general words will be construed as applying only to things of the same general*  
 19 *class as those enumerated. Campbell v. Board of Dental Examiners, 53 Cal.App.3d. 283, 125 Cal.Rptr. 694, 696.”*  
 20 *[Black’s Law Dictionary, Sixth Edition, p. 517]*

#### 21 **4.12.4.3 “national and citizen of the United States\*\* at birth” in 8 U.S.C. §1401 is a PUBLIC PRIVILEGE, not a** 22 **PRIVATE RIGHT**

23 Many people wrongfully presume that “national and citizen of the United States” described in 8 U.S.C. §1401 governs the  
 24 rules for extending CONSTITUTIONAL citizenship. This is not true because:

- 25 1. STATUTORY citizenship within 8 U.S.C. §1401 is a PRIVILEGE/FRANCHISE, rather than a CONSTITUTIONAL  
 26 right.

27 *“Finally, this Court is mindful of the years of past practice in which territorial citizenship has been treated as*  
 28 *a statutory [PRIVILEGE!], and not a constitutional, right.”*  
 29 *[Tuana v. U.S.A., Case No. 12-01143 (D.D.C., 2013)]*

- 30 2. The PUBLIC PRIVILEGE is revocable. PRIVATE rights are NOT revocable. PUBLIC rights ARE revocable.  
 31 2.1. Afroyim v. Rusk, 387 U.S. 253, 87 S.Ct. 1660, 18 L.Ed.2d. 757 (1967) declared that constitutional citizenship  
 32 was NOT revocable without the consent of the citizen.  
 33 2.2. Rogers v. Bellei, 401 U.S. 815 (1971) declared that STATUTORY citizenship under 8 U.S.C. §1401 IS revocable  
 34 at the whim of Congress.

35 ***“The Court today holds that Congress can indeed rob a citizen of his***  
 36 ***citizenship just so long as five members of this Court can satisfy***  
 37 ***themselves that the congressional action was not ‘unreasonable,***  
 38 ***arbitrary,’ ante, at 831; ‘misplaced or arbitrary,’ ante, at 832; or***  
 39 ***‘irrational or arbitrary or unfair,’ ante, at 833.*** My first comment is that not one of these  
 40 ‘tests’ appears in the Constitution. Moreover, it seems a little strange to find such ‘tests’ as these announced in an  
 41 opinion which condemns the earlier decisions it overrules for their resort to cliches, which it describes as ‘too  
 42 handy and too easy, and, like most cliches, can be misleading’. Ante, at 835. That description precisely fits those  
 43 words and clauses which the majority uses, but which the Constitution does not.

44 *The Constitution, written for the ages, cannot rise and fall with this Court’s passing notions of what is ‘fair,’ or*  
 45 *‘reasonable,’ or ‘arbitrary.’*

46 [ . . . ]

47 ***The Court today holds that the Citizenship Clause of the Fourteenth Amendment has no application to Bellei.***  
 48 *The Court first notes that Afroyim was essentially a case construing the Citizenship Clause of the Fourteenth*

Amendment. Since the Citizenship Clause declares that: 'All persons born or naturalized in the United States \* \* \* are citizens of the United States \* \* \*.' the Court reasons that the protections against involuntary expatriation declared in *Afroyim* do not protect all American citizens, but only those 'born or naturalized in the United States.' *Afroyim*, the argument runs, was naturalized in this country so he was protected by the Citizenship Clause, but *Bellei*, since he acquired his American citizenship at birth in Italy as a foreignborn child of an American citizen, was neither born nor naturalized in the United States and, hence, falls outside the scope of the Fourteenth Amendment guarantees declared in *Afroyim*. One could hardly call this a generous reading of the great purposes the Fourteenth Amendment was adopted to bring about.

While conceding that *Bellei* is an American citizen, the majority states: 'He simply is not a Fourteenth-Amendment-first-sentence citizen.' Therefore, the majority reasons, the congressional revocation of his citizenship is not barred by the Constitution. **I cannot accept the Court's conclusion that the Fourteenth Amendment protects the citizenship of some Americans and not others.**

[. . .]

The Court today puts aside the Fourteenth Amendment as a standard by which to measure congressional action with respect to citizenship, and substitutes in its place the majority's own vague notions of 'fairness.' The majority takes a new step with the recurring theme that the test of constitutionality is the Court's own view of what is 'fair, reasonable, and right.' Despite the concession that *Bellei* was admittedly an American citizen, and despite the holding in *Afroyim* that the Fourteenth Amendment has put citizenship, once conferred, beyond the power of Congress to revoke, the majority today upholds the revocation of *Bellei*'s citizenship on the ground that the congressional action was not 'irrational or arbitrary or unfair.' The majority applies the 'shock-the-conscience' test to uphold, rather than strike, a federal statute. It is a dangerous concept of constitutional law that allows the majority to conclude that, because it cannot say the statute is 'irrational or arbitrary or unfair,' the statute must be constitutional.

[. . .]

Since the Court this Term has already downgraded citizens receiving public welfare, *Wyman v. James*, 400 U.S. 309, 91 S.Ct. 381, 27 L.Ed.2d. 408 (1971), and citizens having the misfortune to be illegitimate, *Labine v. Vincent*, 401 U.S. 532, 91 S.Ct. 1917, 28 L.Ed.2d. 288, I suppose today's decision downgrading citizens born outside the United States should have been expected. Once again, as in *James* and *Labine*, the Court's opinion makes evident that its holding is contrary to earlier decisions. Concededly, petitioner was a citizen at birth, not by constitutional right, but only through operation of a federal statute.  
[*Rogers v. Bellei*, 401 U.S. 815 (1971)]

3. Like all other government granted franchises, the effective domicile or residence of those participating is federal territory. The geographical place within which it can be granted does not expressly include constitutional states of the Union and therefore purposefully excludes them. The term "State", "United States", and "continental United States" defined in Title 8 of the U.S. Code EXCLUDE constitutional states. The "United States" definition came from the Immigration and Nationality Act of 1940, before Alaska and Hawaii became CONSTITUTIONAL states, and they never bothered to go back and change it, even though it needs to be changed. However, the definitions in 8 C.F.R. §215.1 were published AFTER Alaska and Hawaii became CONSTITUTIONAL states and are more accurate.

8 C.F.R. §215.1(f)  
[Section 215.1: Definitions](#)

(f) The term **continental United States** means the District of Columbia and the several [States](#), except Alaska and Hawaii.

[8 U.S.C. §1101\(a\)\(36\): State \[Aliens and Nationality\]](#)

The term "State" includes the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United States.

[TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101. \[Aliens and Nationality\]](#)  
[Sec. 1101. - Definitions](#)

(a)(38) The term "United States", except as otherwise specifically herein provided, when used in a geographical sense, means the [continental United States](#), Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands **of** the United States.

In summary, the CREATOR of the right establishes who the OWNER of the right is. 8 U.S.C. §1401 is a statutory privilege created and granted by Congress. It is a FRANCHISE and a PUBLIC right, not a PRIVATE right. The “citizen” status it created was NOT created by the Constitution or even the Fourteenth Amendment. All POLITICAL statuses granted by the Constitution are PRIVATE. All CIVIL statuses granted by Congressional enactment are PUBLIC, franchises, and PRIVILEGES. Hence, the 8 U.S.C. §1401 “national and citizen of the United States at birth” is a PUBLIC right rather than a PRIVATE right and continues to be property loaned to the “benefit” recipient which can be revoked at any time.

*“The rich rules over the poor,  
And **the borrower is servant [SUBJECT] to the lender.**”  
[Prov. 22:7, Bible, NKJV]*

Anyone accepting the “benefits” of this privilege has to suffer all the disabilities that go with invoking or using it, including its complete revocation as documented in 8 U.S.C. §1481(a). There are therefore, in fact and in deed, MULTIPLE classes of “citizens” in our country in SPITE of the following FRAUDULENT holding:

*9. Classes of citizens--Generally*

*In regard to the protection of our citizens in their rights at home and abroad, we have in the United States no law which divides them into classes or makes any difference whatever between them. 1859, 9 Op.Atty.Gen. 357.*  
*[8 U.S.C.A. §1401 (2009), p. 18]*

You are a SECOND CLASS citizen under legal disability if you use, benefit from, or invoke any Congressionally created status, public right, privilege, or franchise, INCLUDING “national and citizen of the United States\*\* at birth” in 8 U.S.C. §1401. The government is SCHIZOPHRENIC to state in 8 U.S.C.A. §1401 that there are not multiple classes of citizens, and then turn around and treat any one citizen different than any other as they did above in Rogers v. Bellei, 401 U.S. 815 (1971). Earth calling the U.S. Supreme Court! George Orwell called this kind of deception “doublethink”:

*“Doublethink is the act of ordinary people simultaneously accepting two mutually contradictory beliefs as correct, often in distinct [social contexts](#).<sup>[1]</sup> Doublethink is related to, but differs from, [hypocrisy](#) and [neutrality](#). Somewhat related but almost the opposite is [cognitive dissonance](#), where contradictory beliefs cause conflict in one's mind. Doublethink is notable due to a lack of cognitive dissonance — thus the person is completely unaware of any conflict or contradiction.”*  
*[Wikipedia: Doublethink, Downloaded 6/14/2014]*

The U.S. Supreme Court in Bellei was engaging in doublethink because they either ignored the facts presented here or are willfully concealing their knowledge of them. Either way, whether through omission or malicious commission, they are a threat to your liberty and freedom. The foundation of your freedom is absolute equality, and yet they refuse to treat all “citizens” equally.

*“No duty rests more imperatively upon the courts than the enforcement of those constitutional provisions intended to secure that equality of rights which is the foundation of free government.”*  
*[Gulf, C. & S.F.R. Co. v. Ellis, [165 U.S. 150](#) (1897) ]*

*“[l]aw . . . must be not a special rule for a particular person or a particular case, but . . . the general law . . . so that **every citizen shall hold his life, liberty, property and immunities under the protection of the general rules which govern society.**”*  
*[Hurtado v. California, 110 U.S. 516, 535-536 (1884)]*

Therefore, Title 8 is not “law” as defined above in Hurtado v. California, but a voluntary civil compact and civil franchise that the U.S. Supreme Court called “class legislation” in Pollock v. Farmers’ Loan and Trust, 157 U.S. 429. Title 8 would have to treat ALL “citizens” absolutely equally to be REAL “law”. You don’t need to invoke 8 U.S.C. §1401 to attain CONSTITUTIONAL citizenship and those who do are state-worshipping idolaters. Any attempt to treat anyone unequally under the civil law or subject them to any legal disability is an exercise in idolatry, where the grantor of the privilege, who is always the one with superior or “supernatural” rights or privileges, is always the thing being “worshipped”.

The goal of all collectivists is to abuse [civil franchises](#) as a means to create, protect, or perpetuate INEQUALITY and class legislation, and then to use the inequality to persecute, plunder, or enslave the very people that they are supposed to be protecting by treating them equally. For more about how collectivism abuses franchises to enslave all and make itself the owner and controller of EVERYTHING, see:



*Collectivism and How to Resist It*, Form #12.024  
<http://sedm.org/Forms/FormIndex.htm>

**4.12.4.4 When are statutory “citizens” (8 U.S.C. §1401) liable for tax?: Only when they are privileged “residents” abroad and not in a constitutional state**

The I.R.C. Subtitle A income tax is imposed upon “citizens” only when they ALSO “RESIDENT” in the place they earn the statutory “income”.

26 C.F.R. §1.1-1 Income tax on individuals.

**(a) General rule.**

*(1) Section 1 of the Code imposes an income tax on the income of every individual who is a citizen or resident of the United States and, to the extent provided by section 871(b) or 877(b), on the income of a nonresident alien individual.*

[ . . . ]

**(b) Citizens or residents of the United States liable to tax.**

*In general, all citizens of the United States, wherever resident, and all resident alien individuals are liable to the income taxes imposed by the Code whether the income is received from sources within or without the United States. Pursuant to section 876, a nonresident alien individual who is a bona fide resident of a section 931 possession (as defined in §1.931-1(c)(1) of this chapter) or Puerto Rico during the entire taxable year is, except as provided in section 931 or 933 with respect to income from sources within such possessions, subject to taxation in the same manner as a resident alien individual. As to tax on nonresident alien individuals, see sections 871 and 877.*

[26 C.F.R. §1.1-1(a)(1)]

The statutory term “individual” includes ONLY “aliens” and “nonresident aliens” but not statutory “citizens when abroad under 26 U.S.C. §911(d). When abroad, citizens are called “qualified individuals” and what “qualifies” them is that they are aliens and residents in respect to the foreign country they are physically in at the time. Therefore, a “citizen” only becomes an “individual” when they are an “alien” or “nonresident alien”:

[26 C.F.R. §1.1441-1 Requirement for the deduction and withholding of tax on payments to foreign persons.](#)

**(c) Definitions**

**(3) Individual.**

(i) Alien individual.

*The term alien individual means an individual who is not a citizen or a national of the United States. See Sec. 1.1-1(c).*

[26 C.F.R. §1.1441-1T Requirement for the deduction and withholding of tax on payments to foreign persons.](#)

**(c) Definitions**

**(3) Individual.**

(ii) Nonresident alien individual.

*The term nonresident alien individual means persons described in section 7701(b)(1)(B), alien individuals who are treated as nonresident aliens pursuant to § 301.7701(b)-7 of this chapter for purposes of computing their U.S. tax liability, or an alien individual who is a resident of Puerto Rico, Guam, the Commonwealth of Northern Mariana Islands, the U.S. Virgin Islands, or American Samoa as determined under § 301.7701(b)-1(d) of this chapter. An alien individual who has made an election under section 6013(g) or (h) to be treated as a resident of the United States is nevertheless treated as a nonresident alien individual for purposes of withholding under chapter 3 of the Code and the regulations thereunder.*

We must then ask ourselves WHEN can a statutory “citizen” (under 8 U.S.C. §1401 and identified in 26 C.F.R. §1.1-1(c)) ALSO be statutory “resident” in the same place at the same time, keeping in mind that a “resident” is an ALIEN domiciled in a place under the law of nations:

*“Residents, as distinguished from citizens, are aliens who are permitted to take up a permanent abode in the country. Being bound to the society by reason of their [intention of] dwelling in it, they are subject to its laws so long as they remain there, and, being protected by it, they must defend it, although they do not enjoy all the rights of citizenship. They have only certain privileges which the law, or custom, gives them. Permanent residents are those who have been given the right of perpetual residence. They are a sort of citizen of a less privileged character, and are subject to the society without enjoying all its advantages. Their children succeed to their status; for the right of perpetual residence given them by the State passes to their children.”*  
*[The Law of Nations, p. 87, E. De Vattel, Volume Three, 1758, Carnegie Institution of Washington; emphasis added.]*

26 C.F.R. §1.1-1(b) disproves the assertion that everything a person domiciled in any of the 50 states makes is statutory “income” subject to tax, when it states that “All citizens of the United States, wherever resident,” are liable to tax. This is because:

1. One cannot be a statutory “resident” without ALSO being a statutory “alien”. See 26 U.S.C. §7701(b)(1)(A).
2. “residence” is ONLY defined in the I.R.C. to include statutory “aliens” and NOT “citizens”. Nowhere is it defined to include “citizens”. Therefore, a “citizen” cannot have a “residence” or be “resident” in a place without being a statutory alien in relation to that place.

Title 26: Internal Revenue  
 PART 1—INCOME TAXES  
 nonresident alien individuals  
 § 1.871-2 Determining residence of alien individuals.

(b) Residence defined.

*An alien actually present in the United States who is not a mere transient or sojourner is a resident of the United States for purposes of the income tax. Whether he is a transient is determined by his intentions with regard to the length and nature of his stay. A mere floating intention, indefinite as to time, to return to another country is not sufficient to constitute him a transient. If he lives in the United States and has no definite intention as to his stay, he is a resident. One who comes to the United States for a definite purpose which in its nature may be promptly accomplished is a transient; but, if his purpose is of such a nature that an extended stay may be necessary for its accomplishment, and to that end the alien makes his home temporarily in the United States, he becomes a resident, though it may be his intention at all times to return to his domicile abroad when the purpose for which he came has been consummated or abandoned. An alien whose stay in the United States is limited to a definite period by the immigration laws is not a resident of the United States within the meaning of this section, in the absence of exceptional circumstances.*

3. One cannot simultaneously be a statutory “citizen” and a statutory “alien” in relation to the same political entity at the same time. Therefore:
  - 3.1. More than one political entity must be involved AND
  - 3.2. Those who are simultaneously “citizens” and “aliens” must be outside the country and in a legislatively foreign country.
4. One cannot have a civil status under the civil statutes of a place such as “citizen” or “resident” WITHOUT a DOMICILE in that place.
  - 4.1. This includes statutory “citizen” or statutory “resident”.
  - 4.2. This is a requirement of Federal Rule of Civil Procedure 17 and the law of domicile itself.

§ 29. Status

*It may be laid down that the, status- or, as it is sometimes called, civil status, in contradistinction to political status - of a person depends largely, although not universally, upon domicil. The older jurists, whose opinions are fully collected by Story I and Burge, maintained, with few exceptions, the principle of the ubiquity of status, conferred by the lex domicilii with little qualification. Lord Westbury, in Udny v. Udny, thus states the doctrine broadly: “The civil status is governed by one single principle, namely, that of domicil, which is the criterion established by law for the purpose of determining civil status. For it is on this basis that the personal rights of the party - that is to say, the law which determines his majority and minority, his marriage, succession, testacy, or intestacy-must depend.” Gray, C. J., in the late Massachusetts case of Ross v. Ross, speaking with special reference to capacity to inherit, says: “It is a general principle that the status or condition of a person, the relation in which he stands to another person, and by which he is qualified or made capable to take certain*

rights in that other's property, is fixed by the law of the domicil; and that this status and capacity are to be recognized and upheld in every other State, so far as they are not inconsistent with its own laws and policy."  
 [A Treatise on the Law of Domicil, National, Quasi-National, and Municipal, M.W. Jacobs, Little, Brown, and Company, 1887, p. 89]

Therefore, the only practical way that a statutory "citizen" can ALSO be statutory "resident" under the civil laws of a place is when they are abroad as identified in 26 U.S.C. §911: Citizens or residents of the United States living abroad. That section of code, in fact, groups STATUTORY "citizens" and "residents" together because they are both "resident" when in a foreign country outside the United States\* the country:

1. They are a statutory "citizen" under 8 U.S.C. §1401 if they were born on federal territory or abroad and NOT a constitutional state. See Rogers v. Bellei, 401 U.S. 815 (1971).
2. If they avail themselves of a "benefit" under a tax treaty with a foreign country, then they are also "resident" in the foreign country they are within under the tax treaty. At that point, they ALSO interface to the United States government as a "resident" under that tax treaty.

Moreover, there are two fairly instructive Revenue Rules that clarify the phrase "wherever resident" found in 26 C.F.R. §1.1-1(b) above. See Rev.Rul. 489 and Rev.Rul. 357 as follows:

"No provision of the Internal Revenue Code or the regulations thereunder holds that a citizen of the United States is a resident of the United States for purposes of its tax. Several sections of the Code provide Federal income tax relief or benefits to citizens of the United States who are residents without the United States for some specified period. See sections 911, 934, and 981. These sections give recognition to the fact that not all the citizens of the United States are residents of the United States."  
 [Rev.Rul. 75-489, p. 511]

As regards additional support, see Rev.Rul. 75-357 at p. 5, as follows:

"Sections 1.1-1(b) and 1.871-1 of the Income Tax Regulations provide that all citizens of the United States, wherever resident, and all resident alien individuals are liable to the income taxes imposed by the Internal Revenue Code whether the income is received from sources within or without the United States. See, however, section 911 of the Code. (Emphasis added.)"  
 [Rev.Rul. 75-357, p. 5]

Being that Rev.Rul. 75-357 quotes 26 C.F.R. § 1.1-1(b) directly, and duly informs every reader to see 26 U.S.C. §911, we believe an examination of 26 U.S.C. §911 and its regulations is in order to locate the appropriate application of the "**wherever resident**" phrase in 26 C.F.R. § 1.1-1(b). See 26 U.S.C. §911(d)(1)(A) as follows:

(d) Definitions and special rules — For purposes of this section —

(1) Qualified individual — The term "qualified individual" means an individual whose tax home is in a foreign country and who is —

(A) a citizen of the United States and establishes to the satisfaction of the Secretary that he has been a bona fide resident of a foreign country or countries for an uninterrupted period which includes an entire taxable year.  
 [26 U.S.C. §911(d)(1)(A)]

There you have it. The "citizen of the United states" must be a bona-fide "resident of a foreign country" to be a qualified individual subject to tax.

Additionally, as we know, 26 C.F.R. §1.1-1(b) states:

"All citizens of the United States, wherever resident, are liable to the income taxes imposed by the Internal Revenue Code whether the income is received from sources within or without the United States."

The regulations for section 911 make the distinction between where income is received as opposed to where services are performed. See the following:

26 C.F.R. §1.911-3 Determination of amount of foreign earned income to be excluded.

(a) Definition of foreign earned income.

For purposes of section 911 and the regulations thereunder, the term "foreign earned income" means earned income (as defined in paragraph (b) of this section) from sources within a foreign country (as defined in §1.911-2(h)) that is earned during a period for which the individual qualifies under §1.911-2(a) to make an election. Earned income is from sources within a foreign country if it is attributable to services performed by an individual in a foreign country or countries. The place of receipt of earned income is immaterial in determining whether earned income is attributable to services performed in a foreign country or countries.

Note the phrase "foreign country" above. That phrase obviously does not include states of the Union. We are therefore inescapably lead to the following conclusions based on the above analysis:

1. One cannot earn "income" as a statutory "citizen" under 26 C.F.R. §1.1-1(c), 26 U.S.C. §911, and 8 U.S.C. §1401 unless they are abroad in a foreign country.
2. No statute EXPRESSLY imposes a tax upon statutory "citizens" when they are NOT "abroad", meaning in a foreign country. Therefore, under the rules of statutory construction, tax is not owed under ANY other circumstance:

*"Expressio unius est exclusio alterius. A maxim of statutory interpretation meaning that **the expression of one thing is the exclusion of another.** Burgin v. Forbes, 293 Ky. 456, 169 S.W.2d. 321, 325; Newblock v. Bowles, 170 Okl. 487, 40 P.2d. 1097, 1100. Mention of one thing implies exclusion of another. **When certain persons or things are specified in a law, contract, or will, an intention to exclude all others from its operation may be inferred.** Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects of a certain provision, other exceptions or effects are excluded."*  
[Black's Law Dictionary, Sixth Edition, p. 581]

3. A state citizen under the Fourteenth Amendment is NOT a statutory "citizen" under the Internal Revenue Code at 26 C.F.R. §1.1-1(c), even when they are abroad. Rather, they are statutory "non-resident non-persons" when abroad.
4. Even when one is "abroad" as a statutory "citizen", they can cease to be a statutory "citizen" at any time by:
  - 4.1. Changing their domicile to the foreign country. This is because the civil status of "citizen" is a product of domicile on federal territory, not their birth...AND
  - 4.2. Surrendering any and all tax "benefits" of the income tax treaty. The receipt of the "benefit" makes them subject to Internal Revenue Code Subtitle A "trade or business" franchise and a public officer in receipt, custody, and control of government property, which itself IS the "benefit".
5. It is a CRIME for a state citizen to claim the civil status of STATUTORY "citizen" under 8 U.S.C. §1401. That crime is documented in 18 U.S.C. §911.
6. The claim that all state citizens domiciled in states of the Union are "citizens of the United States" under the Internal Revenue Code and that they owe a tax on ANY of their earnings is categorically false and fraudulent. See Form #05.006 above.

Below is a table that succinctly summarizes everything we have learned in this section in tabular form. The left column shows what you are now and the two right columns show what you can "elect" or "volunteer" to become under the authority of the Internal Revenue Code based on that status:

**Table 4-25: Convertibility of citizenship or residency status under the Internal Revenue Code**

What you are starting as	What you would like to convert to	
	"Individuals" (see 26 C.F.R. §1.1441-1(c)(3))	
	"Alien" (see 26 C.F.R. §1.1441-1(c)(3)(i))	"Nonresident alien" (see 26 U.S.C. §7701(b)(1)(B))
"citizen of the United States" (see 8 U.S.C. §1401)	"citizen" may unknowingly elect to be treated as an "alien" by filing 1040, 1040A, or 1040EZ form. This election, however, is <u>not</u> authorized by any statute or regulation, and consequently, the IRS is <u>not</u> authorized to process such a return! It amounts to constructive fraud for a "citizen" to file as an "alien", which is what submitting a 1040 or 1040A form does.	No "citizen of the United States" can be a "nonresident alien", nor is he authorized under the I.R.C. to "elect" to become one. Likewise, no "nonresident alien" is authorized by the I.R.C. to elect to become a "citizen of the United States" under 8 U.S.C. §1401.

What you are starting as	What you would like to convert to	
	“Individuals” (see 26 C.F.R. §1.1441-1(c)(3))	
	“Alien” (see 26 C.F.R. §1.1441-1(c)(3)(i))	“Nonresident alien” (see 26 U.S.C. §7701(b)(1)(B))
“resident” (not defined anywhere in the Internal Revenue Code)	All “residents” are “aliens”. “Resident”, “resident alien”, and “alien” are equivalent terms.	A “nonresident alien” may elect to be treated as an “alien” and a “resident” under the provisions of 26 U.S.C. §6013(g) or (h).

#### 4.12.4.5 Meaning of “citizenship” used by federal courts

The term “citizenship” as used by the federal courts implies the COINCIDENCE of DOMICILE AND A PUBLIC OFFICE IN THE GOVERNMENT. Without the existence of the public office, there is no “citizenship”, even if there is a domicile. Below is an often quoted definition of “citizenship” by the courts which betrays this fact:

*“Citizenship and domicile are substantially synonymous. Residency and inhabitation are too often confused with the terms and have not the same significance. Citizenship implies more than residence [domicile]. It carries with it the idea of identification with the state and a participation in its functions. As a citizen, one sustains social, political, and moral obligation to the state and possesses social and political rights under the Constitution and laws thereof. Harding v. Standard Oil Co. et al. (C.C.), 182 F. 421; Baldwin v. Franks, 120 U.S. 678, 7 S.Ct. 763, 32 L.Ed. 766; Scott v. Sandford, 19 How. 393, 476, 15 L.Ed. 691.”*  
[Baker v. Keck, 13 F.Supp. 486 (1936)]

Notice the phrase:

*“Citizenship implies more than residence [domicile]. It carries with it the idea of identification with the state and a participation in its functions. As a citizen, one sustains social, political, and moral obligation to the state and possesses social and political rights under the Constitution and laws thereof.”*

The \$64,000 question is:

*What does “identification with the state and participation in its functions” mean and how does that happen?*

The answer can only be:

*Selecting a domicile within a specific jurisdiction and thereby becoming at least ELIGIBLE to serve on jury duty or vote, both of which are public offices in the government, as we will soon show.*

But what if you don’t WANT to even be eligible to either vote or serve on jury and simply want to be EXCLUSIVELY PRIVATE, left alone by the state, and not be the subject of any civil legislative obligations or entanglements? How would you do that? The answer is that we simply:

1. Identify the name of “the State” as THE GOVERNMENT and not a geographic place, in the case of all civil statutes.
2. Do not select a domicile or residence within the STATUTORY “State”, meaning the GOVERNMENT and not a geographic place.
3. Refuse to identify oneself as a STATUTORY citizen, which is also a public office in the national government.
4. Identify all taxes based upon domicile in the STATUTORY “State” as poll taxes, which are ILLEGAL and unconstitutional and therefore you are ineligible to be a STATUTORY voter and instead are a PRIVATE elector as described in the Constitution.
5. Insist that anyone who disagrees with you has 10 days to provide evidence signed under penalty of perjury or they agree because of their failure to deny, per Federal Rule of Civil Procedure 8(b)(6) .

Below is how they side skirt the above using words of art so that they don’t have to do their main job of protecting PRIVATE rights by simply leaving you alone and not enforcing the obligations of being a STATUTORY “citizen” against you:

1. In diversity of citizenship removal proceedings, Courts distinguish “domicile” (the civil PROTECTION franchise) from “citizenship” (the PUBLIC OFFICE franchise) in removal jurisdiction as follows:

1                    “To invoke removal jurisdiction on the basis of diversity, a notice of removal must distinctly and affirmatively  
 2 allege each party’s citizenship.”, “[a]lverments of residence are wholly insufficient for purposes of removal.”,  
 3 “[a]lthough ‘citizenship’ and ‘residence’ may be interchangeable terms in common parlance, the existence of  
 4 citizenship cannot be inferred from allegations of residence [domicile] alone.”  
 5 [*Lamm v. Bekins Van Lines, Co.*, 139 F.Supp.2d. 1300, 1314 (M.D. Ala. 2001)]

6 2. Why did the courts distinguish DOMICILE from CITIZENSHIP in the context of diversity of citizenship? The answer  
 7 is that:

8 2.1. “CITIZENSHIP” implies a public office domiciled at the seat of government, rather than at the place the  
 9 HUMAN filling it is domiciled:

10 “Citizenship implies more than residence [domicile]. It carries with it the idea of identification with the state  
 11 and a participation in its functions. As a [STATUTORY] citizen, one sustains social, political, and moral  
 12 obligation to the state and possesses social and political rights under the Constitution and laws thereof.  
 13 Harding v. Standard Oil Co. et al. (C.C.), 182 F. 421; Baldwin v. Franks, 120 U.S. 678, 7 S.Ct. 763, 32 L.Ed.  
 14 766; Scott v. Sandford, 19 How. 393, 476, 15 L.Ed. 691.”  
 15 [*Baker v. Keck*, 13 F.Supp. 486 (1936)]

16 2.2. The DOMICILE of the public office is the seat of government, rather than that of the otherwise PRIVATE human  
 17 consensually filling said office:

18 [TITLE 4 > CHAPTER 3 > § 72](#)  
 19 [§ 72. Public offices; at seat of Government](#)

20 *All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere,*  
 21 *except as otherwise expressly provided by law.*

22 2.3. The public office has an effective domicile in the District of Columbia under Federal Rule of Civil Procedure  
 23 17(b), because it REPRESENTS a federal corporation called “United States” under 28 U.S.C. §3002(15)(A).

24 [IV. PARTIES > Rule 17.](#)  
 25 [\(b\) Capacity to Sue or be Sued.](#)

26 *Capacity to sue or be sued is determined as follows:*

- 27 (1) *for an individual who is not acting in a representative capacity, by the law of the individual's domicile;*  
 28 (2) **for a corporation [or the officers or “public officers” of the corporation], by the law under which it was**  
 29 **organized; and**  
 30 (3) *for all other parties, by the law of the state where the court is located, except that:*  
 31 (A) *a partnership or other unincorporated association with no such capacity under that state's law may sue or*  
 32 *be sued in its common name to enforce a substantive right existing under the United States Constitution or*  
 33 *laws; and*  
 34 (B) *28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or*  
 35 *be sued in a United States court.*

36 3. In effect, the PUBLIC OFFICE is being ABUSED to effectively:

37 3.1. Switch the “choice of law” to an otherwise foreign jurisdiction.

38 *“For the upright will dwell in the [geographical] land,*  
 39 *And the blameless will remain in it;*  
 40 **But the wicked will be cut off from the earth,**  
 41 **And the unfaithful will be uprooted from it [using FRANCHISES and OFFICES].”**  
 42 [*Prov. 2:21-22, Bible, NKJV*]

43 3.2. KIDNAP your civil legal identity and transport it to what Mark Twain calls “the DISTRICT OF CRIMINALS”.  
 44 Kidnapping is a crime if you didn’t consent to it.

45 3.3. Remove yourself from the protections of the common law and the Constitution and place you instead  
 46 EXCLUSIVELY under the legislative jurisdiction of Congress.

47 4. Among the PUBLIC PRIVILEGES associated with the STATUTORY citizen franchise is the PRIVILEGE to invoke  
 48 STATUTORY diversity of citizenship in federal court under 28 U.S.C. §1332:

49 *When a case is originally filed in state court, a party may remove it if the case originally could have been brought*  
 50 *in federal court. See 28 U.S.C. §1441(a). “Removal is a statutory privilege, rather than a right, and the removing*  
 51 *party must comply with the procedural requirements mandated in the statute when desirous of availing the*

*privilege." Jerrell v. Kardoes Rubber Co., 348 F.Supp.2d. 1278, 1283 (M.D.Ala.2004) (quoting Shamrock Oil & Gas Corp. v. Sheets, 313 U.S. 100, 104, 61 S.Ct. 868, 85 L.Ed. 1214 (1941)). After a case has been removed from state to federal court, the non-removing party may move for remand, which will be granted if "it appears that the district court lacks subject matter jurisdiction." See 28 U.S.C. §1447(c). Remand may also be sought on the grounds that the removing party has failed to comply with the statutory requirements for removal. See, e.g., Brown v. Demco, Inc., 792 F.2d. 478 (5th Cir.1986) (ordering remand due to untimeliness of removal); Jerrell, 348 F.Supp.2d at 1283 (granting motion to remand where removing party failed to comply with procedural requirements regarding timing of removal set forth in 28 U.S.C. §1446(b)). Because removal jurisdiction raises significant federalism concerns, "removal statutes are construed narrowly; where plaintiff and defendant clash about jurisdiction, uncertainties are resolved in favor of remand." Burns, 31 F.3d. at 1095. Indeed, the "letter of the law is clear and it requires strict construction of the language of the [removal] statute" and "all doubts about removal must be resolved in favor of remand." Jerrell, 348 F.Supp.2d at 1281, 1283. [Adams v. Charter Communications VII, LLC, 356 F.Supp.2d. 1268, 1271 (M.D. 2005)]*

5. State citizens under the Fourteenth Amendment CANNOT invokes statutory diversity in a federal court. If they do, they are committing a CRIME of impersonating a STATUTORY "U.S. citizen" under 18 U.S.C. §911. Instead, they must invoke CONSTITUTIONAL diversity of citizenship under Article III, Section 2.
6. The federal courts even recognize that a STATUTORY "U.S. citizen" (8 U.S.C. §1401) isn't ALLOWED access to a REAL constitutional Article III court in the Judicial Branch, and can only use an Executive Branch Article IV TERRITORIAL court. The implication is that people born in the territories or possessions who are STATUTORY citizens (8 U.S.C. §1401) or even STATUTORY "non-citizen nationals of the United States\*\* at birth" (8 U.S.C. §1408 and 8 U.S.C. §1101(a)(22)(B)), are by implication OFFICERS of the Executive Branch who essentially are subject to their employment supervisors in the Executive Branch, which of course includes Article IV territorial courts and the judges who serve in them. It is otherwise unconstitutional for the Executive Branch to supervise PRIVATE conduct of PRIVATE human beings in a constitutional state.

*Appellant's purported distinction between an "administrative" and a legislative court is unfounded. **When Congress creates a territorial court apart from Article III, it matters not whether it makes no provision for, delegates to the Executive Branch, or delegates to the Judicial Branch the power to review its rulings;** <sup>66</sup> **The [Article III] Judicial Power simply is not implicated.** <sup>67</sup> But we do not read appellant's complaint to depend utterly, in this regard, upon the distinction advanced, for it argues vigorously on appeal not for an absolute constitutional right of access to a court independent of the Executive, but for the relative right to be treated equally with the residents of the other territories.*

*In this regard, appellant points out that of all the territories, only in American Samoa are litigants denied both trial and direct review <sup>68</sup> in "an independent or Article III court." <sup>69</sup> "Since residents of other U.S. territories can litigate their property claims in a court having both independence and finality of judgment," the Church argues, it has been denied equal protection of the law. <sup>70</sup> Furthermore, according to the Church, access to an independent court is a "fundamental right," denial of which can be justified only by a "compelling" interest, subject to strict scrutiny. Appellant argues that the district court erred by applying a "rational basis" test rather than some form of strict scrutiny to evaluate the constitutionality of the Samoan judicial system.*

*At the outset, we reject the claim that more than a rational basis is required in order to sustain the unique features of the Samoan judicial system as constitutional. **It is clear that Congress, when it is acting under the authority of Article IV, "may treat [a territory] differently from States so long as there is a rational basis for its actions."** <sup>71</sup> The Church's argument that more is required because we deal here with an arguably "fundamental right," viz., access to an independent court, is unavailing. Regardless of whether such a right may be fundamental for other purposes, **the Supreme Court long ago determined that in the "unincorporated" territories, such as American Samoa, the guarantees of the Constitution apply only insofar as its "fundamental limitations in favor of personal rights" express "principles which are the basis of all free government which cannot be with impunity transcended."** <sup>72</sup> If access to an independent court for the adjudication of a land dispute were of such a fundamental nature, then--there being no real distinction between the High Court of Samoa and any other non-Article III court at least where no constitutional claim is involved <sup>73</sup>--it follows that there would be no place at all for the "exception from the general prescription of Art. III" for "territorial courts," which "dates from the earliest days of the Republic..." <sup>74</sup> **We conclude, therefore, that access to a court independent of Executive supervision is not a fundamental right in the territories.***

*Is there a rational basis, then, for Congress' decision to preclude trial in or direct appeal to an independent court in American Samoa, and only in American Samoa, i.e., is there "any state of facts [that] reasonably may be conceived to justify it"? <sup>75</sup> The district court identified several factors that it thought might justify "[f]ailure to provide for direct review by an Article III court" <sup>76</sup>--a somewhat different situation than the one here challenged. Thus, that court pointed to "American Samoa's relatively small size, its geographical distance from any court of appeals, its desire for autonomy in local affairs, [and] the fact that it is the only territory without an organic act." <sup>77</sup> The Church, however, argues that the district court here "assumed facts" that were not true, and it offered to prove that there are other unorganized territories, smaller and more remote from the United States, that do have access to "a statutory or Article III court." <sup>78</sup> In other words, it says there is nothing unique about Samoa that justifies denying Samoan litigants access to an independent court, at least on appeal.*

Appellant's offer of proof is beside the point, since we could assume the facts it offers to prove and we would still be constrained to uphold the judicial scheme applicable to Samoa as being rationally designed to further a legitimate congressional policy, viz., preserving the Fa'a Samoa by respecting Samoan traditions concerning land ownership. There can be no doubt that such is the policy. First, the Instruments of Cession by which these islands undertook allegiance to the United States provided that the United States would "respect and protect the individual rights of all people ... to their land," and would recognize such rights "according to their customs."<sup>79</sup> Second, the Samoan Constitution expressly provides that "[i]t shall be the policy of the Government of American Samoa to protect persons of Samoan ancestry against alienation of their lands..."<sup>80</sup> Such transfers would inevitably spell the end of the Fa'a Samoa. Congress initially delegated "all civil [and] judicial" power over American Samoa to the Executive,<sup>81</sup> but after the Secretary had approved the present Constitution of American Samoa, Congress in 1983 provided that any amendments could be "made only by Act of Congress."<sup>82</sup> To some extent, therefore, Congress may be viewed as having ratified the Samoan Constitution, at least in principle.

[. . .]

Finally, the Church was not denied due process of law because Congress put the court system of American Samoa under authority of the Executive Branch [RATHER than the Judicial Branch]; nor was it denied equal protection since Congress, exercising its authority over the territories, did not lack a rational basis on which to justify differences between the courts of American Samoa and those in the States or the other Territories. [*Corporation of Presiding Bishop of Church of Jesus Christ of Latter-Day Saints v. Hodel*, 830 F.2d. 374 (C.A.D.C., 1987)]

The U.S. Supreme Court case of *Cook v. Tait* agrees with the above conclusions, by stating that the source of the tax obligation is NEITHER the "domicile" NOR the "nationality" of a person domiciled abroad. The ONLY thing LEFT that COULD rationally be "the res" or object of the tax is therefore a public office in the national government. That public office, in turn, was occupied by Cook because he claimed to be a STATUTORY "U.S.\*\* citizen" (8 U.S.C. §1401 born on federal territory) and he HAD to claim that status to get the U.S. Supreme Court to even HEAR the case to begin with!

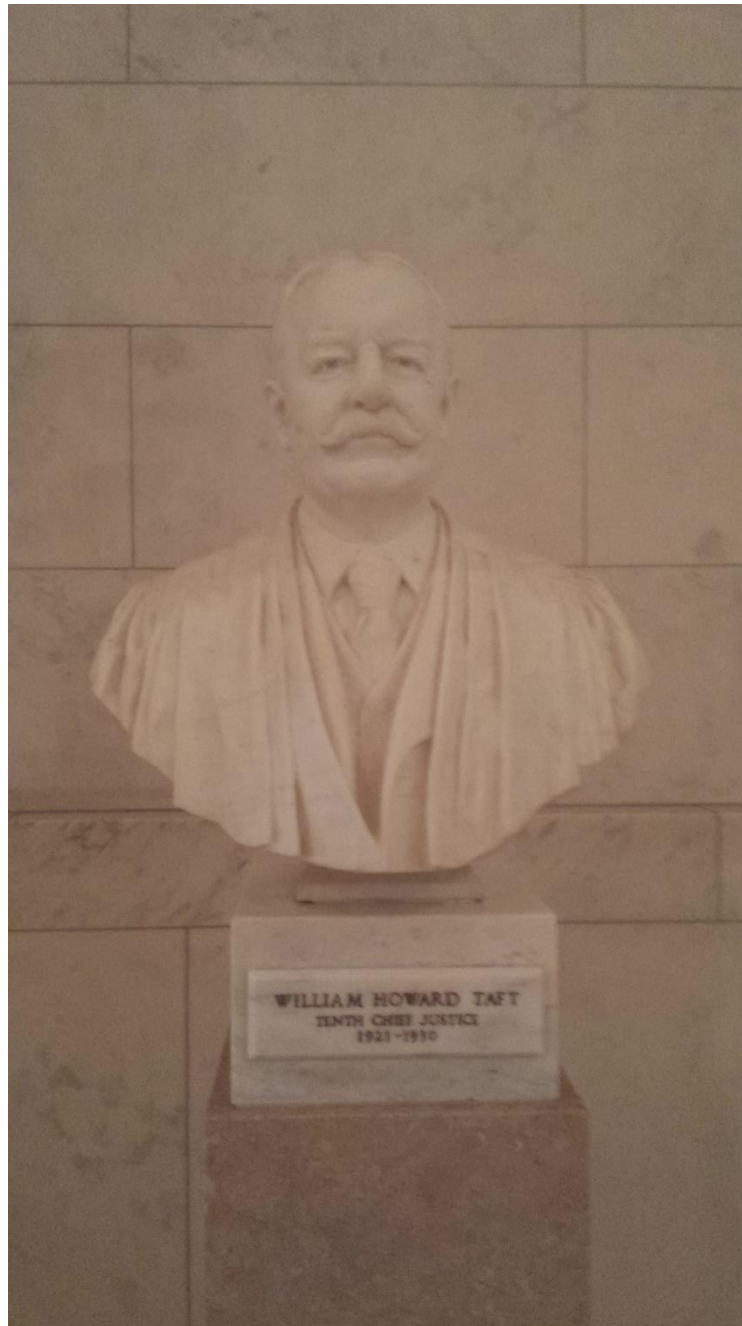
"The contention was rejected that a citizen's property without the limits of the United States derives no benefit from the United States. The contention, it was said, came from the confusion of thought in 'mistaking the scope and extent of the sovereign power of the United States as a nation and its relations to its citizens and their relation to it.' **And that power in its scope and extent, it was decided, is based on the presumption that government by its very nature benefits the citizen and his property wherever found,** and that opposition to it holds on to citizenship while it 'belittles and destroys its advantages and blessings by denying the possession by government of an essential power required to make citizenship completely beneficial.' In other words, the principle was declared that the government, by its very nature, benefits the citizen and his property wherever found, and therefore has the power to make the benefit complete. **Or, to express it another way, the basis of the power to tax was not and cannot be made dependent upon the situs of the property in all cases, it being in or out of the United States, nor was not and cannot be made dependent upon the domicile of the citizen, that being in or out of the United States, but upon his relation as [STATUTORY] citizen to the United States [meaning PUBLIC OFFICE] and the relation of the latter to him as citizen.** The consequence of the relations is that the native citizen who is taxed may have domicile, and the property from which his income is derived may have situs, in a foreign country and the tax be legal—the government having power to impose the tax."<sup>83</sup>  
[*Cook v. Tait*, 265 U.S. 47 (1924)]

Furthermore, as a state citizen born in a CONSTITUTIONAL state and domiciled in Mexico at the time, Cook WASN'T born on federal territory and committed the crime of impersonating a STATUTORY "U.S.\*\* citizen" under 18 U.S.C. §911 to even get his case heard. The U.S. Supreme Court obliged because there was LOTS of money in it for them to do so. Can you spell CORRUPTION? And who instituted this corruption? Former President William Howard Taft, who:

1. Was the U.S. Supreme Court Chief Justice at the time of *Cook v. Tait*. . . .AND
2. Was the man responsible for getting the Sixteenth Amendment FRAUDULENTLY ratified in his past life as President of the United States.. AND
3. Was the ONLY U.S. Supreme Court justice AND President to EVER serve as a revenue collector BEFORE he entered government service. Something tells me that he continued that role all the way up to the U.S. Supreme Court. Look at his grinning statue in the halls of the U.S. Supreme Court building in Washington, D.C. [District of Criminals]. His statue is the ONLY one with a shit eating grin on his face.

**Figure 4-5: William Howard Taft Statue in the U.S. Supreme Court Building in Washington, D.C.**





1 See:

2 [Biography of William Howard Taft](http://sedm.org/Exhibits/ExhibitIndex.htm), SEDM Exhibit 11.003  
<http://sedm.org/Exhibits/ExhibitIndex.htm>

3 **4.12.4.6 Legal Dictionary**

4 The legal dictionary confirms that statutory “citizen” status equates with being a “subject”, AND that said “subject” status is,  
5 indeed a voluntary franchise:

6 *“Subject. Constitutional law. One that owes allegiance to a sovereign and is governed by his laws. The natives*  
7 *of Great Britain are subjects of the British government. Men in free governments are subjects as well as citizens;*  
8 *as citizens they enjoy rights and franchises; as subjects they are bound to obey the laws. The term is little used,*  
9 *in this sense, in countries enjoying a republican form of government. Swiss Nat. Ins. Co. v. Miller, 267 U.S.*  
10 *42, 45 S.Ct. 213, 214, 69 L.Ed. 504.*

1                   Legislation. The matter of public or private concern for which law is enacted. Thing legislated about or matters  
2                   on which legislature operates to accomplish a definite object or objects reasonably related one to the other.  
3                   Crouch v. Benet, 198 S.C. 185, 17 S.E.2d. 320, 322. The matter or thing forming the groundwork of the act.  
4                   McCombs v. Dallas County, Tex.Civ.App., 136 S.W.2d. 975,982.

5                   The constitutions of several of the states require that every act of the legislature shall relate to but one subject,  
6                   which shall be expressed in the title of the statute. But term "subject" within such constitutional provisions is to  
7                   be given a broad and extensive meaning so as to allow legislature full scope to include in one act . all matters  
8                   having a logical or natural connection. Jaffee v. State, 76 Okl.Cr. 95, 134 P.2d. 1027, 1032.  
9                   [Black's Law Dictionary, Sixth Edition, p. 1425]

10 Note from the above that:

- 11 1. Republican governments such as that in America DO NOT have "subjects". You cannot be a "taxpayer" WITHOUT  
12 being a "subject".

13                   "The term is little used, in this sense, in countries enjoying a republican form of government. Swiss Nat. Ins.  
14 Co. v. Miller, 267 U.S. 42, 45 S.Ct. 213, 214, 69 L.Ed. 504."

- 15 2. Being a statutory "citizen" is identified as a voluntary franchise:

16                   "Men in free governments are subjects as well as citizens; as citizens they enjoy rights and franchises".

17 The above admissions are deliberate double speak to cloud the issues, but they do state some of the truth plainly. They are  
18 using double speak because they know they are abusing the law to destroy rights and enslave people they are supposed to be  
19 protecting through the abuse of "words of art" and oxymorons.

20                   "For where envy and self-seeking [by a corrupted de facto government towards YOUR property] exist,  
21 [manufactured] confusion and every evil thing are there. But the wisdom that is from above is first pure, then  
22 peaceable, gentle, willing to yield, full of mercy and good fruits, without partiality and without hypocrisy."  
23 [James 3:16-17, Bible, NKJV]

24 Here is some of the double speak designed to enforce the stealthful and unconstitutional GOVERNMENT PLUNDER of  
25 your rights and property using "words of art":

- 26 1. They say "men in free governments", implying that the GOVERNMENT is free but the "men" are NOT. No "subject"  
27 who is subservient to anyone can ever truly be "free". In any economic system, there are only two roles you can fill:  
28 predator or prey, sovereign or subject.  
29 2. They admit that governments that are "republican in form" cannot have "subjects", but:  
30 2.1. They don't mention that America, in Constitution, Article 4, Section 4, is republican in form.  
31 2.2. They deliberately don't explain how you can "govern" people who are not "subjects" but sovereigns such as those  
32 in America.

33 In fact, if they dealt with the above two issues, their FRAUD would have to come to an IMMEDIATE end. It is a  
34 maxim of law that when TWO rights exist in the same person, it is as if there were TWO PERSONS. This means that  
35 the statutory "citizen" or "subject" they are REALLY talking about is a SEPARATE LEGAL PERSON who is, in fact,  
36 a public office in the U.S. government. 4 U.S.C. §72 says that office cannot lawfully exist in a constitutional state of  
37 the Union without permission from Congress and that has never expressly been given and CANNOT lawfully be given  
38 without violating the separation of powers doctrine which is the foundation of the U.S. Constitution:

39                   "Quando duo juro concurrunt in und personâ, aequum est ac si essent in diversis.  
40 When two rights [or a RIGHT and a PRIVILEGE] concur in one person, it is the same as if they were in two  
41 separate persons. 4 Co. 118."  
42 [Bouvier's Maxims of Law, 1856;  
43 SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviereMaxims.htm>]

- 44 3. They use the phrase "rights and franchises". These two things cannot rationally coexist in the same person. Rights are  
45 unalienable, meaning that they cannot lawfully be surrendered or bargained away. Franchises are alienable and can be  
46 taken away at the whim of the legislature. You cannot sign up for a franchise without alienating an unalienable right.  
47 Therefore, no one who has rights can also at the same time have privileges, and the only people who can lawfully sign  
48 up for franchises are those who HAVE no rights because domiciled on federal territory not protected by the  
49 constitution and not within any state of the Union.

1 “We hold these truths to be self-evident, that **all men are created equal, that they are endowed by their Creator**  
 2 **with certain unalienable Rights**, that among these are Life, Liberty and the pursuit of Happiness.--That to secure  
 3 these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,  
 4 -“  
 5 [Declaration of Independence]

6 “Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred.”  
 7 [Black’s Law Dictionary, Fourth Edition, p. 1693]

- 8 4. They don’t address how the national government can lawfully implement franchises within a Constitutional state, and  
 9 therefore deliver the “rights and franchises” associated with being a statutory but not constitutional “citizen”. The U.S.  
 10 Supreme Court has held more than once that Congress CANNOT lawfully establish or enforce ANY franchise within  
 11 the borders of a constitutional state of the Union. The following case has NEVER been overruled.

12 “Thus, Congress having power to regulate commerce with foreign nations, and among the several States, and  
 13 with the Indian tribes, may, without doubt, provide for **granting** coasting **licenses**, licenses to pilots, licenses to  
 14 trade with the Indians, and any other **licenses** necessary or proper for the exercise of that great and extensive  
 15 power; and the same observation is applicable to every other power of Congress, to the exercise of which the  
 16 granting of licenses may be incident. All such licenses confer authority, and give rights to the licensee.

17 But very different considerations apply to the **internal commerce** or **domestic trade** of the States. Over this  
 18 commerce and trade Congress has **no power of regulation nor any direct control**. This power belongs **exclusively**  
 19 to the States. **No interference by Congress with the business of citizens transacted within a State is warranted**  
 20 **by the Constitution, except such as is strictly incidental to the exercise of powers clearly granted to the**  
 21 **legislature**. The power to authorize a business within a State is plainly repugnant to the exclusive power of the  
 22 State over the same subject. It is true that the power of Congress to tax is a very extensive power. It is given in  
 23 the Constitution, with only one exception and only two qualifications. Congress cannot tax exports, and it must  
 24 impose direct taxes by the rule of apportionment, and indirect taxes by the rule of uniformity. Thus limited, and  
 25 thus only, it reaches every subject, and may be exercised at discretion. But, it reaches only existing subjects.  
 26 **Congress cannot authorize [LICENSE] a trade or business within a State in order to tax it.**  
 27 [License Tax Cases, [72 U.S. 462](#), 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866)]

28 And here is yet another example from Black’s Law Dictionary proving that statutory citizenship is a franchise:

29 **FRANCHISE. A special privilege conferred by government on individual or corporation, and which does not**  
 30 **belong to citizens of country generally of common right.** Elliott v. City of Eugene, 135 Or. 108, 294 P. 358, 360.  
 31 In England it is defined to be a royal privilege in the hands of a subject.

32 A “franchise,” as used by Blackstone in defining quo warranto, (3 Com. 262 [4th Am. Ed.] 322), had reference  
 33 to a royal privilege or branch of the king’s prerogative subsisting in the hands of the subject, and must arise from  
 34 the king’s grant, or be held by prescription, but today we understand a franchise to be some special privilege  
 35 conferred by government on an individual, natural or artificial, which is not enjoyed by its citizens in general.  
 36 State v. Fernandez, 106 Fla. 779, 143 So. 638, 639, 86 A.L.R. 240.

37 **In this country a franchise is a privilege or immunity of a public nature, which cannot be legally exercised**  
 38 **without legislative grant. To be a corporation is a franchise.** The various powers conferred on corporations are  
 39 franchises. The execution of a policy of insurance by an insurance company [e.g. **Social Insurance/Socialist**  
 40 **Security**], and the issuing a bank note by an incorporated bank [such as a **Federal Reserve NOTE**], are  
 41 franchises. People v. Utica Ins. Co., 15 Johns., N.Y., 387, 8 Am.Dec. 243. But it does not embrace the property  
 42 acquired by the exercise of the franchise. Bridgeport v. New York & N. H. R. Co., 36 Conn. 255, 4 Am.Rep. 63.  
 43 Nor involve interest in land acquired by grantee. Whitbeck v. Funk, 140 Or. 70, 12 P.2d. 1019, 1020. **In a**  
 44 **popular sense, the political rights of subjects and citizens are franchises, such as the right of suffrage, etc.**  
 45 **Pierce v. Emery, 32 N.H. 484; State v. Black Diamond Co., 97 Ohio.St. 24, 119 N.E. 195, 199, L.R.A. 1918E,**  
 46 **352.**

47 Elective Franchise. The right of suffrage: the right or privilege of voting in public elections.  
 48 [Black’s Law Dictionary, Fourth Edition, pp. 786-787]

49 Note the phrase “a franchise is a privilege or immunity of a public nature”, meaning that those who exercise it are public  
 50 officers. They also say “In a popular sense, the political rights of subjects and citizens are franchises, such as the right of  
 51 suffrage” and by this:

- 52 1. They refer to franchises as having a “public nature”, meaning that those who exercise them are public officers.  
 53 2. They can only mean STATUTORY citizens and not CONSTITUTIONAL citizens.

3. They are referring to a “Congressionally created right” and therefore statutory privilege available only to those subject to the exclusive jurisdiction of Congress because domiciled on federal territory.

It therefore appears to us that:

1. The only “subjects” within a republican form of government are public officers IN the government and not private human beings.
2. In order to create “subjects” within a republican form of government, you must create a statutory franchise called “U.S. citizen” or “U.S. resident” that is a public office in the government, and fool people through the abuse of “words of art” into volunteering into the franchise.
3. A government that abuses its legislative authority to create franchises that alienate rights that are supposed to be unalienable is engaging in TREASON and violating the Constitution. Any government that makes a profitable business or franchise out of alienating rights that are supposed to be unalienable is not a de jure government, but a de facto government.

#### 4.12.4.7 Criminalization of being a “citizen of the United States” in 18 U.S.C. §911

You may also wonder as we have how it is that Congress can make it a crime to falsely claim to be a statutory “U.S. citizen” in 18 U.S.C. §911.

[TITLE 18](#) > [PART 1](#) > [CHAPTER 43](#) > § 911  
[§ 911. Citizen of the United States](#)

*Whoever falsely and willfully represents himself to be a citizen of the United States[\*\*] shall be fined under this title or imprisoned not more than three years, or both.*

The reason is that you cannot tax or regulate something until abusing it becomes harmful. A “license”, after all, is legally defined as permission from the state to do that which is otherwise illegal or harmful or both. And of course, you can only tax or regulate things that are harmful and licensed. Hence, they had to:

1. Create yet another franchise.
2. Attach a “status” to the franchise called “citizen of the United States\*\*”, where “United States” implies the GOVERNMENT and not any geographical place.
3. Criminalize the abuse of the “status” and the rights that attach to the status. See, for instance, 18 U.S.C. §911, which makes it a crime to impersonate a statutory “citizen of the United States\*\*”.
4. Make adopting the status entirely discretionary on the part of those participating. Hence, invoking the “status” and the “benefits” and “privileges” associated with the status constitutes constructive consent to abide by all the statutes that regulate the status.

[California Civil Code](#)  
 DIVISION 3. OBLIGATIONS  
 PART 2. CONTRACTS  
 TITLE 1. NATURE OF A CONTRACT  
 CHAPTER 3. CONSENT

*1589. A voluntary acceptance of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.*

[SOURCE:  
[http://leginfo.ca.gov/faces/codes\\_displayText.xhtml?lawCode=CIV&division=3.&title=1.&part=2.&chapter=3.&article=](http://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=CIV&division=3.&title=1.&part=2.&chapter=3.&article=)]

5. Impose a tax or fine or “licensing fee” for those adopting or invoking the status. That tax, in fact, is the federal income tax codified in I.R.C., Subtitle A.

Every type of franchise works and is implemented exactly the same way, and the statutory “U.S. citizen” or “citizen of the United States\*\*” franchise is no different. This section will prove that being a “citizen of the United States\*\*” under the I.R.C. is, in fact, a franchise, that the franchise began in 1924 by judicial pronouncement, and that because the status is a franchise and all franchises are voluntary, you don’t have to participate, accept the “benefits”, or pay for the costs of the franchise if you don’t consent.

As you will learn in the next section, one becomes a “citizen” in a statutory sense by being born or naturalized in a country and exercising their First Amendment right of political association by voluntarily choosing a national and a municipal domicile in that country. How can Congress criminalize the exercise of the First Amendment right to politically and legally associate with a “state” and thereby become a citizen? After all, the courts have routinely held that Congress cannot criminalize the exercise of a right protected by the Constitution.

*"It is an unconstitutional deprivation of due process for the government to penalize a person merely because he has exercised a protected statutory or constitutional right. United States v. Goodwin, 457 U.S. 368, 372, 102 S.Ct. 2485, 2488, 73 L.Ed.2d. 74 (1982)."*  
*[People of Territory of Guam v. Fegurgur, 800 F.2d. 1470 (9th Cir. 1986)]*

Even the U.S. Code recognizes the protected First Amendment right to *not* associate during the passport application process. Being a statutory and not constitutional “citizen” is an example of type of membership, because domicile is civil membership in a territorial community usually called a county, and you cannot be a “citizen” without a domicile:

[TITLE 22 > CHAPTER 38 > § 2721](#)  
[§ 2721. Impermissible basis for denial of passports](#)

*A passport may not be denied issuance, revoked, restricted, or otherwise limited because of any speech, activity, belief, **affiliation, or membership, within or outside the United States**, which, if held or conducted within the United States, would be protected by the first amendment to the Constitution of the United States.*

The answer to how Congress can criminalize the exercise of a First Amendment protected right of political association that is the foundation of becoming a “citizen” therefore lies in the fact that the statutory “U.S. \*\* citizen” mentioned in 18 U.S.C. §911 is *not* a constitutional citizen protected by the Constitution, but rather is:

1. Not a human being or a private person but a statutory creation of Congress. The ability to regulate private conduct, according to the U.S. Supreme Court, is repugnant to the U.S. Constitution and therefore Congress can ONLY regulate public conduct and the public offices and franchises that it creates.

*"The power to "legislate generally upon" life, liberty, and property, as opposed to the "power to provide modes of redress" against offensive state action, was "repugnant" to the Constitution. Id., at 15. See also United States v. Reese, 92 U.S. 214, 218 (1876); United States v. Harris, 106 U.S. 629, 639 (1883); James v. Bowman, 190 U.S. 127, 139 (1903). Although the specific holdings of these early cases might have been superseded or modified, see, e.g., Heart of Atlanta Motel, Inc. v. United States, 379 U.S. 241 (1964); United States v. Guest, 383 U.S. 745 (1966), their treatment of Congress' §5 power as corrective or preventive, not definitional, has not been questioned."*  
*[City of Boerne v. Flores, Archbishop of San Antonio, 521 U.S. 507 (1997)]*

2. A statutory franchise and a federal corporation created on federal territory and domiciled there. Notice the key language **“Whenever the public and private acts of the government seem to commingle [in this case, through the offering and enforcement of PRIVATE franchises to the public at large such as income taxes], a citizen or corporate body must by supposition be substituted in its place...”** What Congress did was perform this substitution in the franchise agreement itself (the I.R.C.) BEFORE the controversy ever even reached the court such that this judicial doctrine could be COVERTLY applied! They want to keep their secret weapon secret.

*See also Clearfield Trust Co. v. United States, 318 U.S. 363, 369 (1943) (“**The United States does business on business terms**”) (quoting United States v. National Exchange Bank of Baltimore, 270 U.S. 527, 534 (1926)); Perry v. United States, supra at 352 (1935) (“**When the United States, with constitutional authority, makes contracts [or franchises], it has rights and incurs responsibilities similar to those of individuals who are parties to such instruments. There is no difference . . . except that the United States cannot be sued without its consent**”) (citation omitted); United States v. Bostwick, 94 U.S. 53, 66 (1877) (“**The United States, when they contract with their citizens, are controlled by the same laws that govern the citizen in that behalf**”); Cooke v. United States, 91 U.S. 389, 398 (1875) (explaining that when the United States “comes down from its position of sovereignty, and enters the domain of commerce, it submits itself to the same laws that govern individuals there”).*

*See Jones, 1 Cl.Ct. at 85 (“**Wherever the public and private acts of the government seem to commingle, a citizen or corporate body must by supposition be substituted in its place, and then the question be determined whether the action will lie against the supposed defendant**”); O’Neill v. United States, 231 Ct.Cl. 823, 826 (1982) (sovereign acts doctrine applies where, “[w]here [the] contracts exclusively between private*

parties, the party hurt by such governing action could not claim compensation from the other party for the governing action"). The dissent ignores these statements (including the statement from Jones, from which case Horowitz drew its reasoning literally verbatim), when it says, post at 931, that the sovereign acts cases do not emphasize the need to treat the government-as-contractor the same as a private party.  
[United States v. Winstar Corp., 518 U.S. 839 (1996)]

3. Property of the U.S. government. All franchises and statuses incurred under franchises are property of the government grantor. The government has always had the right to criminalize abuses of its property.
4. A public office in the government like all other franchise statuses.
5. An officer of a corporation, which is "U.S. Inc." and is described in 28 U.S.C. §3002(15)(A). All federal corporations are "citizens", and therefore a statutory "U.S. citizen" is really just the corporation that you are representing as a public officer.

"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."  
[19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003)]

Ordinarily, and especially in the case of states of the Union, domicile within that state by the state "citizen" is the determining factor as to whether an income tax is owed to the state by that citizen:

"domicile. A person's legal home. That place where a man has his true, fixed, and permanent home and principal establishment, and to which whenever he is absent he has the intention of returning. *Smith v. Smith*, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and the intention to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he intends to return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges."  
[Black's Law Dictionary, Sixth Edition, p. 485]

"Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes. Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter. Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located."  
[Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954)]

We also establish the connection between domicile and tax liability in the following article.

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002  
<http://sedm.org/Forms/FormIndex.htm>

#### 4.12.4.8 U.S. Supreme Court: Murphy v. Ramsey

Below is how the U.S. Supreme Court describes the political rights of those domiciled on federal territory and therefore statutory "U.S. citizens" and "U.S. residents" as follows:

*The counsel for the appellants in argument seem to question the constitutional power of Congress to pass the Act of March 22, 1882, so far as it abridges the rights of electors in the territory under previous laws. But that question is, we think, no longer open to discussion. It has passed beyond the stage of controversy into final judgment. The people of the United States, as sovereign owners of the national territories, have supreme power over them and their inhabitants. In the exercise of this sovereign dominion, they are represented by the government of the United States, to whom all the powers of government over that subject have been delegated, subject only to such restrictions as are expressed in the Constitution or are necessarily implied in its terms or in the purposes and objects of the power itself, for it may well be admitted in respect to this, as to every power of society over its members, that it is not absolute and unlimited. But in ordaining government for the territories and the people who inhabit them, all the discretion which belongs to legislative power is vested in Congress, and that extends beyond all controversy to determining by law, from time to time, the form of the local government in a particular territory and the qualification of those who shall administer it. It rests with Congress to say whether in a given case any of the people resident in the territory shall participate in the election of its officers or the making of its laws, and it may therefore take from them any right of suffrage it may previously have conferred, or at any time modify or abridge it, as it may deem expedient. The right of local self-government, as known to our system as a constitutional franchise, belongs under the Constitution to the states and to the*

people thereof, by whom that Constitution was ordained, and to whom, by its terms, all power not conferred by it upon the government of the United States, was expressly reserved. The personal and civil rights of the inhabitants of the territories are secured to them, as to other citizens, by the principles of constitutional liberty, which restrain all the agencies of government, state and national; their political rights are franchises which they hold as privileges in the legislative discretion of the Congress of the United States. This doctrine was fully and forcibly declared by THE CHIEF JUSTICE, delivering the opinion of the Court in *National Bank v. County of Yankton*, 101 U.S. 129. See also *American Ins. Co. v. Canter*, 1 Pet. 511; *United States v. Gratiot*, 14 Pet. 526; *Cross v. Harrison*, 16 How. 164; *Dred Scott v. Sandford*, 19 How. 393. [Murphy v. Ramsey, 114 U.S. 15 (1885)]

So in other words, those domiciled on federal territory are exercising “privileges” and franchises. The above case, however, does not refer and cannot refer to those domiciled within states of the Union.

#### 4.12.4.9 U.S. Supreme Court: Cook v. Tait

The U.S. Supreme Court confirmed that the statutory “citizen of the United States\*\*” mentioned in the Internal Revenue Code at 26 U.S.C. §911 and at 26 C.F.R. §1.1-1(c) is not associated with either domicile OR with constitutional citizenship (nationality) of the human being who is the “taxpayer” in the following case. The party they mentioned, Cook, was domiciled within Mexico at the time, which meant he was NOT a statutory “citizen of the United States\*\*” under the Internal Revenue Code but rather a “nonresident alien”. He was a “nonresident alien” rather than a “non-resident non-person” because he was a stockholder in a federal corporation and therefore a contractor with the government and an agent or office of the government. However, because he CLAIMED to be a statutory “citizen of the United States\*\*” and the Supreme Court colluded with that FRAUD, they treated him as one ANYWAY.

*We may make further exposition of the national power as the case depends upon it. It was illustrated at once in United States v. Bennett by a contrast with the power of a state. It was pointed out that there were limitations upon the latter that were not on the national power. The taxing power of a state, it was decided, encountered at its borders the taxing power of other states and was limited by them. There was no such limitation, it was pointed out, upon the national power, and that the limitation upon the states affords, it was said, no ground for constructing a barrier around the United States, 'shutting that government off from the exertion of powers which inherently belong to it by virtue of its sovereignty.'*

*“The contention was rejected that a citizen's property without the limits of the United States derives no benefit from the United States. The contention, it was said, came from the confusion of thought in 'mistaking the scope and extent of the sovereign power of the United States as a nation and its relations to its citizens and their relation to it.' And that power in its scope and extent, it was decided, is based on the presumption that government by its very nature benefits the citizen and his property wherever found, and that opposition to it holds on to citizenship while it 'belittles and destroys its advantages and blessings by denying the possession by government of an essential power required to make citizenship completely beneficial.' In other words, the principle was declared that the government, by its very nature, benefits the citizen and his property wherever found, and therefore has the power to make the benefit complete. Or, to express it another way, the basis of the power to tax was not and cannot be made dependent upon the situs of the property in all cases, it being in or out of the United States, nor was not and cannot be made dependent upon the domicile of the citizen, that being in or out of the United States, but upon his relation as citizen to the United States and the relation of the latter to him as citizen. The consequence of the relations is that the native citizen who is taxed may have domicile, and the property from which his income is derived may have situs, in a foreign country and the tax be legal—the government having power to impose the tax.”*  
[Cook v. Tait, 265 U.S. 47 (1924)]

How can they tax someone without a domicile in the statutory United States and with no earnings from the statutory United States in the case of Cook, you might ask? Well, the REAL “taxpayer” is a public office in the U.S. government. That office REPRESENTS the United States federal corporation. All corporations are “citizens” of the place of their incorporation, and therefore under Federal Rule of Civil Procedure 17(b), the effective domicile of the “taxpayer” is the District of Columbia.<sup>189</sup> All taxes are a civil liability that are implemented with civil law. The only way they could have reached extraterritorially with civil law to tax Cook without him having a domicile or residence anywhere in the statutory “United States\*\*” was through a private law franchise contract in which he was a public officer. It is a maxim of law that debt and contract know no place, meaning that they can be enforced anywhere.

*Debt and contract [franchise agreement, in this case] are of no particular place.*

*Locus contractus regit actum.*

<sup>189</sup> “A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only.” [19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003)]

1           The place of the contract [franchise agreement, in this case] governs the act.  
2           [Bouvier's Maxims of Law, 1856;  
3           SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviereMaxims.htm>]

4           The feds have jurisdiction over their own public officers wherever they are but the EFFECTIVE civil domicile of all such  
5 offices and officers is the District of Columbia pursuant to Federal Rule of Civil Procedure 17(b). Hence, the ONLY thing  
6 such a statutory “citizen of the United States\*\*” could be within the I.R.C. is a statutory creation of Congress that is actually  
7 a public office which is domiciled in the statutory but not constitutional “United States\*\*” in order for the ruling in Cook to  
8 be constitutional or even lawful. AND, according to the Cook case, having that status is a discretionary choice that has  
9 NOTHING to do with your circumstances, because Cook was NOT a statutory “citizen of the United States\*\*” as someone  
10 not domiciled in the statutory but not constitutional “United States\*\*”. Instead, he was a nonresident alien but the court  
11 allowed him to accept the voluntary “benefit” of the statutory status and hence, it had nothing to do with his circumstances,  
12 but rather his CHOICE to nominate a “protector” and join a franchise. Simply INVOKING the status of being a statutory  
13 “citizen of the United States\*\*” on a government form is the only magic word needed to give one’s consent to become a  
14 “taxpayer” in that case. It is what the court called a “benefit”, and all “benefits” are voluntary and the product of a franchise  
15 contract or agreement. It was a quasi-contract as all taxes are, because the consent was implied rather than explicit, and it  
16 manifested itself by using property of the government, which in this case was the STATUS he claimed.

17           “Even if the judgment is deemed to be colored by the nature of the obligation whose validity it establishes, and  
18 we are free to re-examine it, and, if we find it to be based on an obligation penal in character, to refuse to enforce  
19 it outside the state where rendered, see *Wisconsin v. Pelican Insurance Co.*, 127 U.S. 265, 292, et seq. 8 S.Ct.

20           1370, compare *Fauntleroy v. Lum*, 210 U.S. 230, 28 S.Ct. 641, **still the obligation to pay**  
21 **taxes is not penal. It is a statutory liability, quasi contractual in**  
22 **nature, enforceable, if there is no exclusive statutory remedy,**  
23 **in the civil courts by the common-law action of debt or**  
24 **indebitatus assumpsit.** *United States v. Chamberlin*, 219 U.S. 250, 31 S.Ct. 155; *Price v.*  
25 *United States*, 269 U.S. 492, 46 S.Ct. 180; *Dollar Savings Bank v. United States*, 19 Wall. 227; and see  
26 *Stockwell v. United States*, 13 Wall. 531, 542; *Meredith v. United States*, 13 Pet. 486, 493. **This was the rule**  
27 **established in the English courts before the Declaration of Independence.** *Attorney General v. Weeks*, *Bunbury's*  
28 *Exch. Rep.* 223; *Attorney General v. Jewers and Batty*, *Bunbury's Exch. Rep.* 225; *Attorney General v. Hatton*,  
29 *Bunbury's Exch. Rep.* [296 U.S. 268, 272] 262; *Attorney General v. \_ \_*, 2 *Ans.Rep.* 558; see *Comyn's Digest*  
30 (*Title 'Det,' A, 9*); *1 Chitty on Pleading*, 123; cf. *Attorney General v. Sewell*, 4 *M.&W.* 77. “  
31 [*Milwaukee v. White*, 296 U.S. 268 (1935)]

32           You might reasonably ask of the Cook case, as we have, the following question:

33           “HOW did the government create the public office that they could tax and which Cook apparently occupied as a  
34 franchisee?”

35           Well, apparently the “citizen of the United States\*\*” status he claimed is a franchise and an office in the U.S. government  
36 that carries with it the “public right” to make certain demands upon those who claim this status. Hence, it represents a  
37 “property interest” in the services of the United States federal corporation. In law, all rights are property, anything that  
38 conveys rights is property, contracts convey rights and are therefore property, and all franchises are contracts and therefore  
39 property. A “public officer” is legally defined as someone in charge of the property of the public, and the property Cook was  
40 in possession of was the public rights that attach to the status of being a statutory “citizen of the United States\*\*”.

41           “**Public office.** The right, authority, and duty created and conferred by law, by which for a given period, either  
42 fixed by law or enduring at the pleasure of the creating power, an individual is invested with some portion of the  
43 sovereign functions of government for the benefit of the public. *Walker v. Rich*, 79 Cal.App. 139, 249 P. 56, 58.  
44 An agency for the state, the duties of which involve in their performance the exercise of some portion of the  
45 sovereign power, either great or small. *Yaselli v. Goff*, C.C.A., 12 F.2d. 396, 403, 56 A.L.R. 1239; *Lacey v. State*,  
46 13 Ala.App. 212, 68 So. 706, 710; *Curtin v. State*, 61 Cal.App. 377, 214 P. 1030, 1035; *Shelmadine v. City of*  
47 *Elkhart*, 75 Ind.App. 493, 129 N.E. 878. *State ex rel. Colorado River Commission v. Frohmiller*, 46 Ariz. 413, 52  
48 P.2d. 483, 486. **Where, by virtue of law, a person is clothed, not as an incidental or transient authority, but for**  
49 **such time as de- notes duration and continuance, with Independent power to control the property of the public,**  
50 **or with public functions to be exercised in the supposed interest of the people, the service to be compensated by**  
51 **a stated yearly salary, and the occupant having a designation or title, the position so created is a public office.**  
52 *State v. Brennan*, 49 Ohio.St. 33, 29 N.E. 593.  
53 [*Black's Law Dictionary, Fourth Edition, p. 1235*]



1 For Cook, the statutory status of being a “citizen of the United States\*\*” was the “res” that “identified” him within the  
 2 jurisdiction of the federal courts, and hence made him a “res-ident” or “resident” subject to the tax with standing to sue in a  
 3 territorial franchise court, which is what all U.S. District Courts are. In effect, he waived sovereign immunity and became a  
 4 statutory “resident alien” by invoking the services of the federal courts, and as such, he had to pay for their services by paying  
 5 the tax. Otherwise, he would have no standing to sue in the first place because he would be a “stateless person” and they  
 6 would have had to dismiss either his case, or him as a party to it as the U.S. Supreme Court correctly did in Newman-Green  
 7 v. Alfonso Larrain, 490 U.S. 826 (1989) in the case of an American National domiciled in Venezuela and therefore OUTSIDE  
 8 the statutory but not constitutional “United States”.

9 *“At oral argument before a panel of the Seventh Circuit Court of Appeals, Judge Easterbrook inquired as to the*  
 10 *statutory basis for diversity jurisdiction, an issue which had not been previously raised either by counsel or by*  
 11 *the District Court Judge. In its complaint, Newman-Green had invoked 28 U.S.C. §1332(a)(3), which confers*  
 12 *jurisdiction in the District Court when a citizen of one State sues both aliens and citizens of a State (or States)*  
 13 *different from the plaintiffs. **In order to be a citizen of a State within the meaning of the diversity statute, a***  
 14 ***natural person must both be a citizen of the United States and be domiciled within the State. See Robertson v.***  
 15 ***Cease, 97 U.S. 646, 648-649 (1878); Brown v. Keene, 8 Pet. 112, 115 (1834). The problem in this case is that***  
 16 ***Bettison, although a [CONSTITUTIONAL] United States citizen, has no domicile in any State [FEDERAL***  
 17 ***STATE, meaning a federal TERRITORY per 28 U.S.C. §1332(e). He is therefore "stateless" for purposes of***  
 18 ***§ 1332(a)(3). Subsection 1332(a)(2), which confers jurisdiction in the District Court when a citizen of a State***  
 19 ***sues aliens only, also could not be satisfied because Bettison is a United States citizen. [490 U.S. 829]***

20 *When a plaintiff sues more than one defendant in a diversity action, the plaintiff must meet the requirements of*  
 21 *the diversity statute for each defendant or face dismissal. Strawbridge v. Curtiss, 3 Cranch 267 (1806).{1} Here,*  
 22 *Bettison's "stateless" status destroyed complete diversity under § 1332(a)(3), and his United States citizenship*  
 23 *destroyed complete diversity under § 1332(a)(2). Instead of dismissing the case, however, the Court of Appeals*  
 24 *panel granted Newman-Green's motion, which it had invited, to amend the complaint to drop Bettison as a party,*  
 25 *thereby producing complete diversity under § 1332(a)(2). 832 F.2d. 417 (1987). The panel, in an opinion by*  
 26 *Judge Easterbrook, relied both on 28 U.S.C. §1653 and on Rule 21 of the Federal Rules of Civil Procedure as*  
 27 *sources of its authority to grant this motion. The panel noted that, because the guarantors are jointly and severally*  
 28 *liable, Bettison is not an indispensable party, and dismissing him would not prejudice the remaining guarantors.*  
 29 *832 F.2d. at 420, citing Fed.Rule Civ.Proc. 19(b). The panel then proceeded to the merits of the case, ruling in*  
 30 *Newman-Green's favor in large part, but remanding to allow the District Court to quantify damages and to*  
 31 *resolve certain minor issues.{2}*  
 32 *[Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989)]*

33 Notice the above case dealt with federal franchises instead of constitutional rights, because they invoked STATUTORY  
 34 diversity under 28 U.S.C. §1332 instead of Constitutional diversity under Article III, Section 2. Statutory diversity under 28  
 35 U.S.C. §1332 is for STATUTORY “U.S. citizens”. Constitutional diversity under Article III, Section 2 is for  
 36 CONSTITUTIONAL “citizens of the United States” under the Fourteenth Amendment.

37 If you would like a much more thorough discussion of all of the nuances of the Cook case, we strongly recommend the  
 38 following:

**Federal Jurisdiction**, Form #05.018, Section 4.4  
<http://sedm.org/Forms/FormIndex.htm>

39 Here is another HUGE clue about what they think a “U.S. citizen” really is in federal statutes. Look at the definition below,  
 40 and then consider that you CAN’T own a human being as property. That’s called slavery:

41 [TITLE 46 > Subtitle V > Part A > CHAPTER 505 > § 50501](#)  
 42 [§ 50501. Entities deemed citizens of the United States](#)

43 (a) **In General.**—

44 *In this subtitle, **a corporation, partnership, or association is deemed to be a citizen of the United States only if***  
 45 ***the controlling interest is owned by citizens of the United States.** However, if the corporation, partnership, or*  
 46 *association is operating a vessel in the coastwise trade, at least 75 percent of the interest must be owned by*  
 47 *citizens of the United States.*

48 Now look at what the U.S. Supreme Court said about “ownership” of human beings. You can’t “own” a human being as  
 49 chattel. The Thirteenth Amendment prohibits that. Therefore, the statutory “U.S. citizen” they are talking about above is an  
 50 instrumentality and public office within the United States. They can only tax, regulate, and legislate for PUBLIC objects and  
 51 public offices of the United States under Article 4, Section 3, Clause 2. The ability to regulate PRIVATE conduct of human

1 beings has repeatedly been held by the U.S. Supreme Court to be “repugnant to the constitution” and beyond the jurisdiction  
2 of Congress.

3 *“It [the contract] is, in substance and effect, a contract for servitude, with no limitation but that of time; leaving*  
4 *the master to determine what the service should be, and the place where and the person to whom it should be*  
5 *rendered. Such a contract, it is scarcely necessary to say, is against the policy of our institutions and laws. If*  
6 *such a sale of service could be lawfully made for five years, it might, from the same reasons, for ten, and so*  
7 *for the term of one's life. The door would thus be opened for a species of servitude inconsistent with the first*  
8 *and fundamental article of our declaration of rights, which, proprio vigore, not only abolished every vestige of*  
9 *slavery then existing in the commonwealth, but rendered every form of it thereafter legally impossible. That*  
10 *article has always been regarded, not simply as the declaration of an abstract principle, but as having the active*  
11 *force and conclusive authority of law. ‘Observing that one who voluntarily subjected himself to the laws of the*  
12 *state must find in them the rule of restraint as well as the rule of action, the court proceeded: ‘Under this*  
13 *contract the plaintiff had no claim for the labor of the servant for the term of five years, or for any term*  
14 *whatever. She was under no legal obligation to remain in his service. There was no time during which her*  
15 *service was due to the plaintiff, and during which she was kept from such service by the acts of the defendants.’*

16 [ . . . ]

17 *Under the contract of service it was at the volition of the master to entail service upon these appellants for an*  
18 *indefinite period. So far as the record discloses, it was an accident that the vessel came back to San Francisco*  
19 *when it did. By the shipping articles, the appellants could not quit the vessel until it returned to a port of the \*296*  
20 *United States, and such return depended absolutely upon the will of the master. He had only to land at foreign*  
21 *ports, and keep the vessel away from the United States, in order to prevent the appellants from leaving his*  
22 *service.*

23 [ . . . ]

24 *The supreme law of the land now declares that involuntary servitude, except as a punishment for crime, of*  
25 *which the party shall have been duly convicted, shall not exist any where within the United States.*  
26 *[Robertson v. Baldwin, 165 U.S. 275, 17 S.Ct. 326 (U.S. 1897)]*

27 Federal courts also frequently use the phrase “privileges and immunities of citizens of the United States”. Below is an  
28 example:

29 *“The privileges and immunities of citizens of the United States do not necessarily include all the rights*  
30 *protected by the first eight amendments to the Federal Constitution against the powers of the Federal*  
31 *Government.*

32 *The trial of a person accused as a criminal by a jury of only eight persons instead of twelve, and his subsequent*  
33 *imprisonment after conviction do not abridge his privileges and immunities under the Constitution as a citizen of*  
34 *the United States and do not deprive him of his liberty without due process of law.”*  
35 *[Maxwell v. Dow, 176 U.S. 581 (1900)]*

36 Note that the “citizen of the United States\*\*” described above is a statutory rather than constitutional citizen, which is why  
37 the court admits that the rights of such a person are inferior to those possessed by a “citizen” within the meaning of the United  
38 States Constitution. A constitutional but not statutory citizen is, in fact, NOT “privileged” in any way and none of the rights  
39 guaranteed by the Constitution can truthfully be called “privileges” without violating the law. It is a tort and a violation of  
40 due process, in fact, to convert rights protected by the Constitution and the common law into “privileges” or franchises or  
41 “public rights” under statutory law without at least your consent, which anyone in their right mind should NEVER give.

42 *“It has long been established that a State may not impose a penalty upon those who exercise a right guaranteed*  
43 *by the Constitution.” Frost & Frost Trucking Co. v. Railroad Comm'n of California, 271 U.S. 583. “Constitutional*  
44 *rights would be of little value if they could be indirectly denied,’ Smith v. Allwright, 321 U.S. 649, 644, or*  
45 *manipulated out of existence [by converting them into statutory “privileges”/franchises],’ Gomillion v. Lightfoot,*  
46 *364 U.S. 339, 345.”*  
47 *[Harman v. Forssenius, 380 U.S 528 at 540, 85 S.Ct. 1177, 1185 (1965)]*

48 It is furthermore proven in the following memorandum of law that civil statutory law pertains almost exclusively to  
49 government officers and employers and cannot and does not pertain to human beings or private persons not engaged in federal  
50 franchises/privileges:

[Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037](http://sedm.org/Forms/FormIndex.htm)  
<http://sedm.org/Forms/FormIndex.htm>

Consequently, if a court refers to “privileges and immunities” in relation to you, chances are they are presuming, usually FALSELY, that you are a statutory “U.S. citizen” and NOT a constitutional citizen. If you want to prevent them from making such false presumptions, we recommend attaching the following forms at least to your initial complaint and/or response in any action in court:

1. *Federal Pleading/Motion/Petition Attachment*, Litigation Tool #01.002  
<http://sedm.org/Litigation/LitIndex.htm>
2. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001  
<http://sedm.org/Forms/FormIndex.htm>

#### 4.12.4.10 U.S. v. Valentine, 288 F.Supp. 958, 980 (1968)

In U.S. v. Valentine, at page 980, the court admitted that:

*“...The only absolute and unqualified right of citizenship is to residence within territorial boundaries of United States; a citizen cannot be either deported or denied re-entry...”*  
*[U.S. v. Valentine, 288 F.Supp. 957, 980 (1968)]*

Now, contrast the above excerpt to what appears on page 960, #26, where the phrase “United States citizen” is used. Thus confirming that when the court used the term “citizenship” within the body of the decision, they were referring exclusively to federal citizenship, and to domicile on federal territory. “Residence”, after all, means domicile RATHER than the “nationality” of the person.

Note that they use the word “residence”, which means consent to the civil laws of that place as defined in the Internal Revenue Code (I.R.C.), rather than simply “physical presence”. And “residence” is associated with “aliens” and not constitutional citizens in the Internal Revenue Code (I.R.C.) In other words, the only thing you are positively allowed to do as a “U.S. citizen” is:

1. Lie about your status by calling yourself a privileged ALIEN with no rights.
2. Consent to be governed by the civil laws of legislatively foreign jurisdiction, the District of Criminals by falsely calling yourself a “resident”.

*Title 26: Internal Revenue  
PART 1—INCOME TAXES  
nonresident alien individuals  
§ 1.871-2 Determining residence of alien individuals.*

*(B) Residence defined.*

*An alien actually present in the United States who is not a mere transient or sojourner is a resident of the United States for purposes of the income tax. Whether he is a transient is determined by his intentions with regard to the length and nature of his stay. A mere floating intention, indefinite as to time, to return to another country is not sufficient to constitute him a transient. If he lives in the United States and has no definite intention as to his stay, he is a resident. One who comes to the United States for a definite purpose which in its nature may be promptly accomplished is a transient but, if his purpose is of such a nature that an extended stay may be necessary for its accomplishment, and to that end the alien makes his home temporarily in the United States, he becomes a resident, though it may be his intention at all times to return to his domicile abroad when the purpose for which he came has been consummated or abandoned. An alien whose stay in the United States is limited to a definite period by the immigration laws is not a resident of the United States within the meaning of this section, in the absence of exceptional circumstances.*

There is NO statutory definition of “residence” that describes the place of DOMICILE of a CONSTITUTIONAL but not STATUTORY Citizen. The only people who can have a “residence” are “aliens” in the Internal Revenue Code (I.R.C.). Aliens, in fact, are the ONLY subject of the Internal Revenue Code (I.R.C.). Citizens are only mentioned in 26 U.S.C. §911, and in that capacity, they too are “aliens” in relation to the foreign country they are in who connect to the Internal Revenue Code (I.R.C.) as aliens under a tax treaty with the country they are in.

If this same statutory “U.S. citizen”, as the court describes him, exercises their First Amendment right of freedom from compelled association by declaring themselves a transient foreigner or nonresident, they don’t have a “residence” as legally defined. Hence, the implication of the above ruling is that THEY can be deported because they refuse to contract with the government under what the courts call “the social compact”.

1           When one becomes a member of society, he necessarily parts with some rights or privileges which, as an  
 2 individual not affected by his relations to others, he might retain. "A body politic," as aptly defined in the  
 3 preamble of the Constitution of Massachusetts, "is a social compact by which the whole people covenants with  
 4 each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common  
 5 good." This does not confer power upon the whole people to control rights which are purely and exclusively  
 6 private, Thorpe v. R. & B. Railroad Co., 27 Vt. 143; but it does authorize the establishment of laws requiring  
 7 each citizen to so conduct himself, and so use his own property, as not unnecessarily to injure another. This is  
 8 the very essence of government, and 125\*125 has found expression in the maxim sic utere tuo ut alienum non  
 9 lædas. From this source come the police powers, which, as was said by Mr. Chief Justice Taney in the License  
 10 Cases, 5 How. 583, "are nothing more or less than the powers of government inherent in every sovereignty, . .  
 11 . that is to say, . . . the power to govern men and things."  
 12 [Munn. v. Illinois, 94 U.S. 113 (1876),  
 13 SOURCE: [http://scholar.google.com/scholar\\_case?case=6419197193322400931](http://scholar.google.com/scholar_case?case=6419197193322400931)]

14 In other words, if you don't politically associate by choosing or consenting to a domicile or "residence" and thereby give up  
 15 rights that the Constitution is SUPPOSED to protect, then you can be deported. This works a purpose OPPOSITE to the  
 16 reason for which civil government is established, which is to PROTECT, not compel the surrender, of PRIVATE rights.  
 17 "Justice" itself is defined as the right to be left alone. Those who do not politically or legally associate with ANYONE or  
 18 ANY GOVERNMENT MUST, as a matter of law, be LEFT ALONE by EVERYONE, including NOT becoming the target  
 19 of any civil statutory enforcement action. This is covered in:

- 20 1. Sovereignty Forms and Instructions Online, Form #10.004, Cites by Topic: "justice"  
 21 <http://famguardian.org/TaxFreedom/CitesByTopic/justice.htm>
- 22 2. Requirement for Consent, Form #05.003, Section 2  
 23 <http://sedm.org/Forms/FormIndex.htm>

#### 24 4.12.4.11 Summary

25 It therefore appears to us that a statutory "citizen" or "resident" is really just a public office in the U.S. government. That  
 26 office is a franchisee with an effective domicile on federal territory not within any state of the Union. The corrupt courts are  
 27 unlawfully allowing the creation of this public office, legal "person", "res", and franchisee using your consent. They have  
 28 thus made a profitable business out of alienating rights that are supposed to be unalienable, in violation of the legislative  
 29 intent of the Declaration of Independence and the U.S. Constitution. The money changers., who are priests of the civil  
 30 religion of socialism called "judges", have taken over the civic temple called government and made it into a WHOREHOUSE  
 31 for their own lucrative PERSONAL gain:

32 "But those who desire to be rich fall into temptation and a snare, and into many foolish and harmful lusts which  
 33 drown men in destruction and perdition. For the love of money is a root of all kinds of evil, for which some  
 34 have strayed from the faith in their greediness, and pierced themselves through with many sorrows."  
 35 [1 Tim. 6: 9-10, Bible, NKJV]

36  
 37 "franchise court. Hist. A privately held court that (usu.) exists by virtue of a royal grant [privilege], with  
 38 jurisdiction over a variety of matters, depending on the grant and whatever powers the court acquires over time.  
 39 In 1274, Edward I abolished many of these feudal courts by forcing the nobility to demonstrate by what authority  
 40 (quo warranto) they held court. If a lord could not produce a charter reflecting the franchise, the court was  
 41 abolished. - Also termed courts of the franchise.

42 Dispensing justice was profitable. Much revenue could come from the fees and dues, fines and amercements. This  
 43 explains the growth of the second class of feudal courts, the Franchise Courts. They too were private courts held  
 44 by feudal lords. Sometimes their claim to jurisdiction was based on old pre-Conquest grants ... But many of them  
 45 were, in reality, only wrongful usurpations of private jurisdiction by powerful lords. These were put down after  
 46 the famous Quo Warranto enquiry in the reign of Edward I." W.J.V. Windeyer, Lectures on Legal History 56-57  
 47 (2d ed. 1949)."  
 48 [Black's Law Dictionary, Seventh Edition, p. 668]

49 Notice the above language: "private courts held by feudal lords". Judges who enforce their own franchises within the  
 50 courtroom by imputing a franchise status against those protected by the Constitution who are not lawfully allowed to alienate  
 51 their rights or give them away are acting in a private capacity to benefit themselves personally. That private capacity is  
 52 associated with a de facto government in which greed is the only uniting factor. Contrast this with love for our neighbor,  
 53 which is the foundation of a de jure government. When judges act in such a private, de facto capacity, the following results:

- 54 1. The judge is the "feudal lord" and you become his/her personal serf.

2. Rights become privileges, and the transformation usually occurs at the point of a gun held by a corrupt officer of the government intent on enlarging his/her pay check or retirement check. And he/she is a CRIMINAL for proceeding with such a financial conflict of interest:

[TITLE 18 > PART 1 > CHAPTER 11 > § 208](#)  
[§ 208. Acts affecting a personal financial interest](#)

*(a) Except as permitted by subsection (b) hereof, **whoever, being an officer or employee of the executive branch of the United States Government, or of any independent agency of the United States, a Federal Reserve bank director, officer, or employee, or an officer or employee of the District of Columbia, including a special Government employee, participates personally and substantially as a Government officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse, minor child, general partner, organization in which he is serving as officer, director, trustee, general partner or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has a financial [or personal/private] interest—***

*Shall be subject to the penalties set forth in section 216 of this title.*

3. Equality and equal protection are replaced with the following consequences under a franchise:
- 3.1. Privilege.
  - 3.2. Partiality.
  - 3.3. Bribes.
  - 3.4. Servitude and slavery.
4. The franchise statutes are the “bible” of a pagan state-sponsored religion. The bible isn’t “law” for non-believers, and franchise statutes aren’t “law” for those who are not consensually occupying a public office in the government as a franchisee called a “citizen”, “resident”, “taxpayer”, “driver”, etc. See:

[Socialism: The New American Civil Religion](#), Form #05.016  
<http://sedm.org/Forms/FormIndex.htm>

5. You join the religion by “worshipping”, and therefore obeying what are actually voluntary franchises. The essence of “worship”, in fact, is obedience to the dictates of a superior being. Franchises make your public servants into superior beings and replace a republic with a dulocracy. “Worship” and obedience becomes legal evidence of consent to the franchise.

***“And the Lord said to Samuel, “Heed the voice of the people in all that they say to you; for they have rejected Me [God], that I should not reign over them. According to all the works which they have done since the day that I brought them up out of Egypt, even to this day—with which they have forsaken Me and served [as PUBLIC OFFICERS/FRANCHISEES] other gods [Rulers or Kings, in this case]—so they are doing to you also [government becoming idolatry].”***  
*[1 Sam 8:4-20, Bible, NKJV]*

6. “Presumption” serves as a substitute for religious “faith” and is employed to create an unequal relationship between you and your public servants. It turns the citizen/public servant relationship with the employer/employee relationship, where you are the employee of your public servant. See:

[Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction](#), Form #05.017  
<http://sedm.org/Forms/FormIndex.htm>

7. “Taxes” serve as a substitute for “tithes” to the state-sponsored church of socialism that worships civil rulers, men and creations of men instead of the true and living God.
8. The judge’s bench becomes:
- 8.1. An altar for human sacrifices, where YOU and your property are the sacrifice. All pagan religions are based on sacrifice of one kind or another.
  - 8.2. What the Bible calls a “throne of iniquity”:

***“Shall the throne of iniquity, which devises evil by law, have fellowship with You? They gather together against the life of the righteous, and condemn innocent blood. But the Lord has been my defense, and my God the rock of my refuge. He has brought on them their own iniquity, and shall cut them off in their own wickedness; **the Lord our God shall cut them off.**”***  
*[Psalm 94:20-23, Bible, NKJV]*

9. All property belongs to this pagan god and you are just a custodian over it as a public officer. You have EQUITABLE title but not LEGAL title to the property you FALSELY BELIEVE belongs to you. The Bible franchise works the same way, because the Bible says the Heavens and the Earth belong the LORD and NOT to believers. Believers are “trustees” over God’s property under the Bible trust indenture. Believers are the “trustees”:

“Indeed heaven and the highest heavens belong to the LORD your God, also the earth with all that is in it.”  
[Deut. 10:15, Bible, NKJV]

“The ultimate ownership of all property is in the State; individual so-called “ownership” is only by virtue of Government, i.e., law, amounting to mere user; and use must be in accordance with law and subordinate to the necessities of the State.”

[Senate Document #43, Senate Resolution No. 62, p. 9, paragraph 2, 1933

SOURCE: <http://www.famguardian.org/Subjects/MoneyBanking/History/SenateDoc43.pdf>

10. The court building is a “church” where you “worship”, meaning obey, the pagan idol of government.

“Now, Mr. Speaker, **this Capitol is the civic temple of the people**, and we are here by direction of the people to reduce the tariff tax and enact a law in the interest of all the people. This was the expressed will of the people at the polls, and you promised to carry out that will, but **you have not kept faith with the American people.**”  
[44 Cong.Rec. 4420, July 12, 1909; Congressman Heflin talking about the enactment of the Sixteenth Amendment]

11. The licensed attorneys are the “deacons” of the state sponsored civil religion who conduct the “worship services” directed at the judge at his satanic altar/bench. They are even ordained by the “chief priests” of the state supreme court, who are the chief priests of the civil religion.

12. Pleadings are “prayers” to this pagan deity. Even the U.S. Supreme Court still calls pleadings “prayers”, and this is no accident.

13. Like everything that SATAN does, the design of this state-sponsored satanic church of socialism that worships men instead of God is a cheap IMITATION of God’s design for de jure government found throughout the Holy Bible.

NOW do you understand why in Britain, judges are called “your worship”? Because they are like gods:

“**worship** 1. **chiefly Brit: a person of importance—used as a title for various officials (as magistrates and some mayors)** 2: reverence offered a divine being or supernatural power; also: an act of expressing such reverence 3: a form of religious practice with its creed and ritual 4: extravagant respect or admiration for or devotion to an object of esteem <~ the dollar>.”  
[Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 1361]

Psalm 82 (Amplified Bible)  
A Psalm of Asaph.

**GOD STANDS** in the assembly [of the representatives] of God; **in the midst of the magistrates or judges** He gives judgment [as] among the gods.

**How long will you [magistrates or judges] judge unjustly and show partiality to the wicked?** Selah [pause, and calmly think of that]!

Do justice to the weak (poor) and fatherless; maintain the rights of the afflicted and needy.

Deliver the poor and needy; rescue them out of the hand of the wicked.

**[The magistrates and judges] know not, neither will they understand; they walk on in the darkness [of complacent satisfaction]; all the foundations of the earth [the fundamental principles upon which rests the administration of justice] are shaking.**

**I said, You are gods [since you judge on My behalf, as My representatives]; indeed, all of you are children of the Most High.**

But you shall die as men and fall as one of the princes.

Arise, O God, judge the earth! For to You belong all the nations.  
[Psalm 82, Amplified Bible]

1 **4.12.5 STATUTORY “Citizens” v. STATUTORY “Nationals”**

2 **4.12.5.1 Introduction**

3 Two words are used to describe citizenship: “citizen” and “national”. There is a world of difference between these two terms  
 4 and it is extremely important to understand the distinctions before we proceed further. Below is a law dictionary definition  
 5 of “citizen” that deliberately tries to confuse these two components of citizenship. We will use this definition as a starting  
 6 point for our discussion of the differences between “citizens” and “nationals”:

7 ***citizen.** One who, under the [Constitution](#) and laws of the [United States](#)[\*\*\*], or of a particular state, is a **member**  
 8 **of the political community, owing allegiance and being entitled to the enjoyment of full civil rights.** All persons  
 9 **born or naturalized in the United States**[\*\*\*], and subject to the jurisdiction thereof, are citizens of the United  
 10 **States**[\*\*\*] and of the state wherein they reside. [U.S. Const., 14th Amend.](#) See [Citizenship](#).*

11 ***“Citizens” are members of a political community who, in their associated capacity, have established or**  
 12 **submitted themselves to the dominion of a government [by giving up their rights] for the promotion of their**  
 13 **general welfare and the protection of their individual as well as collective rights.** *Herriott v. City of Seattle*, 81  
 14 *Wash.2d. 48, 500 P.2d. 101, 109.**

15 *The term may include or apply to children of alien parents from in United States*[\*\*\*], *Von Schwerdmer v. Piper*,  
 16 *D.C.Md., 23 F.2d. 862, 863; U.S. v. Minoru Yasui*, *D.C.Or., 48 F.Supp. 40, 54; children of American citizens*  
 17 *born outside United States, Haaland v. Attorney General of United States, D.C.Md., 42 F.Supp. 13, 22; Indians,*  
 18 *United States v. Hester, C.C.A.Okl., 137 F.2d. 145, 147; National Banks, American Surety Co. v. Bank of*  
 19 *California, C.C.A.Or., 133 F.2d. 160, 162; nonresident who has qualified as administratrix of estate of deceased*  
 20 *resident, Hunt v. Noll, C.C.A.Tenn., 112 F.2d. 288, 289. However, neither the United States nor a state is a*  
 21 *citizen for purposes of diversity jurisdiction. Jizemerjian v. Dept of Air Force, 457 F.Supp. 820. On the other*  
 22 *hand, municipalities and other local governments are deemed to be citizens. Rieser v. District of Columbia, 563*  
 23 *F.2d. 462. A corporation is not a citizen for purposes of privileges and immunities clause of the Fourteenth*  
 24 *Amendment. D.D.B. Realty Corp. v. Merrill, 232 F.Supp. 629, 637.*

25 *Under diversity statute [28 U.S.C. §1332], which mirrors [U.S. Const. Article III](#)'s diversity clause, a person is a*  
 26 *“citizen of a state” if he or she is a citizen of the United States*[\*\*\*] *and a domiciliary of a state of the United*  
 27 *States*[\*\*\*]. *Gibbons v. Udaras na Gaeltachta, D.C.N.Y., 549 F.Supp. 1094, 1116. “*  
 28 *[Black’s Law Dictionary, Sixth Edition, p. 244]*

29 Based on the above definition, being a “citizen” therefore involves the following FOUR individual components, EACH of  
 30 which require your individual consent in some form. Any attempt to remove the requirement for consent in the case of EACH  
 31 SPECIFIC component makes the government doing so UNJUST as defined by the Declaration of Independence, and produces  
 32 involuntary servitude in violation of the Thirteenth Amendment:

33 **Table 4-26: Mandatory components of being a "citizen"**

#	Characteristic	How consented to	What happens when you don't consent
1	Allegiance to the sovereign within the community, which in our country is the “state” and is legally defined as the PEOPLE occupying a fixed territory RATHER than the government or anyone serving them IN the government.	Requesting to be naturalized and taking a naturalization oath.	Allegiance acquired by birth is INVOLUNTARY.
2	VOLUNTARY political association and membership in a political community.	Registering to vote or serve on jury duty.	If you don't register to vote or serve on jury duty, you are NOT a “citizen”, even if ELIGIBLE to do either.
3	Enjoyment of full CIVIL rights.	Choosing a domicile	You can't be a statutory “citizen” unless you voluntarily choose a domicile.

#	Characteristic	How consented to	What happens when you don't consent
4	Submission to CIVIL authority.	Choosing a domicile	You can't be a statutory "citizen" unless you voluntarily choose a domicile.

1 **From the above, we can see that simply calling oneself a "citizen" or not qualifying which SUBSET of each of the**  
2 **above we consent to is extremely hazardous to your freedom!** Watch out! The main questions in our mind about the  
3 above chart is:

- 4 1. Must we expressly consent to ALL of the above as indicated in the third column from the left above in order to
- 5 truthfully be called a "citizen" as legally defined?
- 6 2. Which components in the above table are MANDATORY in order to be called a "citizen"?
- 7 3. What if we don't consent to the "benefits" of the domicile protection franchise? Does that NOT make us a "citizen"
- 8 under the civil statutory laws of that jurisdiction?
- 9 4. What if we choose a domicile in the place, but refuse to register to vote and make ourselves ineligible to serve on jury
- 10 duty. Does that make us NOT a "citizen"?
- 11 5. If we AREN'T a "citizen" as defined above because we don't consent to ALL of the components, then what would we
- 12 be called on:
- 13 5.1. Government forms?
- 14 5.2. Under the statutes of the jurisdiction we are NOT a "citizen" of?

#### 15 **4.12.5.2 What if I don't consent to receive ANY of the "benefits" or "privileges" of being a "citizen"? What would** 16 **I be called?**

17 Under maxims of the common law, refusing to consent to ANY ONE OR MORE of the above four prerequisites of BEING  
18 a "citizen" makes us ineligible to be called a "citizen" under the laws of that jurisdiction.

19 *Invito beneficium non datur.*

20 *No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent he will be*  
21 *considered as assenting. Vide Assent.*

22 *Quilibet potest renunciare juri pro se inducto.*

23 *Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv.*

24 *Inst. n. 83.*

25 *[Bouvier's Maxims of Law, 1856,*

26 *SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>]*

27 There are many good reasons for the above distinction between NATIONALITY (POLITICAL) status and CITIZEN (CIVIL)  
28 status, the most important of which is the ability of the courts to legally distinguish those born in the country but domiciled  
29 outside their jurisdiction from those who are domiciled in their jurisdiction. For instance, those domiciled abroad an outside  
30 the geographical "United States" are usually called "nationals of the United States" rather than "citizens of the United States".  
31 An example of this phenomenon is described in the following U.S. Supreme Court case, in which an American born in the  
32 country is domiciled in Venezuela and therefore is referred to as a "stateless person" not subject to and immune from the civil  
33 laws of his country!

34 *Petitioner Newman-Green, Inc., an Illinois corporation, brought this state law contract action in District Court*  
35 *against a Venezuelan corporation, four Venezuelan citizens, and **William L. Bettison, a United States citizen***  
36 ***domiciled in Caracas, Venezuela.** Newman-Green's complaint alleged that the Venezuelan corporation had*  
37 *breached a licensing agreement, and that the individual defendants, joint and several guarantors of royalty*  
38 *payments due under the agreement, owed money to Newman-Green. Several years of discovery and pretrial*  
39 *motions followed. The District Court ultimately granted partial summary judgment for the guarantors and partial*  
40 *summary judgment for Newman-Green. 590 F.Supp. 1083 (ND Ill.1984). Only Newman-Green appealed.*

41 *At oral argument before a panel of the Seventh Circuit Court of Appeals, Judge Easterbrook inquired as to the*  
42 *statutory basis for diversity jurisdiction, an issue which had not been previously raised either by counsel or by*  
43 *the District Court Judge. In its complaint, Newman-Green had invoked 28 U.S.C. §1332(a)(3), which confers*  
44 *jurisdiction in the District Court when a citizen of one State sues both aliens and citizens of a State (or States)*  
45 *different from the plaintiff's. **In order to be a citizen of a State within the meaning of the diversity statute, a***  
46 ***natural person must both be a citizen of the United States and be domiciled within the State. See Robertson v.***



Cease, 97 U.S. 646, 648-649 (1878); Brown v. Keene, 8 Pet. 112, 115 (1834). The problem in this case is that Bettison, although a United States citizen, has no domicile in any State. He is therefore "stateless" for purposes of § 1332(a)(3). Subsection 1332(a)(2), which confers jurisdiction in the District Court when a citizen of a State sues aliens only, also could not be satisfied because Bettison is a United States citizen. [490 U.S. 829]

When a plaintiff sues more than one defendant in a diversity action, the plaintiff must meet the requirements of the diversity statute for each defendant or face dismissal. *Strawbridge v. Curtiss*, 3 Cranch 267 (1806). [1] Here, Bettison's "stateless" status destroyed complete diversity under § 1332(a)(3), and his United States citizenship destroyed complete diversity under § 1332(a)(2). Instead of dismissing the case, however, the Court of Appeals panel granted Newman-Green's motion, which it had invited, to amend the complaint to drop Bettison as a party, thereby producing complete diversity under § 1332(a)(2). 832 F.2d. 417 (1987). The panel, in an opinion by Judge Easterbrook, relied both on 28 U.S.C. § 1653 and on Rule 21 of the Federal Rules of Civil Procedure as sources of its authority to grant this motion. The panel noted that, because the guarantors are jointly and severally liable, Bettison is not an indispensable party, and dismissing him would not prejudice the remaining guarantors. 832 F.2d. at 420, citing Fed.Rule Civ.Proc. 19(b). The panel then proceeded to the merits of the case, ruling in Newman-Green's favor in large part, but remanding to allow the District Court to quantify damages and to resolve certain minor issues.[2]  
[*Newman-Green v. Alfonso Larrain*, 490 U.S. 826 (1989)]

The U.S. Supreme Court above was trying to deceive the audience by not clarifying WHAT type of "citizen" Bettison was. They refer to CONSTITUTIONAL citizens and STATUTORY citizens with the same name, which indirectly causes the audience to believe that NATIONALITY and DOMICILE are synonymous. They do this to unlawfully and unconstitutionally expand their importance and jurisdiction. Bettison in fact was a CONSTITUTIONAL citizen but not a STATUTORY citizen, so the CIVIL case against him under the STATUTORY codes had to either be dismissed or he had to be removed because he couldn't lawfully be a defendant! Imagine applying this same logic to a case involving the (illegal) enforcement of the Internal Revenue Code to Americans abroad.

The Department of State Foreign Affairs Manual (F.A.M.) identifies TWO components of being a "citizen" with the following language. It acknowledges that one can be a "national of the United States" WITHOUT being a "citizen", thus implying that those who are NOT "citizens" or who do not consent to ALL the obligations of being a "citizen" automatically become "non-citizen nationals of the United States":

*Department of State  
Foreign Affairs Manual (F.A.M.), Volume 7, Section 1111*

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**b. National vs. Citizen: While most people and countries use the terms "citizenship" and "nationality" interchangeably, U.S. law differentiates between the two. Under current law all U.S. citizens are also U.S. nationals, but not all U.S. nationals are U.S. citizens. The term "national of the United States", as defined by statute (INA 101 (a)(22) (8 U.S.C. §1101(a)(22)) includes all citizens of the United States, and other persons who owe allegiance to the United States but who have not been granted the privilege of citizenship.**

*(1) Nationals of the United States who are not citizens owe allegiance to the United States and are entitled to the consular protection of the United States when abroad, and to U.S. documentation, such as U.S. passports with appropriate endorsements. They are not entitled to voting representation in Congress and, under most state laws, are not entitled to vote in Federal, state, or local elections except in their place of birth. (See 7 FAM 012; 7 FAM 1300 Appendix B Endorsement 09.)*

*(2) Historically, Congress, through statutes, granted U.S. non-citizen nationality to persons born or inhabiting territory acquired by the United States through conquest or treaty. At one time or other natives and certain other residents of Puerto Rico, the U.S. Virgin Islands, the Philippines, Guam, and the Panama Canal Zone were U.S. non-citizen nationals. (See 7 FAM 1120.)*

*(3) Under current law, only persons born in American Samoa and Swains Island are U.S. non-citizen nationals (INA 101(a)(29) (8 U.S.C. §1101(a)(29) and INA 308(1) (8 U.S.C. 1408)). (See 7 FAM 1125.)*

[SOURCE: <http://www.state.gov/documents/organization/86755.pdf>]

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The first thing we notice about the Foreign Affairs Manual cite above is the use of the phrase “privileges of citizenship”. Both voting and serving on jury duty are and always have been PRIVILEGES that can be taken away, not RIGHTS that are inalienable. The fact that they are privileges is the reason why convicted felons can’t vote or serve on jury duty, in fact.<sup>190</sup>

*“In a popular sense, the political rights of subjects and citizens are franchises, such as the right of suffrage. etc. Pierce v. Emery, 32 N.H. 484; State v. Black Diamond Co., 97 Ohio.St. 24, 119 N.E. 195, 199, L.R.A. 1918E, 352.*

*Elective Franchise. The right of suffrage: the right or privilege of voting in public elections.*

*Exclusive Franchise. See Exclusive Privilege or Franchise. “ [Black’s Law Dictionary, Fourth Edition, pp. 786-787]*

Those who refuse to be enfranchised or privileged in any way therefore cannot consent to or exercise the obligations or accept the “benefits” of such privileges, and they have a RIGHT to do so. To suggest otherwise is to sanction involuntary servitude in violation of the Thirteenth Amendment.

It is clearly an absurd and irrational usurpation to say that “nationality” is synonymous with being a PRIVILEGED STATUTORY “citizen” and that we can abandon or expatriate our nationality to evade or avoid the privileges. Under the English monarchy, “nationality” and “citizen” status are synonymous and EVERYONE is a “subject” whether they want to be or not. In America, they are not synonymous and you cannot be compelled to become a subject without violating the First Amendment and the Fifth Amendment. Forcing people to abandon their nationality to become unenfranchised actually accomplishes the OPPOSITE and makes them MORE enfranchised, in fact. That is because by doing so they become YET ANOTHER type of enfranchised entity called an “alien” who is a slave to a whole different set of “privileges”.

*“Residents, as distinguished from citizens, are aliens who are permitted to take up a permanent abode in the country. Being bound to the society by reason of their dwelling in it, they are subject to its laws so long as they remain there, and, being protected by it, they must defend it, although they do not enjoy all the rights of citizens. They have only certain privileges which the law, or custom, gives them. Permanent residents are those who have been given the right of perpetual residence. They are a sort of citizen of a less privileged character, and are subject to the society without enjoying all its advantages. Their children succeed to their status; for the right of perpetual residence given them by the State passes to their children.”*  
[The Law of Nations, Vattel, Book 1, Chapter 19, Section 213, p. 87]

There MUST be a status that carries with it NO PRIVILEGES or obligations and if there is NOT, then the entire country is just a big FARM for government animals akin to that described below:

*How to Leave the Government Farm, Form #12.020*  
<http://www.youtube.com/watch?v=Mp1gJ3iF2Ik&feature=youtu.be>

It would therefore seem based on 7 Foreign Affairs Manual (F.A.M.) 1100(b)(1) that those who refuse to register to vote or serve on jury duty would satisfy the requirement above of being a “non-citizen national”. Hence, withdrawing consent to be jurist or voter alone would seem to demote us from being a “citizen” to being a “non-citizen national”. However, there is no congressional act that grants this substandard status to anyone OTHER than those in federal possessions such as American Samoa or Swain’s Island. Hence, claiming the status of “non-citizen national” would have to be done delicately with care so as not to confuse yourself with those born in or domiciled in the federal possessions of American Samoa and Swain’s Island, who are described in 8 U.S.C. §1408 and 8 U.S.C. §1452.

<sup>190</sup> “As of 2010, 46 states and the District of Columbia deny the right to vote to incarcerated persons. Parolees are denied the right in 32 states. Those on probation are disenfranchised in 29 states, and 14 states deny for life the right of ex-felons to vote.”  
SOURCE: [http://www.ehow.com/facts\\_6751209\\_felony-conviction-voting-rights.html](http://www.ehow.com/facts_6751209_felony-conviction-voting-rights.html)”

1 STATUTORY “non-citizen nationals of the United States\*\* at birth” are described in 8 U.S.C. §1408, 8 U.S.C. §1452, and  
 2 8 U.S.C. §1101(a)(22)(B). However, these statutes only define civil statuses of those situated in federal possessions. Those  
 3 physically situated or domiciled in a constitutional state would not be described in those statutes but would be eligible to be  
 4 called a “national” under the common law and not statutes as described in Perkins v. Elg., 1939, 307 U.S. 325, 59 S.Ct. 884,  
 5 83 L.Ed. 1320.

6 “Finally, this Court is mindful of the years of past practice in which territorial citizenship has been treated as  
 7 a statutory [PRIVILEGE!], and not a constitutional, right. In the unincorporated territories of Puerto Rico,  
 8 Guam, the U.S. Virgin Islands, and the Northern Mariana Islands, birthright citizenship was conferred upon  
 9 their inhabitants by various statutes many years after the United States acquired them. See Amicus Br. at 10-  
 10 11. If the Citizenship Clause guaranteed birthright citizenship in unincorporated territories, these statutes  
 11 would have been unnecessary. While longstanding practice is not sufficient to demonstrate constitutionality,  
 12 such a practice requires special scrutiny before being set aside. See, e.g., *Jackman v. Rosenbaum Co.*, 260 U.S.  
 13 22, 31 (1922) (Holmes, J.) (“If a thing has been practiced for two hundred years by common consent, it will need  
 14 a strong case for the Fourteenth Amendment to affect it[.]”); *Walz v. Tax Comm’n*, 397 U.S. 664, 678 (1970) (“It  
 15 is obviously correct that no one acquires a vested or protected right in violation of the Constitution by long use .  
 16 . . . Yet an unbroken practice . . . is not something to be lightly cast aside.”). And while Congress cannot take  
 17 away the citizenship of individuals covered by the Citizenship Clause, it can bestow citizenship upon those not  
 18 within the Constitution’s breadth. See U.S. Const. art. IV, § 3, cl. 2 (“Congress shall have Power to dispose of  
 19 and make all needful Rules and Regulations respecting the Territory belonging to the United States.”); *id.* at art.  
 20 I, § 8, cl. 4 (Congress may “establish an uniform Rule of Naturalization . . .”). To date, Congress has not seen fit  
 21 to bestow birthright citizenship upon American Samoa, and in accordance with the law, this Court must and will  
 22 respect that choice.<sup>16</sup>  
 23 [*Tuana v. USA*, Case No. 12-01143 (District of Columbia District Court)]

24 Those among our readers who do NOT want to be privileged “citizens”, do not want to abandon their nationality, and yet  
 25 who also do not want to call themselves “non-citizen nationals” may therefore instead refer to themselves simply as “non-  
 26 resident non-persons” under federal law. Below is our definition of that term from the SEDM Disclaimer:

#### 27 4. MEANINGS OF WORDS

28 *The term "non-person" as used on this site we define to be a human not domiciled on federal territory, not engaged*  
 29 *in a public office, and not "purposefully and consensually availing themselves" of commerce within the jurisdiction*  
 30 *of the United States government. We invented this term. The term does not appear in federal statutes because*  
 31 *statutes cannot even define things or people who are not subject to them and therefore foreign and sovereign. The*  
 32 *term "non-individual" used on this site is equivalent to and a synonym for "non-person" on this site, even though*  
 33 *STATUTORY "individuals" are a SUBSET of "persons" within the Internal Revenue Code. Likewise, the term*  
 34 *"private human" is also synonymous with "non-person". Hence, a "non-person":*

- 35 1. *Retains their sovereign immunity. They do not waive it under the Foreign Sovereign Immunities Act, 28*
- 36 *U.S.C. Chapter 97 or the longarm statutes of the state they occupy.*
- 37 2. *Is protected by the United States Constitution and not federal statutory civil law.*
- 38 3. *May not have federal statutory civil law cited against them. If they were, a violation of Federal Rule of Civil*
- 39 *Procedure 17 and a constitutional tort would result if they were physically present on land protected by the*
- 40 *United States Constitution within the exterior limits of states of the Union.*
- 41 4. *Is on an equal footing with the United States government in court. "Persons" would be on an UNEQUAL,*
- 42 *INFERIOR, and subservient level if they were subject to federal territorial law.*

43 *Don't expect vain public servants to willingly admit that there is such a thing as a human who satisfies the above*  
 44 *criteria because it would undermine their systematic and treasonous plunder and enslavement of people they are*  
 45 *supposed to be protecting. However, the U.S. Supreme Court has held that the "right to be left alone" is the*  
 46 *purpose of the constitution. Olmstead v. United States, 277 U.S. 438. A so-called "government" that refuses to*  
 47 *leave you alone or respect or protect your sovereignty and equality in relation to them is no government at all*  
 48 *and has violated the purpose of its creation described in the Declaration of Independence.*  
 49 [*SEDM Disclaimer, Section 4; SOURCE: <http://sedm.org/disclaimer.htm>*]

50 The noteworthy silence of the courts on the VERY important subject of this section is what we affectionately call the  
 51 following:

52 *“The hide the presumption and hide the consent game.”*

53 Corrupt judges know that:

- 54 1. All just powers of CIVIL government derive from the CONSENT of the governed per the Declaration of
- 55 Independence.
- 56 2. Any civil statutory power wielded by government against your consent is inherently UNJUST.

3. The foundation of justice itself is the right to be left alone:

PAULSEN, *ETHICS* (Thilly's translation), chap. 9.

"Justice, as a moral habit, is that tendency of the will and mode of conduct which refrains from disturbing the lives and interests of others, and, as far as possible, hinders such interference on the part of others. This virtue springs from the individual's respect for his fellows as ends in themselves and as his co equals. The different spheres of interests may be roughly classified as follows: body and life; the family, or the extended individual life; property, or the totality of the instruments of action; honor, or the ideal existence; and finally freedom, or the possibility of fashioning one's life as an end in itself. The law defends these different spheres, thus giving rise to a corresponding number of spheres of rights, each being protected by a prohibition. . . . To violate the rights, to interfere with the interests of others, is injustice. All injustice is ultimately directed against the life of the neighbor; it is an open avowal that the latter is not an end in itself, having the same value as the individual's own life. The general formula of the duty of justice may therefore be stated as follows: Do no wrong yourself, and permit no wrong to be done, so far as lies in your power; or, expressed positively: Respect and protect the right."  
[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 2]

4. The first duty of government is to protect your right to be left alone by THEM, and subsequently, by everyone else. This right is NOT a privilege and cannot be given away or diminished if it truly is "unalienable", as the Declaration of Independence (which is organic law enacted into law at 1 Stat. 1) says:

"Justice is the end of government. It is the end of civil society. It ever has been, and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit."  
[James Madison, *The Federalist* No. 51 (1788)]

"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. They conferred, as against the Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized men."  
[*Olmstead v. United States*, 277 U.S. 438, 478 (1928) (Brandeis, J., dissenting); see also *Washington v. Harper*, 494 U.S. 210 (1990)]

5. The government can only CIVILLY govern people with statutes who consent to become STATUTORY "citizens".
6. You have a RIGHT to NOT participate in franchises or privileges.
7. You can choose NOT to be a privileged "citizen" WITHOUT abandoning your nationality. Only in a monarchy where everyone is a "subject" regardless of their consent can a government NOT allow this.
8. They can only CIVILLY govern people who consent to become "citizens".
9. All men and all creations of men such as government are equal. Hence, an entire government of men has no more power than a single human as a legal "person".
10. If government becomes abusive, you have a RIGHT and a DUTY under the Declaration of Independence to quit your public office as a "citizen", and quit paying for the PRIVILEGE of occupying the position in the form of taxes.

"But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security"  
[Declaration of Independence; SOURCE:  
[http://www.archives.gov/exhibits/charters/declaration\\_transcript.html](http://www.archives.gov/exhibits/charters/declaration_transcript.html)]

If everyone knew the above, they would abandon a totally corrupted government, quit subsidizing it, and let it starve to death long enough to fire the bastards and PEACEFULLY start over with no bloodshed and no violent revolution. Since they won't recognize your right to PEACEFULLY institute such reforms and DUTIES under the Declaration of Independence, indirectly you could say they are anarchists because the inevitable final result of not having a peaceful remedy of this kind is and will be violence, social unrest, and bloodshed.

Like the Wizard of Oz, it's time to pull back the curtain, ahem, or the "robe", of these corrupt wizards on the federal bench and expose this FRAUD and confidence game for what it is. Let's return to Kansas, Dorothy. There's no place like home, and home is an accountable government that needs your explicit permission to do anything civil to you and which can be literally FIRED by all those who are mistreated.

#### 4.12.5.3 Statutory "citizens"

The key thing to notice in the definition of “citizen” earlier is that those who are “citizens” within a legislative jurisdiction are also subject to all civil laws within that legislative jurisdiction. Note the phrase above:

“Citizens’ are members of a political community who, in their associated capacity, have...submitted themselves to the dominion of a government [and all its laws] for the promotion of their general welfare and the protection of their individual as well as collective rights.”  
[Black’s Law Dictionary, Sixth Edition, p. 244]

Notice the phrase “for the protection of.. collective rights”. Those who want to avoid what we call “collectivism” therefore cannot become a STATUTORY “citizen” under the civil laws of any government, because you can’t become a citizen without ALSO protecting COLLECTIVE rights. This may be why the Bible says on this subject the following:

“Where do wars and fights [and tyranny and oppression] come from among you? Do they not come from your desires for pleasure [pursuit of government “privileges” and “benefits” and favors such as Socialist Security] that war in your members? ....You ask [from your government and its THIEF the IRS] and do not receive, because you ask amiss, that you may spend it on your own pleasures. Adulterers and adulteresses [and HARLOTS]! Do you not know that friendship with the world [as a “citizen”, “resident”, “taxpayer”, etc] is enmity with God? Whoever therefore wants to be a friend of the world makes himself an enemy of God.”  
[James 4:3-4, Bible, NKJV]

For more on collectivism, see:

Collectivism and How to Resist It, Form #12.024

<http://sedm.org/Forms/FormIndex.htm>

A statutory “citizen” is therefore someone who was born somewhere within the country and who:

1. Maintains a PHYSICAL civil domicile within a specific territory.
2. Owes allegiance to the “sovereign” within that jurisdiction, and
3. Participates in the functions of government by voting and serving on jury duty. Domicile, in fact, is a prerequisite for being eligible to vote in most jurisdictions.

The only people who are “subject to” federal civil statutory, and therefore “citizens” under federal civil statutory law, are those people who have voluntarily chosen a domicile where the federal government has exclusive legislative/general jurisdiction, which exists only within the federal zone, under Article 1, Section 8, Clause 17 of the Constitution and 40 U.S.C. §§3111 and 3112. Within the Internal Revenue Code, people born in the federal zone or domiciled there are described as being “subject to its jurisdiction” rather than “subject to the jurisdiction” as mentioned in the Fourteenth Amendment. Hence, THIS type of “citizen” is NOT a Constitutional citizen but a Statutory citizen domiciled on federal territory:

26 C.F.R. §1.1-1 Income tax on individuals

(c) Who is a citizen.

Every person born or naturalized in the [federal] United States[\*\*] and subject to *its* jurisdiction is a citizen.  
For other rules governing the acquisition of citizenship, see chapters 1 and 2 of title III of the Immigration and Nationality Act (8 U.S.C. §1401-1459). ”  
[26 C.F.R. §1.1-1(c)]

This area includes the District of Columbia, the territories and possessions of the United States\*\*, and the federal areas within states, which are all “foreign” with respect to states of the Union for the purposes of federal legislative jurisdiction. If you were born in a state of the Union and are domiciled there, you are not subject to federal jurisdiction unless the land you maintain a domicile on was ceded by the state to the federal government. Therefore, you are not and cannot be a “citizen” under federal law! If you aren’t a “citizen”, then you also can’t be claiming your children as “citizens” on IRS returns or applying for government numbers for them either!

This same STATUTORY “U.S. citizen” is defined in 8 U.S.C. §1401:

TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part I > Sec. 1401.  
Sec. 1401. - Nationals and citizens of United States at birth

The following shall be nationals and citizens of the United States at birth:

1 (a) a person born in the United States, and subject to the jurisdiction thereof;

2 [...]

3 We said earlier that the statutory term “citizen” is always territorial. In the next section, we will show that the statutory term  
4 “national” is NOT territorial. Allegiance is always owed to legal “persons” or groups of “persons” such as nations, both of  
5 which are non-territorial. This is the LEGAL context rather than the GEOGRAPHICAL context. Therefore, the phrase  
6 “national and citizen of the United States” as used in 8 U.S.C. §1401 can be confusing to the reader, because the term “United  
7 States” in that phrase actually has TWO simultaneous meanings and contexts in a single word, one which is  
8 GEOGRAPHICAL (“citizen”) and the other which is LEGAL (“national”). If we were to break that phrase apart into its  
9 components and use the term “United States” as having only one meaning or context at a time, it would read as follows as it  
10 is used in 8 U.S.C. §1401:

11 “citizen of the United States\*\* [federal territory] and national of the United States\*\*\* [the legal person, because  
12 allegiance is owed to PERSONS, not geographies] at birth”

#### 13 4.12.5.4 Statutory “nationals”

14 A “national”, on the other hand, is simply someone who claims allegiance to the political body formed within the geographical  
15 boundaries and territory that define a “state”.

16 8 U.S.C. §1101: Definitions

17 (a) As used in this chapter—

18 (21) The term “national” means a person owing permanent allegiance to a state.

19 The above “state” is lower case, which means it can describe a legislatively but not constitutionally foreign entity such as a  
20 state of the Union. If it had been UPPER case, it would have been a federal territory because the context is a statute rather  
21 than the constitution. We show this later in section 5.1.4.6.

22 A “state” is then defined as follows:

23 “**State.** A people permanently occupying a fixed territory bound together by common-law habits and custom  
24 into one body politic exercising, through the medium of an organized government, independent sovereignty and  
25 control over all persons and things within its boundaries, capable of making war and peace and of entering into  
26 international relations with other communities of the globe. *United States v. Kusche, D.C.Cal., 56 F.Supp. 201*  
27 *207, 208. The organization of social life which exercises sovereign power in behalf of the people. Delany v.*  
28 *Moralitis, C.C.A.Md., 136 F.2d. 129, 130. In its largest sense, a “state” is a body politic or a society of men.*  
29 *Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d. 636, 254 N.Y.S.2d. 763, 765. A body of people*  
30 *occupying a definite territory and politically organized under one government. State ex re. Maisano v. Mitchell,*  
31 *155 Conn. 256, 231 A.2d. 539, 542. A territorial unit with a distinct general body of law. Restatement, Second,*  
32 *Conflicts, §3. Term may refer either to body politic of a nation (e.g. United States) or to an individual government*  
33 *unit of such nation (e.g. California).*

34 [...]

35 **The people of a state, in their collective capacity,** considered as the party wronged by a criminal deed; the public;  
36 as in the title of a cause, “*The State vs. A.B.*”  
37 [*Black’s Law Dictionary, Sixth Edition, p. 1407*]

38 Allegiance is NOT territorial. You can have allegiance while situated ANYWHERE in the world. In fact, the doctrine of  
39 “jus sanguinis” grants NATIONALITY for people not born on the territory of the country they become nationals of.

40 “JUS SANGUINIS. The right of blood. See Jus Soli.”

41 “JUS SOLI. The law of the place of one’s birth as contrasted with jus sanguinis, the law of the place of one’s  
42 descent or parentage. It is of feudal origin. *Hershey, Int. L. 237.*  
43 [*Black’s Law Dictionary, Fourth Edition, p. 1000*]

44 The above methods of acquiring nationality and “national” status is based on the following aspect of the English common  
45 law:

The fundamental principle of the common law with regard to English nationality was birth within the allegiance, also called "ligealty," "obedience," "faith," or "power" of the King. The principle embraced all persons born within the King's allegiance and subject to his protection. Such allegiance and protection were mutual -- as expressed in the maxim protectio trahit subjectionem, et subjectio protectionem -- and were not restricted to natural-born subjects and naturalized subjects, or to those who had taken an oath of allegiance, but were predicable of aliens in amity so long as they were within the kingdom. Children, born in England, of such aliens were therefore natural-born subjects. But the children, born within the realm, of foreign ambassadors, or the children of alien enemies, born during and within their hostile occupation of part of the King's dominions, were not natural-born subjects because not born within the allegiance, the obedience, or the power, or, as would be said at this day, within the jurisdiction, of the King.  
 [United States v. Wong Kim Ark, 169 U.S. 649 (1898)]

The "allegiance" they are talking about above is that of a "national", because a national is someone who "owes allegiance". That allegiance is also mandatory in the issuance of passports:

22 U.S.C. §212

No passport shall be granted or issued to or verified for any other persons than those owing allegiance, whether citizens or not, to the United States

**Title 22: Foreign Relations**

**PART 51—PASSPORTS**

**Subpart A—General**

**§51.2 Passport issued to nationals only.**

(a) A United States passport shall be issued only to a national of the United States (22 U.S.C. 212).

(b) Unless authorized by the Department no person shall bear more than one valid or potentially valid U.S. passport at any one time.

[SD-165, 46 FR 2343, Jan. 9, 1981]

We conclude, based on the above and based on the fact that passports are issued to state nationals, that all state nationals are both "nationals of the United States\*\*\*" and "a person who, though not a citizen of the United States, owes permanent allegiance to the United States" as defined below:

Title 8 › Chapter 12 › Subchapter I › § 1101  
8 U.S. Code § 1101 - Definitions

(22) The term "national of the United States" means

(A) a citizen of the United States, or

(B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.

Both jus soli and jus sanguinis are the only methods of acquiring NATIONALITY, meaning "national", status. Jus sanguinis is implemented in 8 U.S.C. §1401 for those born outside of constitutional states. Jus soli is implemented by the Fourteenth Amendment and permits nationality by virtue of birth on land within a constitutional state.

7 FAM 1110  
 ACQUISITION OF U.S. CITIZENSHIP BY BIRTH IN THE UNITED STATES  
 (CT:CON-538; 10-24-2014)  
 (Office of Origin: CA/OCS/L)  
 7 FAM 1111 INTRODUCTION

(CT:CON-538; 10-24-2014)

a. U.S. citizenship may be acquired either at birth or through naturalization subsequent to birth. U.S. laws governing the acquisition of citizenship at birth embody two legal principles:



(1) Jus soli (the law of the soil) - a rule of common law under which the place of a persons birth determines citizenship. In addition to common law, this principle is embodied in the 14th Amendment to the U.S. Constitution and the various U.S. citizenship and nationality statutes.

(2) Jus sanguinis (the law of the bloodline) - a concept of Roman or civil law under which a persons citizenship is determined by the citizenship of one or both parents. This rule, frequently called citizenship by descent or derivative citizenship, is not embodied in the U.S. Constitution, but such citizenship is granted through statute. As U.S. laws have changed, the requirements for conferring and retaining derivative citizenship have also changed.

b. National vs. Citizen: While most people and countries use the terms citizenship and nationality interchangeably, U.S. law differentiates between the two. Under current law all U.S. citizens are also U.S. nationals, but not all U.S. nationals are U.S. citizens. The term national of the United States, as defined by statute (INA 101 (a)(22) (8 U.S.C. §1101(a)(22)) includes all citizens of the United States, and other persons who owe allegiance to the United States but who have not been granted the privilege of citizenship.

(1) Nationals of the United States who are not citizens owe allegiance to the United States and are entitled to the consular protection of the United States when abroad, and to U.S. documentation, such as U.S. passports with appropriate endorsements. They are not entitled to voting representation in Congress and, under most state laws, are not entitled to vote in Federal, state, or local elections except in their place of birth. (See 7 FAM 012; 7 FAM 1300 Appendix B Endorsement 09.)

(2) Historically, Congress, through statutes, granted U.S. non-citizen nationality to persons born or inhabiting territory acquired by the United States through conquest or treaty. At one time or other natives and certain other residents of Puerto Rico, the U.S. Virgin Islands, the Philippines, Guam, and the Panama Canal Zone were U.S. non-citizen nationals. (See 7 FAM 1120.)

(3) Under current law, only persons born in American Samoa and Swains Island are U.S. non-citizen nationals (INA 101(a)(29) (8 U.S.C. §1101(a)(29) and INA 308(1) (8 U.S.C. §1408)). (See 7 FAM 1125.)

[Foreign Affairs Manual (F.A.M.), Section 1111, U.S. Department of State;

SOURCE:

<https://fam.state.gov/searchapps/viewer?format=html&query=jus%20sanguinis&links=JUS,SANGUINI&url=FAM/07FAM/07FAM1110.html#M1111>]

So when we claim “allegiance” as a “national”, we are claiming allegiance to a “state”, which is:

1. In the case of state/CONSTITUTIONAL citizens, the collection of all people within the constitutional states of the Union, who are the sovereigns within our system of government. This is called the “United States\*\*\*”. People owing this kind of allegiance are called “subject to THE jurisdiction”.
2. In the case of territorial/STATUTORY citizens, the United States government or United States\*\*. It is NOT any of the people on federal territory, because they are all SUBJECTS within what the U.S. Supreme Court called the equivalent of “a British Crown Colony” in *Downes v. Bidwell*. People owing this kind of allegiance are called “subject to ITS jurisdiction”. See 26 C.F.R. §1.1-1(c).

Since the federal GOVERNMENT in item 2 above is a representative of the Sovereign People in states of the Union and was created to SERVE them, then owing that government allegiance is ALSO equivalent to being a “national of the United States\*\*\*” in the case of people born on federal territory. Therefore, the above two can be summarized as “national of the United States\*\*\*”.

The political body we have allegiance to as a “national” is **non-geographical** and can exist OUTSIDE the physical territory or exclusive jurisdiction of the sovereign to whom we claim allegiance. You can use a passport anywhere outside the country, but you must have allegiance to get one so as to be entitled to protection when abroad. However, be advised of the following maxim of law on this subject:

*“Protectio trahit subjectionem, subjectio projectionem. Protection draws to it subjection, subjection, protection.*

*Co. Litt. 65.”*

[*Bouvier’s Maxims of Law, 1856;*

SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>]

You cannot demand or expect CIVIL statutory protection from any government WITHOUT also becoming a “subject” of its CIVIL statutory franchise “codes”, because those law, in fact, are the METHOD of delivering said protection.

Also, Americans born abroad to American nationals take on the citizenship of their parents, no matter where born per 8 U.S.C. §1401 and 8 U.S.C. §1408. Hence, the “United States” we claim allegiance to is non-geographical because even people when abroad are called “subject to THE jurisdiction”, meaning the POLITICAL rather than CIVIL or STATUTORY jurisdiction.

*“All persons born in the allegiance of the king are natural-born subjects, and all persons born in the allegiance of the United States are natural-born citizens. Birth and allegiance go together. Such is the rule of the common law, and it is the common law of this country, as well as of England. There are two exceptions, and only two, to the universality of its application. The children of ambassadors are in theory born in the allegiance of the powers the ambassadors represent, and slaves, in legal contemplation, are property, and not persons.”*  
[United States v. Rhodes, 1 Abbott, U.S. 28 (Cir. Ct. Ky 1866), Justice Swayne]

Note that as a “national” domiciled in a state of the Union (a “state national”), we are NOT claiming allegiance to the government or anyone serving us within the government in their official capacity as “public servants”. As a “national”, we are instead claiming allegiance to the People within the legislative jurisdiction of the geographic region by virtue of a domicile there. This is because in states of the Union, the People are the Sovereigns, and not the government who serves them. All sovereignty and authority emanates from We the People as human beings and not from the government that serves them:

*“The words 'people of the United States[\*\*\*]' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ...”*  
[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]

*“From the differences existing between feudal sovereignties and Government founded on compacts, it necessarily follows that their respective prerogatives must differ. Sovereignty is the right to govern; a nation or State-sovereign is the person or persons in whom that resides. In Europe the sovereignty is generally ascribed to the Prince; here it rests with the people; there, the sovereign actually administers the Government; here, never in a single instance; our Governors are the agents of the people, and at most stand in the same relation to their sovereign, in which regents in Europe stand to their sovereigns. Their Princes have personal powers, dignities, and pre-eminences, our rulers have none but official; nor do they partake in the sovereignty otherwise, or in any other capacity, than as private citizens.”*  
[Chisholm, Ex'r. v. Georgia, 2 Dall. (U.S.) 419, 1 L.Ed. 454, 457, 471, 472] (1794)]

The Supreme Court of the United States\*\* described and compared the differences between “citizenship” and “allegiance” very succinctly in the case of Talbot v. Janson, 3 U.S. 133 (1795):

*“Yet, it is to be remembered, and that whether in its real origin, or in its artificial state, allegiance, as well as fealty, rests upon lands, and it is due to persons. Not so, with respect to Citizenship, which has arisen from the dissolution of the feudal system and is a substitute for allegiance, corresponding with the new order of things. Allegiance and citizenship, differ, indeed, in almost every characteristic. Citizenship is the effect of compact; allegiance is the offspring of power and necessity. Citizenship is a political tie; allegiance is a territorial tenure. Citizenship is the charter of equality; allegiance is a badge of inferiority. Citizenship is constitutional; allegiance is personal. Citizenship is freedom; allegiance is servitude. Citizenship is communicable; allegiance is repulsive. Citizenship may be relinquished; allegiance is perpetual. With such essential differences, the doctrine of allegiance is inapplicable to a system of citizenship; which it can neither serve to controul, nor to elucidate. And yet, even among the nations, in which the law of allegiance is the most firmly established, the law most pertinaciously enforced, there are striking deviations that demonstrate the invincible power of truth, and the homage, which, under every modification of government, must be paid to the inherent rights of man.....The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous, sovereign.....”*  
[Talbot v. Janson, 3 U.S. 133 (1795); From the syllabus but not the opinion; SOURCE:  
[http://www.law.cornell.edu/supct/search/display.html?terms=choice%20or%20conflict%20and%20law&url=/supct/html/historics/USSC\\_CR\\_0003\\_0133\\_ZS.html](http://www.law.cornell.edu/supct/search/display.html?terms=choice%20or%20conflict%20and%20law&url=/supct/html/historics/USSC_CR_0003_0133_ZS.html)]

A “national” is not subject to the exclusive legislative civil jurisdiction and general sovereignty of the political body, but indirectly is protected by it and may claim its protection when abroad. For instance, when we travel overseas or change our domicile to abroad, we are known in foreign countries as “American Nationals” or:

1. “nationals”, or “state nationals”, or “nationals of the United States of America” or “United States\*\*\*” under 8 U.S.C. §1101(a)(21) if we were born in and are domiciled in a state of the Union.
2. “nationals of the United States\*\*” in a common law sense but NOT STATUTORY “nationals of the United States\*\*” described in 8 U.S.C. §1101(a)(22).
3. “nationals but not citizens of the United States\*\* at birth” under 8 U.S.C. §1408 and 8 U.S.C. §1452 if we were born in a federal possession, such as American Samoa or Swains Island.

Here is the definition of a “national of the United States\*” that demonstrates this, and note paragraph (a)(22)(B):

[TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)  
[Sec. 1101. - Definitions](#)

(a) As used in this chapter—

(22) The term “national of the United States[\*]” means

(A) a citizen of the United States[\*], or

(B) a person who, though not a citizen of the United States[\*\*], owes permanent [but not necessarily exclusive] allegiance to the United States[\*].

Consequently, the only time a “national” can also be described as a STATUTORY “citizen” is when he/she is domiciled within the territorial and exclusive legislative jurisdiction of the political body to which he/she claims allegiance. Being a “national” is therefore an attribute and a prerequisite of being a STATUTORY “citizen”, and the term can be used to describe STATUTORY “citizens”, as indicated above in paragraph (A). For instance, [8 U.S.C. §1401](#) describes the citizenship of those born within or residing within federal jurisdiction, and note that these people are identified as both “citizens” and “nationals”.

[TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part I > Sec. 1401.](#)  
[Sec. 1401. - Nationals and citizens of United States\[\\*\\*\] at birth](#)

The following shall be nationals and citizens of the United States[\*\*] at birth:

(a) a person born in the United States[\*\*], and subject to the jurisdiction thereof;

(b) a person born in the United States[\*\*] to a member of an Indian, Eskimo, Aleutian, or other aboriginal tribe: Provided, That the granting of citizenship under this subsection shall not in any manner impair or otherwise affect the right of such person to tribal or other property;

#### 4.12.5.5 **Title 8 STATUTORY definitions**

STATUTORY “nationals” are also further defined in [8 U.S.C. §1101](#) as follows:

[8 U.S.C. §1101 Definitions](#) [for the purposes of citizenship]

(a) As used in this chapter—

(21) The term “national” means a person owing permanent allegiance to a state.

(22) The term “national of the United States[\*\*]” means:

(A) a citizen of the United States[\*\*], or

(B) a person who, though not a citizen of the United States[\*\*], owes permanent allegiance to the United States[\*\*].

Note the suspect word “permanent” in the above definition. Below is the definition of “permanent” from the same title found in [8 U.S.C. §1101](#)(a)(31):

[8 U.S.C. §1101 Definitions](#) [for the purposes of citizenship]

(a) As used in this chapter—

(31) The term “permanent” means a relationship of continuing or lasting nature, as distinguished from temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the instance either of the United States[\*\*] or of the individual, in accordance with law.

1 For those of you who are Christians, you realize that this life is very temporary and that nothing on this earth can be permanent,  
2 and especially not your life:

3 *“In the sweat of your face you shall eat bread*  
4 *Till you return to the ground,*  
5 *For out of it you were taken;*  
6 *For dust you are,*  
7 *And to dust you shall return.”*  
8 *[God speaking to Adam and Eve, Gen. 3:19, Bible, NKJV]*

9 If we are going to be “dust”, then how can our intact living body have a permanent earthly place of abode? The Bible says  
10 in Romans 6:23 that “the wages of sin is death”, and that Eve brought sin into the world and thereby cursed all her successors  
11 so there is nothing more certain than death, which means there can be nothing physical that is permanent on earth including  
12 our very short lives. The only thing permanent is our spirit and not our physical body, which will certainly deteriorate and  
13 die. Therefore, there can be no such thing as “permanent allegiance” on our part to anything but God for Christians, because  
14 exclusive allegiance to God is the only way to achieve immortality and eternal life. Exclusive allegiance to anything but God  
15 is idolatry, in violation of the first four commandments of the ten commandments.

16 When we bring up the above kinds of issues, some of our readers have said that they don’t even like being called “nationals”  
17 as they are defined above, and we agree with them. However, it is a practical reality that you cannot get a passport within  
18 our society without being either a “citizen or non-citizen national of the United States\*”. The compromise we make in this  
19 sort of dilemma is to clarify on our passport application that:

- 20 1. The term “U.S.” as used on our passport application means the “United States of America” and not the federal United  
21 States\*\*.
- 22 2. The term “U.S.” used on the USA passport application excludes the federal corporation called the United States\*\*  
23 government.
- 24 3. We are not the statutory “national and citizen of the United States\*\* at birth” defined in 8 U.S.C. §1401.
- 25 4. Anyone who interferes with our status declaration in the context of the passport application is doing the following, both  
26 of which are a violation of 22 U.S.C. §2721:  
27 4.1. Interfering with our First Amendment right of free association and freedom from compelled association.  
28 4.2. Compelling us to contract with the government in procuring a franchise status that we don’t consent to.

29 Below, in fact, is a procedure we use to apply for a passport without creating a false presumption that we are a “U.S. citizen”  
30 that worked for us:

Getting a USA Passport as a “state national”, Form #10.012  
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

31 Sneaky, huh? This is a chess game using “words of art” conducted by greedy lawyers to steal your property and your liberty,  
32 folks! Now we ask our esteemed readers:

33 *“After all the crazy circuitous logic and wild goose chasing that results from listening to the propaganda of the*  
34 *government from its various branches on the citizenship definitions, what should a reasonable man conclude*  
35 *about the meanings of these terms? We only have two choices:*

- 36 1. *‘United States\*\*’ as used in 8 U.S.C. §1101(a)(38) means the federal zone and ‘U.S. citizens’ are*  
37 *born in the federal zone under all federal statutes and “acts of Congress”. This implies that*  
38 *Americans born and domiciled outside the federal zone and in a constitutional state of the Union can*  
39 *only be state nationals per 8 U.S.C. §1101(a)(21).*
- 40 2. *‘United States\*\*’ as used in 8 U.S.C. §1101(a)(38) means the entire country and political jurisdictions*  
41 *that are legislatively foreign to that of the federal government which are found in the states. This*  
42 *implies that most Americans can only be statutory “nationals and citizens of the United States” per 8*  
43 *U.S.C. §1401.*

44 We believe the answer is that our system of jurisprudence is based on “innocence until proven guilty”. In this case, the fact  
45 in question is: “Are you a statutory U.S. citizen”, and being “not guilty” means having our rights and sovereignty respected  
46 by our deceitful government under these circumstances implies being a “national” or a “state national”. Therefore, at best,  
47 we should conclude that the above analysis is correct and clearly explains the foundations of what it means to be a “national”

1 or a “state national” and why most Americans fit that description. At the very worst, our analysis clearly establishes that  
 2 federal statutory and case law, at least insofar as “U.S. citizenship” is very vague and very ambiguous and needs further  
 3 definition. The U.S. Supreme Court has held that when laws are vague, then they are “void for vagueness”, null, and  
 4 unenforceable. See the following cases for confirmation of this fact:

5 *"A statute which either forbids or requires the doing of an act in terms so vague that men and women of*  
 6 *common intelligence must necessarily guess at its meaning and differ as to its application, violates the first*  
 7 *essential of due process of law."*

8 [*Connally v. General Construction Co.*, 269 U.S. 385 (1926)]  
 9

10 *"It is a basic principle of due process that an enactment [435 U.S. 982, 986] is void for vagueness if its*  
 11 *prohibitions are not clearly defined.* Vague laws offend several important values. First, because we assume that  
 12 man is free to steer between lawful and unlawful conduct, we insist that laws give the person of ordinary  
 13 intelligence a reasonable opportunity to know what is prohibited, so that he may act accordingly. Vague laws  
 14 may trap the innocent by not providing fair warning. Second, if arbitrary and discriminatory enforcement is to  
 15 be prevented, laws must provide explicit standards for those who apply them. A vague law impermissibly delegates  
 16 basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis, with the  
 17 attendant dangers of arbitrary and discriminatory application."

18 [*Grayned v. City of Rockford*, 408 U.S. 104, 108 (1972), *emphasis added*]

19 We refer you to the following additional rulings of the U.S. Supreme Court on “void for vagueness” as additional authorities:

- 20 1. Papachristou v. City of Jacksonville, [405 U.S. 156](#) (1972)
- 21 2. Cline v. Frink Dairy Co., [274 U.S. 445, 47](#) S. Ct. 681 (1927)
- 22 3. Sewell v. Georgia, [435 U.S. 982](#) (1978)

23 Here is the way one of our readers describes the irrational propaganda and laws the government writes:

24 *"If it doesn't make sense, it's probably because politics is involved!"*

#### 25 4.12.5.6 **Power to create is the power to tax and regulate**

26 As is shown in the following article, the power to create is the power to tax and regulate.

*Hierarchy of Sovereignty: The Power to Create is the Power to Tax*, Family Guardian Fellowship  
<https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm>

27 Congress can only tax or regulate that which it legislatively creates. All such creations are CIVIL FRANCHISES of the  
 28 national government.

*Government Instituted Slavery Using Franchises*, Form #05.030  
<https://sedm.org/Forms/FormIndex.htm>

29 Congress did NOT create human beings. God did. It also didn't create CONSTITUTIONAL citizens under the Fourteenth  
 30 Amendment or the nationality and “national” status they have by virtue of jus soli. We the People wrote the Constitution,  
 31 not Congress. Hence, Congress can't tax or regulate CONSTITUTIONAL citizens directly. By CONSTITUTIONAL  
 32 citizens we also mean “state nationals”. Constitutional nationality (“national” status) is a PRIVATE RIGHT, not a revocable  
 33 PUBLIC PRIVILEGE. The ability to tax or regulate PRIVATE property or PRIVATE rights is repugnant to the Constitution.

34 *"The power to "legislate generally upon" life, liberty, and property, as opposed to the "power to provide modes*  
 35 *of redress" against offensive state action, was "repugnant" to the Constitution. Id., at 15. See also United States*  
 36 *v. Reese*, [92 U.S. 214, 218](#) (1876) ; *United States v. Harris*, [106 U.S. 629, 639](#) (1883) ; *James v. Bowman*, [190](#)  
 37 [U.S. 127, 139](#) (1903) . Although the specific holdings of these early cases might have been superseded or modified,  
 38 *see, e.g., Heart of Atlanta Motel, Inc. v. United States*, [379 U.S. 241](#) (1964) ; *United States v. Guest*, [383 U.S.](#)  
 39 [745](#) (1966) , their treatment of Congress' §5 power as corrective or preventive, not definitional, has not been  
 40 questioned."

41 [*City of Boerne v. Flores, Archbishop of San Antonio*, 521 U.S. 507 (1997) ]

1 Congress, however, DID create the STATUTORY “national and citizen of the United States at birth” status under 8 U.S.C.  
 2 §1401. That status is a public office by the admission of both the U.S. Supreme Court and the President of the United States.  
 3 See:

*President Obama Admits in His Farewell Address that “Citizen” is a Public Office*, Exhibit #01.018  
 YOUTUBE: <https://youtu.be/XjVvYZU0mlc>  
 SEDM Exhibits Page: <http://sedm.org/Exhibits/ExhibitIndex.htm>

4 STATUTORY “U.S. citizen” under 8 U.S.C. §1401 involves only federal territory under the exclusive jurisdiction of  
 5 Congress. They therefore can tax and regulate all those with such status, regardless of where physically situated. That status  
 6 is technically “property” of the national government that can be reclaimed or taken away on a whim. PRIVATE RIGHTS  
 7 can’t be legislatively taken but PUBLIC PRIVILEGES can.

8 *The Court today holds that the Citizenship Clause of the Fourteenth Amendment has no application to Bellei*  
 9 *[an 8 U.S.C. §1401 STATUTORY citizen].* *The Court first notes that Afroyim was essentially a case construing*  
 10 *the Citizenship Clause of the Fourteenth Amendment. Since the Citizenship Clause declares that: ‘All persons*  
 11 *born or naturalized in the United States \* \* \* are citizens of the United States \* \* \*.’ the Court reasons that the*  
 12 *protections against involuntary expatriation declared in Afroyim do not protect all American citizens, but only*  
 13 *those ‘born or naturalized in the United States.’ Afroyim, the argument runs, was naturalized in this country so*  
 14 *he was protected by the Citizenship Clause, but Bellei, since he acquired his American citizenship at birth in Italy*  
 15 *as a foreignborn child of an American citizen, was neither born nor naturalized in the United States and, hence,*  
 16 *falls outside the scope of the Fourteenth Amendment guarantees declared in Afroyim. One could hardly call this*  
 17 *a generous reading of the great purposes the Fourteenth Amendment was adopted to bring about. **While***  
 18 *conceding that Bellei is an American citizen, the majority states: ‘He simply is not a Fourteenth-Amendment-*  
 19 *first-sentence citizen.’ Therefore, the majority reasons, the congressional revocation of his citizenship is not*  
 20 *barred by the Constitution. **I cannot accept the Court’s conclusion that the Fourteenth Amendment protects***  
 21 *the citizenship of some Americans and not others. [ . . . ]*

22 *The Court today puts aside the Fourteenth Amendment as a standard by which to measure congressional*  
 23 *action with respect to citizenship, and substitutes in its place the majority’s own vague notions of ‘fairness.’*  
 24 *The majority takes a new step with the recurring theme that the test of constitutionality is the Court’s own view*  
 25 *of what is ‘fair, reasonable, and right.’ Despite the concession that Bellei was admittedly an American citizen,*  
 26 *and despite the holding in Afroyim that the Fourteenth Amendment has put citizenship, once conferred, beyond*  
 27 *the power of Congress to revoke, the majority today upholds the revocation of Bellei’s citizenship on the ground*  
 28 *that the congressional action was not ‘irrational or arbitrary or unfair.’ The majority applies the ‘shock-the-*  
 29 *conscience’ test to uphold, rather than strike, a federal statute. It is a dangerous concept of constitutional law*  
 30 *that allows the majority to conclude that, because it cannot say the statute is ‘irrational or arbitrary or unfair,’*  
 31 *the statute must be constitutional.*

32 [ . . . ]

33 *Since the Court this Term has already downgraded citizens receiving public welfare, Wyman v. James, 400 U.S.*  
 34 *309, 91 S.Ct. 381, 27 L.Ed.2d. 408 (1971), and citizens having the misfortune to be illegitimate, Labine v. Vincent,*  
 35 *401 U.S. 532, 91 S.Ct. 1917, 28 L.Ed.2d. 288, I suppose today’s decision downgrading citizens born outside the*  
 36 *United States should have been expected. Once again, as in James and Labine, the Court’s opinion makes evident*  
 37 *that its holding is contrary to earlier decisions. Concededly, petitioner was a citizen at birth, not by constitutional*  
 38 *right, but only through operation of a federal statute.*  
 39 *[Rogers v. Bellei, 401 U.S. 815 (1971)]*

#### 40 4.12.5.7 Rights Lost By Becoming a statutory “U.S. citizen”

41 A state Citizen has the right to have any gun he/she wishes without being registered. A “U.S. citizen” under 8 U.S.C. §1401  
 42 does not. In the District of Columbia, it is a felony to own a handgun unless you are a police officer or a security guard or the  
 43 hand gun was registered before 1978. The District of Columbia has not been admitted into the Union. Therefore the people of  
 44 the District of Columbia are *not* protected by the Second Amendment or any other part of the Bill of Rights. Despite the  
 45 lack of legal guns in DC, crime is rampant. It is called Murder Capital of the World. This should prove that gun control/victim  
 46 disarmament laws do not work in America. Across the country, there is an assault on guns. If you are a “U.S.\*\* citizen” and  
 47 you are using Second Amendment arguments to protect your rights to keep your guns, I believe you are in for a surprise. First  
 48 by registering gun owners then renaming guns 'Assault Weapons' and 'Handguns', those in power will take away your civil  
 49 right to bear arms. Of course, they won't tell you that the right to keep and bear arms is a civil right and not a natural right for  
 50 a U.S. citizens. The Supreme court has ruled that you as an individual have no right to protection by the police. Their only  
 51 obligation is to protect "society". The real protection for state Citizens to keep their guns is not the Second Amendment but  
 52 the Ninth Amendment.

1 A state Citizen has the right to travel on the public easements (public roads) without being registered. A statutory "U.S.  
 2 citizen" does not. It is a privilege for a foreigner to travel in any of the several states. If you are a statutory U.S. citizen, you  
 3 are a foreigner in a constitutional state. The state legislators can require foreigners and people involved in commerce  
 4 (chauffeurs, freight haulers) to be licensed, insured, and to have their vehicles registered. When you register your car, you  
 5 turn over power of attorney to the state. At that point, it becomes a motor vehicle. If it is not registered then it is not a motor  
 6 vehicle and there are no motor vehicle statutes to break. There are common law rules of the road. If you don't cause an injury  
 7 to anybody then you cannot be tried.

8 If your car is registered, the state effectively owns your car. The state supplies a sticker to put on your license plate every  
 9 time you re-register the motor vehicle. Look closely at the sticker on your plate right now. You may be surprised to see that  
 10 it says "OFFICIAL USE ONLY". (Note: In some states, they do not use stickers on the plate) You may have seen municipal  
 11 vehicles that have signs on them saying "OFFICIAL USE ONLY" on them but why does yours? You do not own your car.  
 12 You may have a Certificate of Title but you probably do not have the certificate of origin. You are leasing the state's vehicle  
 13 by paying the yearly registration fee. Because you are using their equipment, they can make rules up on how it can be used.  
 14 If you break a rule, such as driving without a seatbelt, you have broken the contract and an administrative procedure will  
 15 make you pay the penalty. A state Citizen must be able to explain to the police officers why they are not required to have the  
 16 usual paperwork that most people have. They should carry copies of affidavits and other paperwork in their car. The state  
 17 Citizen should also be prepared to go to traffic court and explain it to the judge.

18 The right of trial by jury in civil cases, guaranteed by the 7th Amendment (*Walker v. Sauvinet*, 92 U.S. 90 (1875)), and the  
 19 right to bear arms, guaranteed by the 2nd Amendment (*Presser v. Illinois*, 116 U.S. 252 (1886)), have been distinctly held  
 20 not to be privileges and immunities of "citizens of the United States" guaranteed by the 14th Amendment against abridgment  
 21 by the states, and in effect the same decision was made in respect of the guarantee against prosecution, except by indictment  
 22 of a grand jury, contained in the 5th Amendment (*Hurtado v. California*, 110 U.S. 516 (1884)), and in respect of the right to  
 23 be confronted with witnesses, contained in the 6th Amendment." *West v. Louisiana*, 194 U.S. 258 (1904).

24 The privileges and immunities [civil rights] of the 14<sup>th</sup> Amendment citizens were derived [taken] from....the Constitution, but  
 25 are not identical to those referred to in Article IV, Sect. 2 of the Constitution [which recognizes the existence of state Citizens  
 26 who were not citizens of the United States because there was no such animal in 1787]. Plainly spoken, RIGHTS in the  
 27 constitution of the United States of America, which are recognized to be grants from our creator, are clearly different from  
 28 the "civil rights" that were granted by Congress to its own brand of franchised statutory "U.S. citizen" pursuant to 8 U.S.C.  
 29 §1401.

30 *"A 'civil right' is a right given and protected by law [man's law], and a person's enjoyment thereof is regulated*  
 31 *entirely by law that creates it."*  
 32 *[Nickell v. Rosenfield, 82 CA 369 (1927), 375, 255 P. 760.]*

33 Title 42 of the USC contains the Civil Rights laws. It says "Rights under 42 USCS section 1983 are for citizens of the United  
 34 States and not of state. *Wadleigh v. Newhall* (1905, CC Cal) 136 F 941."

35 In summary, what we are talking about here is a Master-Servant relationship. Being a person with a domicile within federal  
 36 jurisdiction makes us subject to federal laws and makes us into a statutory "citizen of the United States" under 8 U.S.C.  
 37 §1401. We become servants to our public servants. Those who file the IRS Form 1040 indicate a domicile in the District of  
 38 Columbia, and have surrendered the protection of state law to become subject citizens. See IRS Document 7130<sup>191</sup>, which  
 39 says that this form may only be filed by "citizens and residents" of the "United States", which is defined as the District of  
 40 Columbia in 26 U.S.C. §7701(a)(9) and (a)(10).

#### 41 **4.12.6 Effect of Domicile on Citizenship Status**

42 When "citizens" move their domicile outside of the territorial limits of the "state" to which they are a member and cease to  
 43 participate directly in the political functions of that "state", however, they become statutory "nationals" but not "citizens".  
 44 This is confirmed by the definition of "citizen of the United States" found in Section 1 of the Fourteenth Amendment.:

45 *U.S. Constitution: Fourteenth Amendment*

<sup>191</sup> Available at: <http://famguardian.org/TaxFreedom/Forms/IRS/IRSDoc7130.pdf>.

Section. 1. All persons **born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States** and of the State wherein they reside.

As you will learn later, the Supreme Court said in the case of *U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898) that the term “subject to **the** jurisdiction” means “subject to the **political** jurisdiction”, which is very different from “subject to the **legislative** jurisdiction”. Note from the above that being a “citizen” has two prerequisites: “born within the [territorial] jurisdiction” and “subject to the [political but not legislative] jurisdiction”. The other noteworthy point to be made here is that the term “citizen” as used above is *not* used in the context of federal statutes or federal law, and therefore does *not* imply one is a “citizen” under federal law. The Constitution is what grants the authority to the federal government to write federal statutes, but it is not a “federal statute” or “federal law”. The term “citizen”, in the context of the Constitution, simply refers to the political community created by that Constitution, which in this case is the federation of united states called the “United States”, and not the United States government itself.

When you move your domicile outside its territorial jurisdiction of the political body and do not participate in its political functions as a jurist or a voter, then you are no longer “subject to the [political] jurisdiction”. Likewise, because you are outside territorial limits of the political body, you are also *not* subject in any degree to its legislative jurisdiction either:

*“Judge Story, in his treatise on the Conflicts of Laws, lays down, as the basis upon which all reasonings on the law of comity must necessarily rest, the following maxims: First ‘that every nation possesses an exclusive sovereignty and jurisdiction within its own territory’; secondly, ‘that no state or nation can by its laws directly affect or bind property out of its own territory, or bind persons not resident therein, whether they are natural born subjects or others.’ The learned judge then adds: ‘From these two maxims or propositions there follows a third, and that is that whatever force and obligation the laws of one country have in another depend solely upon the laws and municipal regulation of the latter; that is to say, upon its own proper jurisdiction and polity, and upon its own express or tacit consent.’ Story on Conflict of Laws §23.”*  
[*Baltimore & Ohio Railroad Co. v. Chambers*, 73 Ohio.St. 16, 76 N.E. 91, 11 L.R.A., N.S., 1012 (1905)]

The word “territory” above needs further illumination. States of the Union are NOT considered “territories” or “territory” under federal law. This is confirmed by the Corpus Juris Secundum legal encyclopedia, which says on this subject the following:

Volume 86, *Corpus Juris Secundum Legal Encyclopedia*  
Territories  
§1. Definitions, Nature, and Distinctions

***The word 'territory,' when used to designate a political organization has a distinctive, fixed, and legal meaning under the political institutions of the United States, and does not necessarily include all the territorial possessions of the United States, but may include only the portions thereof which are organized and exercise governmental functions under act of congress."***

*While the term 'territory' is often loosely used, and has even been construed to include municipal subdivisions of a territory, and 'territories of the' United States is sometimes used to refer to the entire domain over which the United States exercises dominion, the word 'territory,' when used to designate a political organization, has a distinctive, fixed, and legal meaning under the political institutions of the United States, and the term 'territory' or 'territories' does not necessarily include only a portion or the portions thereof which are organized and exercise government functions under acts of congress. The term 'territories' has been defined to be political subdivisions of the outlying dominion of the United States, and in this sense the term 'territory' is not a description of a definite area of land but of a political unit governing and being governed as such. The question whether a particular subdivision or entity is a territory is not determined by the particular form of government with which it is, more or less temporarily, invested.*

***'Territories' or 'territory' as including 'state' or 'states.'*** While the term 'territories of the' [United States](#) may, under certain circumstances, include the states of the Union, as used in the federal Constitution and in ordinary acts of congress "territory" does not include a [foreign state](#).

***As used in this title, the term 'territories' generally refers to the political subdivisions created by congress, and not within the boundaries of any of the several states.***  
[86 *Corpus Juris Secundum (C.J.S.), Territories* (2003)]

Notice that the above legal encyclopedia definition of “territory” refers to states of the Union as “foreign states”! A “foreign state” is a state that is not subject to the legislative jurisdiction or laws of the state in question, which in this case is the federal government. The Supreme Court also agreed with the conclusions within this section so far, in the cite next. Notice how they use the terms “citizenship” and “nationality” or “national” interchangeably, because they are equivalent:



1 "The term 'dual nationality' needs exact appreciation. It refers to the fact that two States make equal claim to the  
 2 allegiance of an individual at the same time. Thus, one State may claim his allegiance because of his birth within  
 3 its territory, and the other because at the time of his birth in foreign territory his parents were its nationals. The  
 4 laws of the United States purport to clothe persons with American citizenship by virtue of both principles.'

5 "And after referring to the Fourteenth Amendment, U.S.C.A.Const., and the Act of February 10, 1855, R.S. §1993,  
 6 8 U.S.C.A. 6, the instructions continued: [307 U.S. 325, 345] 'It thus becomes important to note how far these  
 7 differing claims of American nationality are fairly operative with respect to persons living abroad [or in states  
 8 of the Union, which are ALSO foreign with respect to federal jurisdiction], whether they were born abroad or  
 9 were born in the United States of alien parents and taken during minority to reside in the territory of States to  
 10 which the parents owed allegiance. **It is logical that, while the child remains or resides in territory of the foreign  
 11 State [a state of the Union, in this case] claiming him as a national, the United States should respect its claim  
 12 to allegiance.** The important point to observe is that the doctrine of dual allegiance ceases, in American  
 13 contemplation, to be fully applicable after the child has reached adult years. Thereafter two States may in fact  
 14 claim him as a national. Those claims are not, however, regarded as of equal merit, because one of the States  
 15 may then justly assert that his relationship to itself as a national is, by reason of circumstances that have arisen,  
 16 inconsistent with, and reasonably superior to, any claim of allegiance asserted by any other State. Ordinarily the  
 17 State in which the individual retains his residence after attaining his majority has the superior claim. The statutory  
 18 law of the United States affords some guidance but not all that could be desired, because it fails to announce the  
 19 circumstances when the child who resides abroad within the territory of a State reasonably claiming his  
 20 allegiance forfeits completely the right to perfect his inchoate right to retain American citizenship."  
 21 [Perkins v. Elg, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)]

22 So when a person is domiciled outside the exclusive legislative jurisdiction or "general sovereignty" of a political body and  
 23 does not participate *directly* in its political functions, then they are "nationals" but not "citizens" of that political body. This  
 24 is the condition of people born in and domiciled within states of the Union in regards to their federal citizenship:

- 25 1. State citizens maintain a domicile that is outside the territorial and exclusive legislative jurisdiction of the federal  
 26 government. They are not subject to the police powers of the federal government.
- 27 2. State citizens do not participate directly in the political functions of the federal government.
  - 28 2.1. They are not allowed to serve as jurists in federal court, because they don't reside in a federal area within their state.  
 29 They can only serve as jurists in state courts. Federal district courts routinely violate this limitation by not ensuring  
 30 that the people who serve on federal courts come from federal areas. If they observed the law on this matter, they  
 31 wouldn't have anyone left to serve on federal petit or grand juries! Therefore, they illegally use state DMV records  
 32 to locate jurists and obfuscate the jury summons forms by asking if people are "U.S. citizens" without ever defining  
 33 what it means!
  - 34 2.2. They do not participate directly in federal elections. There are no separate federal elections and separate voting  
 35 days and voting precincts for federal elections. State citizens only participate in state elections, and elect  
 36 *representatives* who go to Washington to "represent" their interests *indirectly*.

37 A prominent legal publisher, West Publishing, agrees with the findings in this section. Here is what they say in their  
 38 publication entitled Conflicts in a Nutshell, Second Edition:

39 *In the United States, "domicile" and "residence" are the two major competitors for judicial attention, and the*  
 40 *words are almost invariably used to describe the relationship that the person has to the state rather than the*  
 41 *nation. **We use "citizenship" to describe the national relationship, and we generally eschew "nationality"***  
 42 ***(heard more frequently among European nations) as a descriptive term.***  
 43 *[Conflicts in a Nutshell, Second Edition, David D. Siegel, West Publishing, 1994, ISBN 0-314-02952, p. 15]*

44 The implication of the above is that you cannot have a NATIONAL domicile, but only a domicile within a  
 45 CONSTITUTIONAL but not STATUTORY state. A human being who is a "national" with respect to a political jurisdiction  
 46 and who does not maintain a legal domicile within the exclusive legislative or "general" jurisdiction of the political body is  
 47 treated as a "non-resident" within federal law. He is a "non-resident" because he is not consensually or physically present  
 48 within the territorial limits. If he is ALSO a public officer, then he is also a "nonresident alien" under the Internal Revenue  
 49 Code while on official business and a "non-resident non-person" in his or her private life. He is "foreign" because he does  
 50 not maintain a civil domicile in the federal United States\*\* and therefore is not subject to its civil legislative jurisdiction. For  
 51 instance, a "national of the United States\*\*\* of America" born within and domiciled within a constitutional state AND  
 52 occupying a public office or a "non-citizen national of the United States\*\*\*" under 8 U.S.C. §1408 born and domiciled within  
 53 a possession are both treated as "nonresident aliens" within the Internal Revenue Code:

54 [26 U.S.C. §7701\(b\)\(1\)\(B\) Definitions](#)

An individual is a nonresident alien if such individual is neither a citizen of the United States nor a resident of the United States (within the meaning of subparagraph (A)).

At the same time, such a human being is *not* an "alien" under federal law, because a "nonresident alien" is defined as a human being who is neither a "citizen nor a resident", and that is exactly what the person mentioned in 8 U.S.C. §1101(a)(22)(B) (called "a person who, though not a citizen of the United States, owes permanent allegiance to the United States\*\*") is. Further confirmation of this conclusion is found in the definition of "resident" in [26 U.S.C. §7701\(b\)\(1\)\(A\)](#), which defines a "resident" as an "alien". Since the definition of "nonresident alien" above excludes "residents", then it also excludes "aliens".

A picture is worth a thousand words. We'll now summarize the results of the preceding analysis to make it crystal clear for visually-minded readers:

**Table 4-27: Citizenship summary**

Citizenship	Defined or described in	Domicile in the federal zone?	Subject to legislative jurisdiction/police powers?	Subject to "political jurisdiction"?	A "nonresident alien"?	A "non-resident non-person"?
"citizen"	<a href="#">8 U.S.C. §1401</a>	Yes	Yes	Yes	No	No
"resident"/"alien"	<a href="#">8 U.S.C. §1101(a)(3)</a> <a href="#">26 U.S.C. §7701(b)(1)(A)</a>	Yes	Yes	No	No	No
"national"	<a href="#">8 U.S.C. §1101(a)(21)</a>	No	No	Yes	Yes	Yes, if not domiciled on federal territory.
"national of the United States**"	<a href="#">8 U.S.C. §1101(a)(22)</a>	1. Yes, if an 8 U.S.C. §1401 or 8 U.S.C. §1101(a)(22)(A) STATUTORY "citizen of the United States**" 2. Yes if a "a person who, though not a citizen of the United States, owes permanent allegiance to the United States" under 8 U.S.C. §1101(a)(22)(B)		Yes	1. No, if an 8 U.S.C. §1401 or 8 U.S.C. §1101(a)(22)(A) STATUTORY "citizen of the United States**" 2. Yes if a "a person who, though not a citizen of the United States, owes permanent allegiance to the United States" under 8 U.S.C. §1101(a)(22)(B)	Yes, if not domiciled on federal territory.
"Non-citizen national of the United States**"	8 U.S.C. §1408 8 U.S.C. §1452	No	No	Yes	1. Yes, if engaged in a public office, and only while on official business. 2. No, if acting in an exclusively PRIVATE capacity.	Yes, if not domiciled on federal territory or in a U.S. possession.
"a person who, though not a citizen of the United States, owes permanent allegiance to the United States"	8 U.S.C. §1101(a)(22)(B) 8 U.S.C. §1408	No	No	Yes	1. Yes, if engaged in a public office, and only while on official business. 2. No, if acting in an exclusively PRIVATE capacity.	Yes, if not domiciled on federal territory or in a U.S. possession.

1

2

Table 4-28: Civil and political status

<i>Location of birth</i>	<i>Political status</i>	<i>Civil status if domiciled WITHIN "United States**"</i>	<i>Civil status if domiciled WITHOUT "United States**"</i>
"United States**" per 8 U.S.C. §1101(a)(38), per 8 U.S.C. §1101(a)(36), 8 C.F.R. §215.1(f)	" <b>national of the United States**</b> " per 8 U.S.C. §1101(a)(22)	Statutory " <b>citizen of the United States** at birth</b> " per 8 U.S.C. §1401; " <b>United States person</b> " per 26 U.S.C. §7701(a)(30)	" <b>non-citizen national of the United States**</b> " per 8 U.S.C. §1452
"outlying possession of United States" per 8 U.S.C. §1101(a)(29)	" <b>non-citizen national of the United States**</b> " per 8 U.S.C. §1101(a)(22)(B)	" <b>non-citizen national of the United States** at birth</b> " per 8 U.S.C. §1408 and 8 U.S.C. §1452 " <b>United States** person</b> " per 26 U.S.C. §7701(a)(30)	" <b>non-citizen national of the United States**</b> " per 8 U.S.C. §1408, 8 U.S.C. §1452
A Constitutional Union state	Constitutional " <b>citizen of the United States***</b> " per 14th Amendment; " <b>national</b> " of the United States of America per 8 U.S.C. §1101(a)(21)	" <b>United States** person</b> " per 26 U.S.C. §7701(a)(30)	" <b>nonresident alien</b> " per 26 U.S.C. §7701(b)(1)(B) if a public officer " <b>non-resident NON-person</b> " if not a public officer
A foreign country	Foreign " <b>national</b> " per 8 U.S.C. §1101(a)(21) " <b>alien</b> " per 8 U.S.C. §1101(a)(3)	" <b>resident</b> " (alien) per 26 U.S.C. §7701(b)(1)(A) " <b>United States** person</b> " per 26 U.S.C. §7701(a)(30)	" <b>nonresident alien</b> " per 26 U.S.C. §7701(b)(1)(B) if a public officer " <b>non-resident NON-person</b> " if not a public officer

The table below describes the affect that changes in domicile have on citizenship status in the case of both "foreign nationals" and "domestic nationals". A "domestic national" is anyone born anywhere within any one of the 50 states on nonfederal land or who was born in any territory or possession of the United States. A "foreign national" is someone who was born anywhere outside of these areas. The jurisdiction mentioned in the right three columns is the "federal zone".

Table 4-29: Effect of domicile on citizenship status

Description	CONDITION		
	Domicile WITHIN the FEDERAL ZONE and located in FEDERAL ZONE	Domicile WITHIN the FEDERAL ZONE and temporarily located abroad in foreign country	Domicile WITHOUT the FEDERAL ZONE and located WITHOUT the FEDERAL ZONE
Location of domicile	“United States” per <a href="#">26 U.S.C. §§7701(a)(9)</a> and (a)(10), <a href="#">7701(a)(39)</a> , <a href="#">7408(d)</a>	“United States” per <a href="#">26 U.S.C. §§7701(a)(9)</a> and (a)(10), <a href="#">7701(a)(39)</a> , <a href="#">7408(d)</a>	Without the “United States” per <a href="#">26 U.S.C. §§7701(a)(9)</a> and (a)(10), <a href="#">7701(a)(39)</a> , <a href="#">7408(d)</a>
Physical location	Federal territories, possessions, and the District of Columbia	Foreign nations ONLY (NOT states of the Union)	Foreign nations states of the Union Federal possessions
Tax Status	“U.S. Person” <a href="#">26 U.S.C. §7701(a)(30)</a>	“U.S. Person” <a href="#">26 U.S.C. §7701(a)(30)</a>	“Nonresident alien individual” if a public officer in the U.S. government. <a href="#">26 C.F.R. §1.1441-1(c)(3)</a> for definition of “individual”. “Non-resident NON-person” if NOT a public officer in the U.S. government
Tax form(s) to file	IRS Form 1040	IRS Form 1040 plus 2555	<u>IRS Form 1040NR</u> : “alien individuals”, “nonresident alien individuals” <u>No filing requirement</u> : “non-resident NON-person”
Status if “national of the United States**”	“national and citizen of the United States** at birth” per <a href="#">8 U.S.C. §1401</a> and “citizen of the United States**” per <a href="#">8 U.S.C. §1101(a)(22)(A)</a> if born in on federal territory. (Not required to file if physically present in the “United States” because no statute requires it)	Citizen abroad <a href="#">26 U.S.C. §911</a> (Meets presence test)	“non-resident non-person” if born in a state of the Union. “non-citizen national of the United States**” under <a href="#">8 U.S.C. §1408</a> , <a href="#">8 U.S.C. §1452</a> , and <a href="#">8 U.S.C. §1101(a)(22)(B)</a> if born in a possession.
Status if FOREIGN “national” and “alien” pursuant to <a href="#">8 U.S.C. §1101(a)(3)</a>	“Resident alien” <a href="#">26 U.S.C. §7701(b)(1)(A)</a>	“Resident alien abroad” <a href="#">26 U.S.C. §911</a> (Meets presence test)	“Nonresident alien individual” if a public officer in the U.S. government. <a href="#">26 C.F.R. §1.1441-1(c)(3)</a> for definition of “individual”. “Non-resident NON-person” if NOT a public officer in the U.S. government

## NOTES:

- “United States” is defined as federal territory within [26 U.S.C. §§7701\(a\)\(9\)](#) and (a)(10), [7701\(a\)\(39\)](#), and [7408\(d\)](#), and [4 U.S.C. §110\(d\)](#). It does not include any portion of a Constitutional state of the Union.
- The “District of Columbia” is defined as a federal corporation but not a physical place, a “body politic”, or a de jure “government” within the District of Columbia Act of 1871, 16 Stat. 419, 426, Sec. 34. See: [Corporatization and Privatization of the Government](#), Form #05.024; <http://sedm.org/Forms/FormIndex.htm>.
- “nationals” of the United States of America who are domiciled outside of federal jurisdiction, either in a state of the Union or a foreign country, are “nationals” but not “citizens” under federal law. They also qualify as “nonresident aliens” under [26 U.S.C. §7701\(b\)\(1\)\(B\)](#) if and only if they are engaged in a public office. See sections 4.11.2 earlier for details.
- Temporary domicile in the middle column on the right must meet the requirements of the “Presence test” documented in IRS publications.
- “FEDERAL ZONE”=District of Columbia and territories of the United States in the above table

6. The term “individual” as used on the IRS form 1040 means an “alien” engaged in a “trade or business”. All “taxpayers” are “aliens” engaged in a “trade or business”. This is confirmed by 26 C.F.R. §1.1441-1(c)(3), 26 C.F.R. §1.1-1(a)(2)(ii), and 5 U.S.C. §552a(a)(2). Statutory “U.S. citizens” as defined in 8 U.S.C. §1401 are not “individuals” unless temporarily abroad pursuant to 26 U.S.C. §911 and subject to an income tax treaty with a foreign country. In that capacity, statutory “U.S. citizens” interface to the I.R.C. as “aliens” rather than “U.S. citizens” through the tax treaty.

In summary:

1. A “national” is defined in 8 U.S.C. §1101(a)(21) as a person who has allegiance to a “state”. The existence of that allegiance provides legal evidence that a person has politically associated themselves with a “state” in order to procure its protection. In return for said allegiance, the “national” is entitled to the protection of the state. *Minor v. Happersett*, 88 U.S. 162 (1874)
2. The only thing you need in order to obtain a USA passport is “allegiance”. 22 U.S.C. §212. If the federal government is willing to issue you a passport, then they regard you as a “national”, because the only type of citizenship that carries with it exclusively allegiance is that of a “national”. 8 U.S.C. §1101(a)(21). See: <https://sedm.org/shop/getting-a-usa-passport-as-a-state-national-form-10-013/>
3. In the constitution, statutory “nationals” are called “citizens”.
4. Under federal statutory law, both “citizens” and “residents” are persons who have a legal domicile on the territory of the state to which he claims allegiance.
5. In federal statutory law, all “citizens” are also “nationals” but not all nationals are “citizens”. For proof, see:
  - 5.1. 8 U.S.C. §1401 defines a “citizen and national of the United States”.
  - 5.2. 8 U.S.C. §1452 defines a “non-citizen national”.
6. Since being a “national” is a prerequisite to being a “citizen”, then “citizens” within a country are a subset of those who are “nationals”.
7. “subject to the jurisdiction” is found in Section 1 of the Fourteenth Amendment of the Constitution. The Constitution is a political document and the phrase “subject to the jurisdiction” means all of the following:
  - 7.1. Being a member of a political group. *Minor v. Happersett*, 88 U.S. 162 (1874)

*“There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association. He owes it allegiance and is entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance.”*

*“For convenience it has been found necessary to give a name to this membership. The object is to designate by a title the person and the relation he bears to the nation. For this purpose the words 'subject,' 'inhabitant,' and 'citizen' have been used, and the choice between them is sometimes made to depend upon the form of the government. Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the Constitution of the United States. When used in this sense it is understood as conveying the idea of membership of a nation, and nothing more.”*

*“To determine, then, who were citizens of the United States before the adoption of the amendment it is necessary to ascertain what persons originally associated themselves together to form the nation, and what were afterwards admitted to membership.”*

[ . . . ]

*“Whoever, then, was one of the people of either of these States when the Constitution of the United States was adopted, became ipso facto a citizen—a member of the nation created by its adoption. He was one of the persons associating together to form the nation, and was, consequently, one of its original citizens. As to this there has never been a doubt. Disputes have arisen as to whether or not certain persons or certain classes of persons were part of the people at the time, but never as to their citizenship if they were.”*  
[*Minor v. Happersett*, 88 U.S. 162 (1874)]

- 7.2. Being subject to the political jurisdiction but not legislative jurisdiction of the state which we are a member of. *U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898)

*“This section contemplates two sources of citizenship, and two sources only,—birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof.' The evident meaning of these last words is, not merely subject in some respect or degree to*

the jurisdiction of the United States, but completely subject to their [plural, not singular, meaning states of the Union] **political jurisdiction**, and owing them [the state of the Union] direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired.”  
[U.S. v. Wong Kim Ark, [169 U.S. 649](#), 18 S.Ct. 456, 42 L.Ed. 890 (1898)]

7.3. Being able to participate in the political affairs of the state by being able to elect its members as a voter or direct its activities as a jurist.

8. “subject to its jurisdiction” is found in federal statutes and regulations and it means all of the following:

8.1. Having a legal domicile within the exclusive jurisdiction of a “state”. Within federal law, this “state” means the “United States” government and includes no part of any state of the Union.

8.2. Being subject to the **legislative** but not **political jurisdiction** of a “state”.

9. Political jurisdiction and political rights are the tools we use to directly run and influence the government as voters and jurists.

10. Legislative jurisdiction, on the other hand, is how the government controls us using the laws it passes.

Now that we understand the distinctions between “citizens” and “nationals” within federal law, we are ready to tackle the citizenship issue head on.

#### 4.12.7 Four Types of American Nationals

There are four types of American nationals recognized under federal law:

##### 1. STATUTORY “nationals and citizens of the United States\*\* at birth” (statutory “U.S.\*\* citizen”)

1.1. A CIVIL status because it uses the word “citizen” and is therefore tied to a geographical place.

1.2. A statutory privileged status defined and found in 8 U.S.C. §1401, in the implementing regulations of the Internal Revenue Code at 26 C.F.R. §1.1-1(c), and in most other federal statutes.

1.3. Born in the federal zone. Must inhabit the District of Columbia and the territories and possessions of the United States identified in Title 48 of the U.S. Code.

1.4. Subject to the “police power” of the federal government and all “Acts of Congress”.

1.5. Treated as a citizen of the municipal government of the District of Columbia (see 26 U.S.C. §7701(a)(39))

1.6. Have no common law rights, because there is no federal common law. See *Jones v. Mayer*, 392 U.S. 409 (1798).

1.7. Also called “federal U.S. citizens” throughout this document.

1.8. Owe allegiance to the GOVERNMENT of the United States\*\* and NOT the PEOPLE of the States of the Union, who are called United States\*\*\*.

##### 2. STATUTORY “nationals but not citizens of the United States\*\* at birth” (where “United States” or “U.S.” means the federal United States)

2.1. A CIVIL status because it uses the word “citizen” and is therefore tied to a geographical place.

2.2. Defined in 8 U.S.C. §1408, 8 U.S.C. §1101(a)(22)(B) and 8 U.S.C. §1452.

2.3. Born anywhere American Samoa or Swains Island.

2.4. May not participate politically in federal elections or as federal jurists.

2.5. Owe allegiance to the GOVERNMENT of the United States\*\* and NOT the PEOPLE of the States of the Union, who are called United States\*\*\*.

##### 3. STATUTORY “national of the United States\*\*\*”

3.1. A POLITICAL status not tied to a geographical place. Allegiance can exist independent of geography.

3.2. Defined in 8 U.S.C. §1101(a)(22).

3.3. Includes STATUTORY “citizens of the United States\*\*\*” defined in 8 U.S.C. §1101(a)(22)(A).

3.4. Includes “a person who, though not a citizen of the United States[\*\*], owes permanent allegiance to the United States[\*\*]” defined in 8 U.S.C. §1101(a)(22)(B). The use of the term “person” is suspicious because only HUMANS can owe allegiance and not creations of Congress called “persons”, all of whom are offices in the government. If it means a CONSTITUTIONAL “person” then it is OK, because all constitutional “persons” are humans.

##### 4. CONSTITUTIONAL “nationals of the United States\*\*\*”, “State nationals”, or “nationals of the United States of America”

4.1. A POLITICAL status not tied to a geographical place. Allegiance can exist independent of geography.

- 1 4.2. Defined under federal law pursuant to 8 U.S.C. §1101(a)(21), under Law of Nations, under state laws, and under  
2 U.S.A. Constitution.
- 3 4.3. Is equivalent to the term “state citizen”.
- 4 4.4. In general, born in any one of the several states of the Union but not in a federal territory, possession, or the District  
5 of Columbia. Not domiciled in the federal zone.
- 6 4.5. Not subject to the “police power” of the federal government or most “Acts of Congress”.
- 7 4.6. Owes allegiance to the sovereign people, collectively and individually, within the body politic of the constitutional  
8 state residing in.
- 9 4.7. May serve as a state jurist or grand jurist involving only parties with his same citizenship and domicile status.
- 10 4.8. May vote in state elections.
- 11 4.9. At this time, all “state Nationals” are also a “USA National”. But not all “USA Nationals” are a “state National”  
12 (for example, a USA national not residing nor domiciled in a state of the Union).
- 13 4.10. Is a man or woman whose unalienable natural rights are recognized, secured, and protected by his state constitution  
14 against state actions and against federal intrusion by the Constitution for the United States of America.
- 15 4.11. Includes state nationals, because you cannot get a USA passport without this status per [22 U.S.C. §212](#) and [22](#)  
16 [C.F.R. §51.2](#).

17 Statutory “U.S.\*\* citizens” under 8 U.S.C. §1401 have civil PRIVILEGES (not rights but privileges) under federal law that  
18 are similar but inferior to the natural rights that state Citizens have in state courts. I say almost because civil rights are created  
19 by Congress and can be taken away by Congress. “U.S. citizens” are privileged *subjects/servants* of Congress, under their  
20 protection as a “resident” and “ward” of a *federal* State, a person enfranchised to the federal government (the incorporated  
21 United States defined in Article I, Section 8, Clause 17 of the Constitution). The individual Union states may not deny to  
22 these persons any federal privileges or immunities that Congress has granted them within “acts of Congress” or federal  
23 statutes. Federal citizens come under admiralty law (International Law) when litigating in federal courts. As such they do  
24 not have inalienable common rights recognized, secured and protected in federal courts by the Constitutions of the States, or  
25 of the Constitution for the United States of America, such as “allodial” (absolute) rights to property, the rights to inheritance,  
26 the rights to work and contract, and the right to travel among others.

27 Another important element of citizenship is that artificial entities like corporations are citizens for the purposes of taxation  
28 but cannot be citizens for any other purpose.

29 *“A corporation is a citizen, [resident](#), or inhabitant of the state or country by or under the laws of which it was*  
30 *created, and of that state or country only.”*  
31 *[19 Corpus Juris Secundum (C.J.S.), Corporations, §886 (2003)]*

32  
33 *“A corporation is not a citizen within the meaning of that provision of the Constitution, which declares that the*  
34 *citizens of each State shall be entitled to all the privileges and immunities of citizens of the several States.” [Paul*  
35 *v. Virginia, 8 Wall (U.S.) 168, 19 L.Ed. 357 (1868)]*

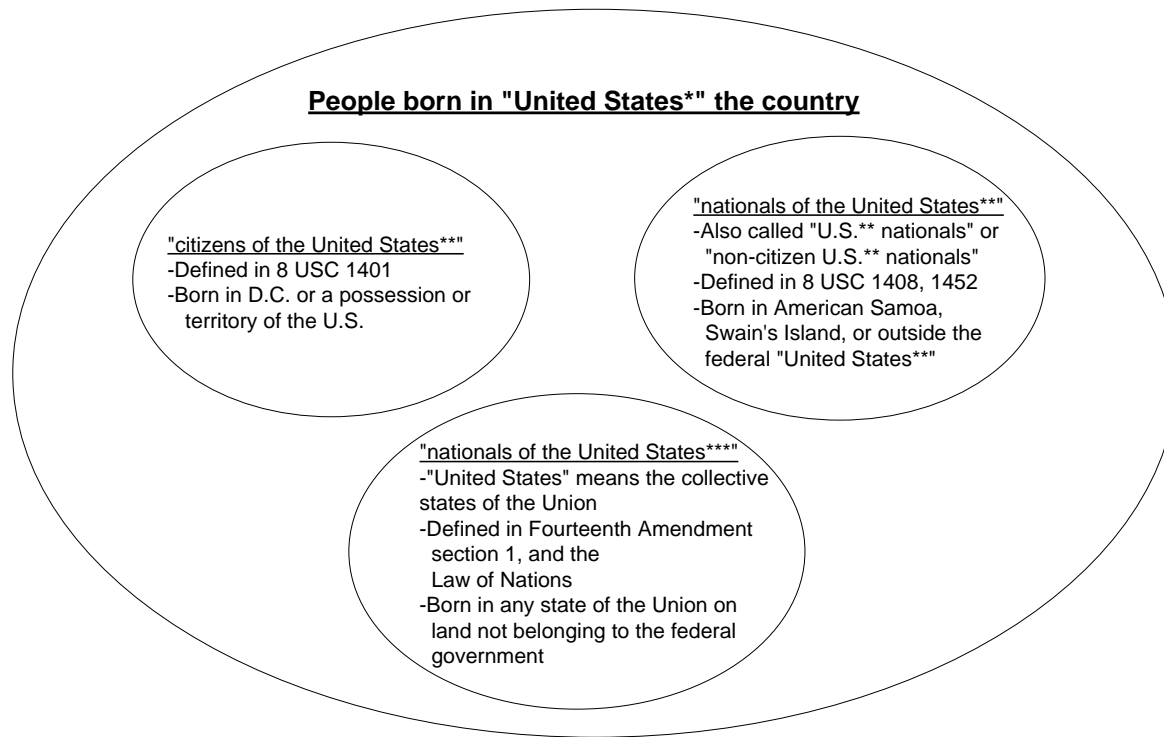
36 We have prepared a Venn diagram showing all of the various types of citizens so that you can properly distinguish them. The  
37 important thing to notice about this diagram is that there are multiple types of “citizens of the United States” and “nationals  
38 of the United States” because there are multiple definitions of “United States” according to the Supreme Court, as we showed  
39 earlier in section 4.5. Above the diagram is a table showing the three definitions of “United States” appearing in the diagram:

40 **Table 4-30: Terms used in the citizenship diagram**

<i>Term</i>	<i>Meaning</i>
United States*	The country “United States” in the family of nations throughout the world.
United States**	The “federal zone”.
United States***	Collective states of the Union mentioned throughout the Constitution.

41  
42 **Figure 4-6: Citizenship diagram**





**4.12.8 Legal Basis for “State National” Status**

The following subsections describe what a “state national” within the context of the title of this document.

**4.12.8.1 What is a CONSTITUTIONAL “State national”?**

An important and often overlooked condition of citizenship is one where the human being is an American national by virtue of being born anywhere in the country and who is also domiciled in either a Constitutional but not Statutory State of the Union. These types of people are referred to with any of the following synonymous names:

1. Statutory “non-resident non-persons” if not engaged in a public office.
2. Statutory “Nonresident Aliens” (under the Internal Revenue Code, as defined in [26 U.S.C. §7701\(b\)\(1\)\(B\)](#)) if engaged in a public office.
3. American Citizens.
4. American Nationals.
5. Naturalized or born in a Constitutional State of the Union AND domiciled in a Constitutional state of the Union:
6. “nationals” under [8 U.S.C. §1101\(a\)\(21\)](#).

“Nationals” existed under *The Law of Nations* and international law since long before the passage of the 14<sup>th</sup> Amendment to the U.S. Constitution in 1868. There are two main types of “nationals” under federal law, as we revealed earlier in section 4.11.3.1 of our *Great IRS Hoax, Form #11.302* book:

**Table 4-31: Types of “nationals” under federal law**

#	Legal name	Where born	Defined in	Common name	Description
1	“nationals but not citizens of the United States[**] <u>at birth</u> ”	1. American Samoa 2. Swains Island	<a href="#">8 U.S.C. §1408</a> ; <a href="#">8 U.S.C. §1101(a)(22)(B)</a> ; <a href="#">8 U.S.C. §1452(b)</a>	“U.S. national”	The U.S. Supreme Court and the Constitution call these people “citizens of the United States[***]”. See section 4.11.3.8 of the <i>Great IRS Hoax</i> , Form #11.302 later for details. Used on the 1040NR form to describe people who file that form. Does not

#	Legal name	Where born	Defined in	Common name	Description
2	"U.S.A.*** national" or "state national" or "Constitutional but not statutory U.S.*** citizen"	states of the Union	<a href="#">8 U.S.C. §1101(a)(21)</a> ; Fourteenth Amendment, Section 1	"state national" or "USA national" or "national of the United States*** OF AMERICA"	describe people who are not born in the federal United States[***]. The "national" or "state national" is not necessarily the same as the "U.S.** national" above, because it includes people who born in states of the Union. Notice that this term does not mention 8 U.S.C. §1408 citizenship nor confine itself only to citizenship by birth in the federal zone. Therefore, it also includes people born in states of the Union.

A "state national", "national of the United States\*\*\* OF AMERICA", or "USA national" is one who derives his nationality and allegiance to the confederation of states of the Union called the "United States[\*\*\*] of America" by virtue of being born in a state of the Union. To avoid false presumption, these people should carefully avoid associating their citizenship status with the term "United States\*\*\*" or "U.S.\*\*", which means the "federal zone" within Acts of Congress.

*"Federal zone. The area of land over which the United States\*\* government exercises exclusive or general jurisdiction under Article I, Section 8, Clause 17 of the Constitution. This area includes the District of Columbia and the territories and possessions of the United States\*\*. For the purposes of this discussion, we do not treat the territorial waters of the United States\*\* as "federal land", but they too are under the exclusive jurisdiction of the U.S. government as well."*

Therefore, instead of calling themselves "U.S.\*\* nationals", they call themselves either "state nationals" or "USA nationals". By "USA" instead of "U.S.", we mean the states of the Union who are party to the Constitution and exclude any part of the federal zone. In terms of protection of our rights, being a "state national" or a "U.S.\*\* national" are roughly equivalent. The "non-citizen national of the U.S.\*\*\*" status, however, has several advantages that the "state national" status does *not* enjoy, as we explained earlier in section 4.12.2 of the *Great IRS Hoax*, Form #11.302 book:

1. May NOT collect any Social Security benefits, because the Social Security Program Operations Manual System (POMS), Section [GN 00303.001](#) states that only "U.S.\*\* citizens" and "U.S.\*\* nationals" can collect benefits. State citizens are NOT STATUTORY "U.S.\*\* nationals".
2. May hold a U.S. security clearance, unlike "non-citizen nationals of the United States\*\*\*". See SECNAVINST 5510.30A, Appendix I, Department of the Navy.
3. May work for the federal government as a civil servant. See [5 C.F.R. §338.101](#).

#### 4.12.8.2 CONSTITUTIONAL or State Citizens

The term "State Citizen" and "State National" are equivalent. For instance, if you were born in California, you would be called a "California National". The basis for this name is found in 8 U.S.C. §1101(a)(21), which says in pertinent part:

[TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)  
*Sec. 1101. - Definitions*

(a) As used in this chapter -

(21) The term "national" means a person owing permanent allegiance to a state.

A State National owes permanent allegiance to his state. If he also wants to be a U.S.\*\*\* national, then he must also have allegiance to the confederation of states called the "United States\*\*\*" under 8 U.S.C. §1101(a)(21).

*"A citizen of the United States is a citizen of the federal government and of the state in which he resided, and one possessing such double citizenship owes allegiance and is entitled to protection from each sovereign to whose jurisdiction he is subject.*

*"No fortifying authority is necessary to sustain the proposition that in the United States a double citizenship exists. A citizen of the United States is a citizen of the Federal Government and at the same time a citizen of the State in which he resides. Determination of what is qualified residence within a State is not here necessary. Suffice it to say that one possessing such double citizenship owes allegiance and is entitled to the protection from each sovereign to whose [political but not legislative] jurisdiction he is subject."*  
*[Kitchens v. Steele, 112 F.Supp. 383 (1953)]*

We also use the terms “national” or “state national” in this book. These people are those who obtained their federal citizenship by virtue of being born in a state of the Union. “state national” is a term we invented, because there is no standard term to describe these people within the legal field. Since federal statutes cannot and do not recognize events which happen *within* sovereign states, they do not mention this status but it certainly exists, and it exists under *The Law of Nations, Book I, Section 212, Vattel*, which is what the founders used to write the U.S. Constitution and which is recognized in Article 1, Section 8, Clause 10 of that document. The reason federal statutes do not and cannot mention the citizenship status of persons born in states of the Union is because these states are “sovereign nations” and “foreign countries” with respect to the federal government under the Law of Nations. Under the Law of Nations, the federal government does *not* have the authority delegated by the Constitution to prescribe or even define the citizenship status of people born in states of the Union. Here are some examples of cases from the Supreme Court which confirm this conclusion:

*“It has been repeatedly held by the Supreme Court of the United States, that a State may determine the status of persons within its jurisdiction: Groves v. Slaughter, 15 Pet., 419; Moore v. Illinois, 14 How., 13; 11 Pet., 131; Story Const., §§1098, 1804, 1809.”*  
*[Doc. Lonas v. State, 59 Tenn. 287 (1871)]*

*“The question, now agitated, depends upon another question; whether the State of Pennsylvania, since the 26<sup>th</sup> of March, 1790, (when the act of Congress was passed) has a right to naturalize an alien? And this must receive its answer from the solution of a third question; whether, according to the constitution of the United States, the authority to naturalize is exclusive, or concurrent? We are of opinion, then, that the States, individually, still enjoy a concurrent authority upon this subject; but that their individual authority cannot be exercised, so as to contravene the rule established by the authority of the Union.”*

*“The true reason for investing Congress with the power of naturalization has been assigned at the Bar;--It was to guard against too narrow, instead of too liberal, a mode of conferring the rights of citizenship. Thus, the individual States cannot exclude those citizens, who have been adopted by the United States; but they can adopt citizens upon easier terms, than those which Congress may deem it expedient to impose.*

*“But the act of Congress itself, furnishes a strong proof that the power of naturalization is concurrent. In the concluding proviso, it is declared, ‘that no person heretofore proscribed by any State, shall be admitted a citizen as aforesaid, except by an act of the Legislature of the State, in which such person was proscribed.’ Here, we find, that Congress has not only circumscribed the exercise of its own authority, but has recognized the authority of a State Legislature, in one case, to admit a citizen of the United States ‘which could not be done in any case, if the power of naturalization, either by its own nature, or by the manner of its being vested in the Federal Government, was an exclusive power.’”*  
*[Collet v. Collet, 2 U.S. 294, 1 L.Ed. 387 (1792)]*

State Citizens cannot be subjected in state courts to any jurisdiction of law outside the Common Law without their knowing and willing consent after full disclosure of the terms and conditions, and such consent must be under agreement/contract sealed by signature. This is because the Constitution is a compact/contract created and existing in the jurisdiction of the Common Law, therefore, any rights secured thereunder or disabilities limiting the powers of government also exist in the Common Law, and in no other jurisdiction provided for in that compact!

Both State Citizens and federal citizens are Americans. Statutory “U.S. citizens” described within “acts of Congress” are “resident” in the federal zone and are privileged aliens in relation to the state of the Union wherein they reside. State statutory Citizens are domiciled in their state and not aliens in their state. They also do not “reside” in their state: they are instead Citizens domiciled in the state. The only people who are “residents” in regards to the Internal Revenue Code are usually aliens domiciled on federal territory in the state or nonresidents occupying federal enclaves within the state. The distinction may seem insignificant to you but it is not to the court. A state Citizen has the right to travel in each of the 50 Union states. He/she can file papers at any county courthouse in any state and become a Citizen of that state.

Nearly all federal statute laws *do not* apply to State Citizens/Nationals. If the authority for the statute can be found in the organic Constitution, then the statute is of a National character, as it applies to both state Citizens and aliens. Acts of Congress *do not* protect the Constitutional rights of State Citizens. Only state law serves this purpose.

*“With these decisions, and many others that might be cited, before us, it is vain to contend that the Federal Constitution secures to a citizen of the United States the right to work at a given occupation or particular calling free from injury, oppression, or interference by individual citizens.*

*“Even though such right be a natural and inalienable right, the duty of protecting the citizen in the enjoyment of such right, free from the individual interference, rests alone with the state.”*

[Hodges v. United States, 203 U.S. 1, 27 S.Ct. 6 (1906)]

If the rights of a State Citizen are being violated directly by a federal officer or indirectly by third parties who the federal officer is in contact with, the appropriate place to litigate to protect those rights is ONLY in a state court. Federal courts are Article IV (of the Constitution) territorial and *administrative courts* which only have jurisdiction over the federal zone for nearly all “acts of Congress”, and the federal zone as we said earlier in section 4.5.3, is *not* covered by the Bill of Rights. We call the “federal zone” the “plunder zone” throughout this book and state citizens have absolutely no business whatsoever going into these courts because doing so needlessly confers unfounded jurisdiction upon the court over their lives and their fortunes. We will show later in section 6.9 that federal judges are either incompetent or malicious or both when it comes to protecting the rights of “state nationals”, so you ought to distance yourself to be as far away as possible from these tyrants, and this is especially true in regards to matters relating to federal taxation.

The terms “State” and “state” are not equivalent in federal statutes and nearly all “acts of Congress”. When we capitalize the word “State”, we are referring to the “federal zone” areas within the contiguous borders of a state that are subject to the exclusive federal jurisdiction of the U.S. Government under Article 1, Section 8, Clause 17 of the U.S. Constitution. When we don’t capitalize the word “state”, we are referring to the contiguous areas of a state that are under the exclusive jurisdiction of a state government and not the federal government.

Whenever we describe ourselves as “citizens of a State” or a “citizen of the United States” in the context of federal statutes or “acts of Congress”, then we declare ourselves to live in a federal territory as statutory “U.S. citizens” or “citizens of the [federal] United States”. That puts us in the same status as the slaves who were freed after the civil war in 1868. Do you want to be a slave? We should therefore NEVER say “I am a citizen of the State of \_\_\_\_\_” or “I am a citizen of this State.” Why? Well, because, for instance, the California Revenue and Taxation Code §6017 defines the term “State” as follows:

*California Revenue and Taxation Code*

*6017. “In this State” or “in the State” means within the exterior [outside] limits of the [Sovereign union] state of California and includes [only] all territory within these limits owned by or ceded to the United States*

Now do you understand why California has the same definition of “gross income” as the federal government and why they can impose a *constitutional* income tax? Because by playing with the definition of words, they have deceived you into convincing them (quite incorrectly and unnecessarily) that you are a statutory “citizen of the [federal] United States\*\*” (the federal zone) under the exclusive jurisdiction of Congress and consequently you are not subject to the same Constitutional protections that other Sovereign Americans enjoy! You must rebut this presumption vigorously at all times by watching the language and the words you use. They have effectively deceived and enticed you into the “federal zone” so they could abuse and enslave you with the income tax. This amounts to “enticement into slavery”, which clearly violates [18 U.S.C. §1581](#) and [14 U.S.C. §1994](#) and is a felony!

Instead, we should always use the name of the state in our description as follows: “I am a national of California” or “I am a Citizen of the California Republic”. The word “Citizen” should always be capitalized to emphasize that we are a “Sovereign state citizen/national”, and the word “State” should not appear in the name to avoid ambiguity.

You will find out later in section 5.2.13 of this book that the states of the Union are considered to be “foreign countries” and “foreign nations” and “foreign states” with respect to the federal government.

*“New states, upon their admission into the Union, become invested with equal rights and are subject only to such restrictions as are imposed upon the states already admitted. There can be no state of the Union whose sovereignty or freedom of action is in any respect different from that of any other state. There can be no restriction upon any state other than one prescribed upon all the states by the Federal Constitution. Congress, in admitting a state, cannot restrict such state by bargain. The state, by so contracting with Congress, is in no way bound by such a contract, however irrevocable it is stated to be. **It is said that subject to the restraint and limitations of the Federal Constitution, the states have all the sovereign powers of independent nations over all persons and things within their respective territorial limits.**”*  
[16 American Jurisprudence 2d, Sovereignty of states §281 (1999)]

Because the 50 Union states are technically “nations” and “foreign states”, then people who are “state nationals” and who are not statutory “nationals and citizens at birth” under 8 U.S.C. §1401:

1. Are “nationals of California”, or simply “nationals”, for instance, and **not** “U.S. citizens” on their application for a U.S. passport. Several of our readers have obtained U.S. passports by claiming to be, for instance, “CALIFORNIA NATIONAL” in block 16 of their DOS DS-011 Passport Application.
2. Can correctly claim that they are:
  - 2.1. A “non-resident non-persons when they file their federal income tax return if they do not live in a federal enclave within their state and do not lawfully occupy a public office. Money they earn within their state as a nonresident alien will also not be under the jurisdiction of the Internal Revenue Code and need not be entered on their tax return.
  - 2.2. A “nonresident alien” in the context of their official public duties only.
  - 2.3. Nonresidents of the “United States\*\*” as defined in [26 U.S.C. §7701\(a\)\(9\)](#).
3. Are not subject to most federal laws or any of the criminal laws in [Title 18](#) of the U.S. Code unless they are physically on federal property, which most people seldom are.
4. If they sue or convict a federal employee for wrongdoing or the federal government tries to convict them under federal law, they can file their claim under “diversity of citizenship”, [28 U.S.C. §1332\(a\)\(2\)](#) in the federal court as “citizens of a foreign state”.
5. May not declare themselves on any federal government form to be “U.S. citizens” because they were not born in the federal “United States\*\*” (federal zone) as required by [8 U.S.C. §1401](#).
6. May declare themselves to be “nationals” or “nationals of the United States\*\*” under 8 U.S.C. §1101(a)(22). However, they would not be:
  - 6.1. “non-citizen nationals of the United States\*\* at birth” under 8 U.S.C. §1408.
  - 6.2. “U.S.[\*\*] non-citizen nationals” under 8 U.S.C. §1452. All of these people are born in federal possessions such as American Samoa and Swains Island.
7. May vote in any election that requires them to be “U.S. citizens” in order to vote, which is the case in most states. They must clarify the meaning of “U.S. citizen” on their voter application form to prevent false assumptions about their citizenship when they register.
8. May not collect any Social Security benefits, because the Social Security Program Operations Manual (POM) section [GN 00303.001](#) states that only “U.S. citizens” and “U.S. nationals” can collect benefits.
9. May not hold a U.S. security clearance unless they become either a “U.S. citizen” or “U.S. national” under federal statutes.

Now a little history. Before the second world war, some states of the Union issued their own passports to their citizens for foreign travel. That’s right, you didn’t need a U.S. passport because each state was the equivalent of an independent nation. The states still have this status, but they act like they don’t and delegate the passport function to the federal government. Our public servants in the federal government are abusing this power to create a presumption that the applicant is a “U.S. citizen” so they can illegally obtain jurisdiction over the applicant and subject them to the Internal Revenue Code and other federal statutes. Most states even require persons who wish to vote in federal elections to be “U.S. citizens”. Such unethical tactics on the part of the states are what we call “cooperative federalism”, where the states help the federal government to “poach” sheep in the states and put them primarily under federal jurisdiction as “U.S. citizens” in a conspiracy against rights that is a federal crime under [18 U.S.C. §241](#).

If you don’t want to collect Socialist Security Benefits nor serve in the military nor hold a U.S. government security clearance, then citizenship as a statutory “national” pursuant to 8 U.S.C. §1101(a)(21) and a “non-resident non-person” is the *best* type of citizenship that provides the best protection for your liberties and complete immunity from both state and federal income taxes in most cases. The statutory “national” and “non-resident non-person” status avoids all the disadvantages of statutory “U.S.\*\* citizen” status, including:

1. Not a “U.S. citizen” under federal statutes or “acts of Congress”. The Internal Revenue Code is an “act of Congress”.
2. Not “subject to the laws” or “under the laws” of the United States or the jurisdiction of the corrupt and covetous federal courts except when on federal property.
3. Can hold a U.S. government security clearance.
4. Can collect Socialist Security benefits.
5. Can vote in states that don’t require you to be a statutory “U.S.\*\* citizen” under “acts of Congress”.

“state nationals” are synonymously described with any of the terms below:

1. Constitutional but not Statutory citizens.
2. Natural Born Citizens
3. Natural Born Sovereigns

- 1 4. nationals
- 2 5. state nationals
- 3 6. American Citizens
- 4 7. American Nationals
- 5 8. Nonresident Aliens (under the Internal Revenue Code, as defined in 26 U.S.C. §7701(b)(1)(B)), but only if serving in a
- 6 public office in the national government.
- 7 9. "non-resident non-persons" if not serving in a public office.

8 We will now analyze the legal foundations for state national status:

- 9 1. The term "United States" has 3 separate and distinct meanings in American Law (see *Hooven & Allison Co. v. Evatt*,  
10 324 U.S. 652 (1945)):
- 11 1.1. The name of the sovereign nation, occupying the position of other sovereigns in the family of nations
- 12 1.2. The federal government and the limited territory over which it exercises exclusive sovereign authority
- 13 1.2.1. To be a federal citizen is to be a "citizen of the United States" in this second sense of the term
- 14 1.3. The collective name for the States united by and under the Constitution for the United States of America
- 15 1.3.1. To be a Natural Born state Citizen is to be a "Citizen of the United States" in this third sense of the term (i.e.  
16 a "Citizen of one of the States United")
- 17 2. One can be a State National without also being a STATUTORY "U.S.\*\* citizen".
- 18 2.1. See *Crosse* case from Maryland Supreme Court:

19 *"Both before and after the Fourteenth Amendment to the federal Constitution, it has not been necessary for a*  
20 *person to be a citizen of the United States in order to be a citizen of his state." [Crosse v. Board of Elections,*  
21 *221 A.2d. 431 at 433 (1966)]*

- 22 2.2. See *State v. Fowler* case from Louisiana Supreme Court:

23 *"But a person may be a citizen of a particular state and not a citizen of the United States. To hold otherwise*  
24 *would be to deny to the state the highest exercise of its sovereignty -- the right to declare who are its citizens."*  
25 *[State v. Fowler, 41 La. Ann. 380 6 S. 602 (1889)]*

- 26 2.3. See *United States v. Cruikshank*, 92 U.S. 542 (1875) for U.S. Supreme Court view:

27 *"We have in our political system a Government of the United States and a government of each of the several*  
28 *States. Each of these governments is distinct from the others, and each has citizens of its own who owe it*  
29 *allegiance, and whose rights, within its jurisdiction, it must protect. The same person may be at the same time a*  
30 *citizen of the United States and a citizen of a State, but his rights of citizenship under one of these governments*  
31 *will be different from those he has under the other. Slaughter- House Cases, 16 Wall. 74. ...."*  
32 *[United States v. Cruikshank, 92 U.S. 542 (1875)]*

- 33 3. "U.S. citizens" under federal statutes and "acts of Congress" are the object of Subtitle A federal income taxes under  
34 section 1 of the IRC; "state nationals" or "nationals" or "state nationals are not. The Internal Revenue Code is an "act  
35 of Congress".
- 36 3.1. State Nationals are protected by constitutional limits against direct taxation by the federal government:
- 37 3.1.1. Article 1, Section 2, Clause 3
- 38 3.1.2. Article 1, Section 9, Clause 4
- 39 3.2. "U.S. citizens" under "acts of Congress" are not protected by these same constitutional limits
- 40 3.2.1. Constitution for the "United States" as such does not extend beyond the boundaries of the States which are  
41 united by and under it.
- 42 3.2.1.1. The Insular Cases established this dubious precedent at the turn of the century
- 43 3.2.2. A "citizen of the United States" under "acts of Congress" is, effectively, a citizen of the District of  
44 Columbia, which never joined the Union
- 45 3.2.3. Congress can enact local, "municipal" law for D.C. which is not constrained by the federal Constitution.  
46 See *Downes v. Bidwell*, 182 U.S. 244 (1901) for further information.

#### 47 4.12.8.3 **An example state national: Perkins v. Elg, 307 U.S. 325 (1939)**

48 As we say throughout this document the CONTEXT of geographical terms is EXTREMELY IMPORTANT. There are two  
49 mutually exclusive and non-overlapping contexts: 1. CONSTITUTIONAL; 2. STATUTORY. Up to this point, we have

only discussed the STATUTORY context for the term “national”, but this is NOT the only context. There is also a “CONSTITUTIONAL” context for the term “national”. This context appears mainly under the common law and is found exclusively in federal common law. You can find it by searching court cases for the phrase “national of the United States” in which they are NOT citing Title 8 of the U.S. Code and referring to people born in a state of the Union. The following is an example of such a context:

*“Miss Elg was born in Brooklyn, New York, on October 2, 1907. [a STATE of the UNION, not federal territory] Her parents, who were natives of Sweden, emigrated to the United States sometime prior to 1906 and her father was naturalized here in that year. In 1911, her mother took her to Sweden where she continued to reside until September 7, 1929. Her father went to Sweden in 1922 and has not since returned to the United States. In November, 1934, he made a statement before an American consul in Sweden that he had voluntarily expatriated himself for the reason that he did not desire to retain the status of an American citizen and wished to preserve his allegiance to Sweden.*

[ . . . ]

***On her birth in New York, the plaintiff became a citizen of the United States.** Civil Rights Act of 1866, 329\*329 14 Stat. 27; **Fourteenth Amendment, § 1** [CONSTITUTIONAL right]; *United States v. Wong Kim Ark, 169 U.S. 649.* In a comprehensive review of the principles and authorities governing the decision in that case — that a child born here of alien parentage becomes a citizen of the United States — the Court adverted to the “inherent right of every independent nation to determine for itself, and according to its own constitution and laws, what classes of persons shall be entitled to its citizenship.” *United States v. Wong Kim Ark, supra, p. 668.* As municipal law determines how citizenship may be acquired, it follows that persons may have a dual nationality.<sup>[1]</sup> And the mere fact that the plaintiff may have acquired Swedish citizenship by virtue of the operation of Swedish law, on the resumption of that citizenship by her parents, does not compel the conclusion that she has lost her own citizenship acquired under our law. **As at birth she became a citizen of the United States, that citizenship must be deemed to continue unless she has been deprived of it through the operation of a treaty or congressional enactment or by her voluntary action in conformity with applicable legal principles.***

Second. It has long been a recognized principle in this country that if a child born here is taken during minority to the country of his parents' origin, where his parents resume their former allegiance, he does not thereby lose his citizenship in the United States provided that on attaining majority he elects to retain that citizenship and to return to the United States to assume its duties.<sup>[2]</sup>

[ . . . ]

**“Their rights rest on the organic law of the United States [meaning the CONSTITUTION]. . . “**

[ . . . ]

*“This right so to elect to return to the land of his birth and assume his American citizenship could not, with the acquiescence of this Government, be impaired or interfered with.[it is a RIGHT, not a REVOCABLE STATUTORY PRIVILEGE]”*

[ . . . ]

*We have quoted liberally from these rulings — and many others might be cited — in view of the contention now urged by the petitioners in resisting Miss Elg's claim to citizenship. **We think that they leave no doubt of the controlling principle long recognized by this Government. 334\*334 That principle, while administratively applied, cannot properly be regarded as a departmental creation independently of the law. It was deemed to be a necessary consequence of the constitutional provision by which persons born within the United States and subject to its jurisdiction become citizens of the United States.** To cause a loss of that citizenship in the absence of treaty or statute having that effect, there must be voluntary action and such action cannot be attributed to an infant whose removal to another country is beyond his control and who during minority is incapable of a binding choice.*

[ . . . ]

*“The term ‘dual nationality’ needs exact appreciation. It refers to the fact that two States make equal claim to the allegiance of an individual at the same time. Thus, one State may claim his allegiance because of his birth within its territory, and the other because at the time of his birth in foreign territory his parents were its nationals. The laws of the United States purport to clothe persons with American citizenship by virtue of both principles.”*

*And after referring to the Fourteenth Amendment and the Act of February 2, 1855, R.S. 1993, the instructions continued:*

345\*345 "It thus becomes important to note how far these differing claims of American nationality are fairly operative with respect to persons living abroad, whether they were born abroad or were born in the United States of alien parents and taken during minority to reside in the territory of States to which the parents owed allegiance. It is logical that, while the child remains or resides in territory of the foreign State claiming him as a national, the United States should respect its claim to allegiance. The important point to observe is that the doctrine of dual allegiance ceases, in American contemplation, to be fully applicable after the child has reached adult years. Thereafter two States may in fact claim him as a national. Those claims are not, however, regarded as of equal merit, because one of the States may then justly assert that his relationship to itself as a national is, by reason of circumstances that have arisen, inconsistent with, and reasonably superior to, any claim of allegiance asserted by any other State. Ordinarily the State in which the individual retains his residence after attaining his majority has the superior claim. The statutory law of the United States affords some guidance but not all that could be desired, because it fails to announce the circumstances when the child who resides abroad within the territory of a State reasonably claiming his allegiance forfeits completely the right to perfect his inchoate right to retain American citizenship. The department must, therefore, be reluctant to declare that particular conduct on the part of a person after reaching adult years in foreign territory produces a forfeiture or something equivalent to expatriation.

"The statute does, however, make a distinction between the burden imposed upon the person born in the United States of foreign parents and the person born abroad of American parents. With respect to the latter, section 6 of the Act of March 2, 1907, lays down the requirement <sup>346\*346</sup> that, as a condition to the protection of the United States, the individual must, upon reaching the age of 18, record at an American consulate an intention to remain a citizen of the United States, and must also take an oath of allegiance to the United States upon attaining his majority.

[. . .]

We conclude that respondent has not lost her citizenship in the United States and is entitled to all the rights and privileges of that citizenship.  
[Perkins v. Elg, 307 U.S. 325 (1939)]

Note some important facts about the above ruling:

1. Elg was born in a Constitutional state of the Union. Brooklyn, New York, to be precise.

"Miss Elg was born in Brooklyn, New York, on October 2, 1907. [a STATE of the UNION, not federal territory]"  
[Perkins v. Elg, 307 U.S. 325 (1939)]

2. By being born in a CONSTITUTIONAL state of the Union, Elg derived her citizenship from the Fourteenth Amendment, Section 1.

"On her birth in New York, the plaintiff became a citizen of the United States. Civil Rights Act of 1866, 329\*329 14 Stat. 27; Fourteenth Amendment, § 1 [CONSTITUTIONAL right]; United States v. Wong Kim Ark, 169 U.S. 649."  
[Perkins v. Elg, 307 U.S. 325 (1939)]

3. The CONSTITUTIONAL citizenship derived from the Fourteenth Amendment was a RIGHT, and not a revocable statutory PRIVILEGE. It could not be unilaterally taken away by the government without the consent of Elg.

"We think that they leave no doubt of the controlling principle long recognized by this Government. 334\*334 That principle, while administratively applied, cannot properly be regarded as a departmental creation independently of the law. It was deemed to be a necessary consequence of the constitutional provision by which persons born within the United States and subject to its jurisdiction become citizens of the United States. To cause a loss of that citizenship in the absence of treaty or statute having that effect, there must be voluntary action and such action cannot be attributed to an infant whose removal to another country is beyond his control and who during minority is incapable of a binding choice."  
[Perkins v. Elg, 307 U.S. 325 (1939)]

4. The court refers to Elg as a "national" by virtue of the allegiance she MUST have in order to be a Fourteenth Amendment "citizen of the United States".

"Thereafter two States may in fact claim him as a national. Those claims are not, however, regarded as of equal merit, because one of the States may then justly assert that his relationship to itself as a national is, by reason of circumstances that have arisen, inconsistent with, and reasonably superior to, any claim of allegiance asserted by any other State. Ordinarily the State in which the individual retains his residence after attaining his majority has the superior claim."  
[Perkins v. Elg, 307 U.S. 325 (1939)]



5. The term “national” as used by the court is a POLITICAL status, not a CIVIL or STATUTORY status. It exists INDEPENDENT of geography and INDEPENDENT of domicile or residence. You can have allegiance to a specific State INDEPENDENT of the place you physically are at the time. Being a STATUTORY “citizen”, however, is GEOGRAPHICAL, because the court identifies it as a product NOT of the CONSTITUTION, but of MUNICIPAL LAW, meaning STATUTES.

“As municipal law determines how citizenship may be acquired, it follows that persons may have a dual nationality.”<sup>[1]</sup>

[Perkins v. Elg, 307 U.S. 325 (1939)]

FOOTNOTE:

[1] Oppenheim's International Law, Vol. 1, § 308; Moore, International Law Digest, Vol. III, p. 518; Hyde, International Law, Vol. I, § 372; Flournoy, Dual Nationality and Election, 30 Yale Law Journal, 546; Borchart, Diplomatic Protection of Citizens Abroad, § 253; Van Dyne, Citizenship of the United States, p. 25; Fenwick, International Law, p. 165.

[Perkins v. Elg, 307 U.S. 325 (1939)]

6. The term “citizen of the United States” refers to her POLITICAL status at the time of birth, and NOT to her CURRENT CIVIL status under federal statutes. All CIVIL statuses under any civil STATUTES of the U.S. Code domicile on federal territory as a prerequisite. Those not domiciled on federal territory, for instance, cannot have the CIVIL or STATUTORY status of “citizen” under the Internal Revenue Code unless they are domiciled on federal territory not within the exclusive jurisdiction of any state.<sup>192</sup> This is confirmed by both Federal Rule of Civil Procedure 17(b) and the following holding of the U.S. Supreme Court on the subject.

*In Udny v. Udny (1869) L. R. 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: 'The question of naturalization and of allegiance is distinct from that of domicile.' Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: 'The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,—one by virtue of which he becomes the subject [NATIONAL] of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.' And then, while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which 'the personal rights of the party—that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy— must depend,' he yet distinctly recognized that a man's political status, his country (patria), and his 'nationality,—that is, natural allegiance,—'may depend on different laws in different countries.' Pages 457, 460. He evidently used the word 'citizen,' not as equivalent to 'subject,' but rather to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British dominion are natural-born subjects.*

[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ;

SOURCE: [http://scholar.google.com/scholar\\_case?case=3381955771263111765](http://scholar.google.com/scholar_case?case=3381955771263111765)]

7. The court DID NOT use 8 U.S.C. §1101(a)(22) (“national of the United States”) in referring to her because it would have been incorrect. Statutes conferring any kind of citizenship status, INCLUDING all of Title 8, for that matter, are ONLY necessary for territorial citizens. The STATUTORY “United States” does not include states of the Union for the purposes of Title 8:

“Finally, this Court is mindful of the years of past practice in which territorial citizenship has been treated as a statutory [PRIVILEGE!], and not a constitutional, right. In the unincorporated territories of Puerto Rico, Guam, the U.S. Virgin Islands, and the Northern Mariana Islands, birthright citizenship was conferred upon their inhabitants by various statutes many years after the United States acquired them. See Amicus Br. at 10-11. If the Citizenship Clause [of the Fourteenth Amendment] guaranteed birthright citizenship in unincorporated territories, these statutes [meaning ALL of Title 8 of the U.S. Code!] would have been unnecessary.”

[Tuaua v. U.S.A., 951 F.Supp.2d. 88 (2013)]

<sup>192</sup> For further details on the relationship between civil domicile and civil statutory “status”, see section 5.4.8.11.17 or [Why Domicile and Becoming a “Taxpayer” Require Your Consent](#), Form #05.002, Section 11.17; <https://sedm.org/Forms/FormIndex.htm>.

8. Courts historically try to avoid admitting the conclusion of the previous step as in the following case, because it blows up their whole IDENTITY THEFT BY PRESUMPTION SCAM:

*The Government appears to advance the position, adopted by the Ninth Circuit, that the term "national" refers only to United States citizens and inhabitants of U.S. territories "not ... given full political equality with citizens", a designation now only applicable to residents of American Samoa and Swains Island. See **Perdomo-Padilla v. Ashcroft**, 333 F.3d. 964 (9th Cir. 2003). By contrast, Alwan argues in his brief that a person may demonstrate "permanent allegiance to the United States", and thus attain national status, by applying for citizenship and "compl[e]menting said application with objective demonstrations of allegiance." See **Lee v. Ashcroft**, 216 F.Supp.2d. 51 (E.D.N.Y.2002).*

***Because Alwan's claim of national status fails under either standard, we decline to decide here which definition of "national" is correct.** We therefore assume, arguendo, that an alien may attain national status through sufficient objective demonstrations of allegiance to the United States. Alwan claims that he has objectively demonstrated his allegiance by (1) applying for derivative citizenship on his parents' applications for naturalization; (2) registering with the Selective Service; and (3) taking an oath of allegiance during a 1995 interview with an INS officer.*

*[Alwan v. Ashcroft, 388 F.3d. 507 - Court of Appeals, 5th Circuit 2004]*

9. Because statutes didn't apply to Elg, that's why they didn't invoke any. Hence, the status of "national" they imputed to her was a matter of federal common law, and NOT statutes. A COMMON LAW "state national" is one who isn't mentioned anywhere in Title 8 and is born or naturalized in a CONSTITUTIONAL state rather than on federal territory. Their citizenship derives from the CONSTITUTION and not any statute, just like Elg.

Elg was therefore a CONSTITUTIONAL citizen AT THE TIME OF BIRTH but not a STATUTORY "citizen of the United States" under Title 8 of the U.S. Code, Sections 8 U.S.C. §1401 and 8 U.S.C. §1101(a)(22)(A). She was not a STATUTORY citizen under any title of the U.S. Code because she was not domiciled on federal territory at the time of becoming party to the suit. She ALSO would not be a "citizen of the United States" mentioned in 8 U.S.C. §1101(a)(22)(A) UNLESS all geographical terms in 8 U.S.C. §1101(a)(22) are interpreted ONLY in in the CONSTITUTIONAL and not STATUTORY context.

*Title 8 > Chapter 12 > Subchapter I > § 1101  
8 U.S. Code § 1101 - Definitions*

*(22) The term "national of the United States[\*\*]" means*

*(A) a citizen of the United States[\*\*], or*

*(B) a person who, though not a citizen of the United States[\*\*], owes permanent allegiance to the United States.*

You can't and shouldn't mix the CONSTITUTIONAL and STATUTORY meanings together in interpreting the above or you will in effect make the party you are doing so against a victim of identity theft. The Separation of Powers Doctrine DEMANDS this.

*Government Conspiracy to Destroy the Separation of Powers, Form #05.023  
<https://sedm.org/Forms/FormIndex.htm>*

To avoid confusing the CONSTITUTIONAL and STATUTORY contexts, it is easier to say that you as a state national are a CONSTITUTIONAL "national" and NOT the "national of the United States\*\*" mentioned in 8 U.S.C. §1101(a)(22).

Elg as a human being was a State National by virtue of being born in a CONSTITUTIONAL state. She was not a statutory "citizen" under any act of Congress because she was not domiciled on federal territory and instead was domiciled in a Constitutional but not Statutory State of the Union.

#### **4.12.8.4 Why Congress can't define the CIVIL STATUTORY status of those born within constitutional states of the Union**

There is a good reason why there is no federal statute anywhere that directly prescribes the citizenship status of persons based on birth within states of the Union. The reasons are because lawyers in Congress:

1. Know that this is the criteria that most Americans born inside states of the Union will meet.
2. Know that one's CIVIL status, STATUTORY status derives from their DOMICILE and not their NATIONALITY. NATIONALITY is a POLITICAL status. CIVIL OR STATUTORY status is a LEGAL status and NOT a political status. Hence, those not domiciled on federal territory cannot have a CIVIL or STATUTORY status under federal law.

*In Udney v. Udney (1869) L. R. 1 H. L. Sc. 441, the point decided was one of inheritance, depending upon the question whether the domicile of the father was in England or in Scotland, he being in either alternative a British subject. Lord Chancellor Hatherley said: 'The question of naturalization and of allegiance is distinct from that of domicile.' Page 452. Lord Westbury, in the passage relied on by the counsel for the United States, began by saying: 'The law of England, and of almost all civilized countries, ascribes to each individual at his birth two distinct legal states or conditions,—one by virtue of which he becomes the subject [NATIONAL] of some particular country, binding him by the tie of natural allegiance, and which may be called his political status; another by virtue of which he has ascribed to him the character of a citizen of some particular country, and as such is possessed of certain municipal rights, and subject to certain obligations, which latter character is the civil status or condition of the individual, and may be quite different from his political status.' And then, while maintaining that the civil status is universally governed by the single principle of domicile (domicilium), the criterion established by international law for the purpose of determining civil status, and the basis on which 'the personal rights of the party—that is to say, the law which determines his majority or minority, his marriage, succession, testacy, or intestacy—must depend,' he yet distinctly recognized that a man's political status, his country (patria), and his 'nationality,—that is, natural allegiance,—'may depend on different laws in different countries.' Pages 457, 460. He evidently used the word 'citizen,' not as equivalent to 'subject,' but rather to 'inhabitant'; and had no thought of impeaching the established rule that all persons born under British dominion are natural-born subjects.*

[United States v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898) ;  
SOURCE: [http://scholar.google.com/scholar\\_case?case=3381955771263111765](http://scholar.google.com/scholar_case?case=3381955771263111765)]

3. Know that these people are “sovereign”. Even the U.S. Supreme Court said so:

*“The words 'people of the United States[\*\*\*]' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct [run] the government through their representatives [servants]. They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ...”*

[Boyd v. State of Nebraska, 143 U.S. 135 (1892)]

4. Know that a “sovereign” is not and cannot be the subject of any law, and therefore cannot be mentioned in the law.

*“...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects...with none to govern but themselves; the citizens of America are equal as fellow citizens, and as joint tenants in the sovereignty.”*

[Chisholm v. Georgia, 2 Dall. (U.S.) 419, 454, 1 L.Ed. 440, 455 (1793), pp. 471-472]

*“Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts.”*

[Yick Wo v. Hopkins, 118 U.S. 356, 6 S.Ct. 1064 (1886)]

*“In common usage, the term 'person' does not include the sovereign, and statutes employing the word are ordinarily construed to exclude it.”*

[Wilson v. Omaha Indian Tribe, 442 U.S. 653, 667 (1979)]

*“Since in common usage the term 'person' does not include the sovereign, statutes employing that term are ordinarily construed to exclude it.”*

[U.S. v. Cooper, 312 U.S. 600, 604, 61 S.Ct. 742 (1941)]

*“In common usage, the term 'person' does not include the sovereign and statutes employing it will ordinarily not be construed to do so.”*

[U.S. v. United Mine Workers of America, 330 U.S. 258, 67 S.Ct. 677 (1947)]

5. Know that they cannot write a federal statute or act of Congress that prescribes any criteria for becoming a “national” based on birth and perpetual residence outside of federal legislative jurisdiction and within a state of the Union. That is why the circuit court held the following with respect to “U.S. nationals”:

*“Marquez-Almanzar seeks to avoid removal by arguing that he can demonstrate that he owes “permanent allegiance” to the United States and thus qualify as a U.S. national under section 101(a)(22)(B) of the Immigration and Nationality Act (“INA”), 8 U.S.C. §1101(a)(22)(B). That provision defines “national of the*

United States” as “a person who, though not a citizen of the United States, owes permanent allegiance to the United States.” **We hold that § 1101(a)(22)(B) itself does not provide a means by which an individual can become a U.S. national, and deny Marquez-Almanzar’s petition accordingly.**  
 [Jose Napoleon Marquez-Almanzar v. Immigration and Naturalization Service, Docket # 03-4395, 03-40027, 03-40497, August 8, 2005, <http://famguardian.org/TaxFreedom/CitesByTopic/USNational-034395p.pdf>]

6. Want to deceive most Americans to falsely believe or presume that they are “U.S. citizens” who are “subject to” federal statutes and jurisdiction, so they interfere in the determination of their true status as “nationals” and “state nationals”.

#### **4.12.8.5 State citizens are NOT STATUTORY “non-citizen nationals of the United States\*\* at birth” per 8 U.S.C. §1408**

A frequent point of confusion when a state citizen calls themselves a “national” under 8 U.S.C. §1101(a)(21) but not a “national and citizen of the United States\*\* at birth” under 8 U.S.C. §1401 is to try to summarize their status by saying that they are an 8 U.S.C. §1101(a)(22)(B) “person who, though not a citizen of the United States, owes permanent allegiance to the United States”. This is INCORRECT because they derive their “nationality” and “national” status from the Fourteenth Amendment, which is nowhere mentioned as a source of citizenship in Title 8 of the U.S. Code. The case below does not contradict this assertion because 22 C.F.R. §51.2 says that those who are issued passports are “nationals of the United States[\*]”:

22 U.S.C. §212

*No passport shall be granted or issued to or verified for any other persons than those owing allegiance, whether citizens or not, to the United States*

#### **Title 22: Foreign Relations**

#### **PART 51—PASSPORTS**

#### **Subpart A—General**

#### **§51.2 Passport issued to nationals only.**

(a) **A United States passport shall be issued only to a national of the United States (22 U.S.C. 212).**

(b) *Unless authorized by the Department no person shall bear more than one valid or potentially valid U.S. passport at any one time.*

[SD-165, 46 FR 2343, Jan. 9, 1981]

The case below does not contradict this assertion because the party who claimed 8 U.S.C. §1101(a)(22)(B) status was not born or naturalized in the United States\*\* and therefore retained his alien status and could not be a “national of the United States\*\*” under 8 U.S.C. §1101(a)(22):

#### **B. Merits**

*Marquez-Almanzar argues that he is not an alien and thus cannot be removed from the United States for his crimes. See 8 U.S.C. §1227(a)(2)(B)(i) (any “alien” convicted of controlled substance offense after admission to United States is deportable); 8 U.S.C. § 1227(a)(2)(A)(iii) (any “alien” convicted of aggravated felony after admission to United States is deportable). The term “alien” is defined in this context as “any person not a citizen or national of the United States.” 8 U.S.C. § 1101(a)(3). Marquez-Almanzar acknowledges that he is not a U.S. citizen, but he claims to be a national of the United States. The term “national of the United States” means either “a citizen of the United States” or “a person who, though not a citizen of the United States, owes permanent allegiance to the United States.” 8 U.S.C. §§1101(a) (22)(A) & (B).*

*Marquez-Almanzar claims that, although he is not a citizen, he “owes permanent allegiance to the United States,” and thus has acquired U.S. nationality under 8 U.S.C. §1101(a)(22)(B). The statute, as he reads it, creates an independent avenue to U.S. national status: one can become a U.S. national without citizenship (i.e., a “non-citizen national”) solely by manifesting permanent allegiance to the United States. He asserts that his enrollment and service in the U.S. Army (which required that he swear allegiance to the U.S. Constitution), his application for naturalization (which required that he swear he was willing to take an oath of allegiance to the United States), his registration for the Selective Service, his “complete immersion in American Society,” and his lack of ties to the Dominican Republic together demonstrate that he owes permanent allegiance to the United States.<sup>8</sup>*

Page 217

We have previously indicated that Marquez-Almanzar's construction of § 1101(a)(22)(B) is erroneous, but have not addressed the issue at length. In *Oliver v. INS*, 517 F.2d 426, 427 (2d Cir.1975) (per curiam), the petitioner, as a defense to deportation, argued that she qualified as a U.S. national under § 1101(a)(22) (B) because she had resided exclusively in the United States for twenty years, and thus "owe[d] allegiance" to the United States. Without extensively analyzing the statute, we found that the petitioner could not be "a `national' as that term is understood in our law." *Id.* We pointed out that the petitioner still owed allegiance to Canada (her country of birth and citizenship) because she had not taken the U.S. naturalization oath, to "renounce and abjure absolutely and entirely all allegiance and fidelity to any [foreign state of] ... which the petitioner was before a subject or citizen." *Id.* at 428 (quoting INA § 337(a)(2), 8 U.S.C. § 1448(a)(2)). In making this observation, we did not suggest that the petitioner in *Oliver* could have qualified as a U.S. national by affirmatively renouncing her allegiance to Canada or otherwise swearing "permanent allegiance" to the United States. **In fact, in the following sentence we said that Title III, Chapter 1 of the INA<sup>9</sup> "indicates that, with a few exceptions not here pertinent, one can satisfy [8 U.S.C. § 1101(a)(22)(B)] only at birth; thereafter the road lies through naturalization, which leads to becoming a citizen and not merely a `national.'"**<sup>10</sup> *Id.* at 428.

Our conclusion in *Oliver*, which we now reaffirm, is consistent with the clear meaning of 8 U.S.C. §1101(a)(22)(B), read in the context of the general statutory scheme. **The provision is a subsection of 8 U.S.C. §1101(a). Section 1101(a) defines various terms as they are used in our immigration and nationality laws, U.S.Code tit. 8, ch. 12, codified at 8 U.S.C. §§1101-1537. The subsection's placement indicates that it was designed to describe the attributes of a person who has already been deemed a non-citizen national elsewhere in Chapter 12 of the U.S.Code, rather than to establish a means by which one may obtain that status.** For example, 8 U.S.C. §1408, the only statute in Chapter 12 expressly conferring "non-citizen national" status on anyone, describes four categories of persons who are "nationals, but not citizens, of the United States at birth." All of these categories concern persons who were either born in an "outlying possession" of the United States, see 8 U.S.C. §1408(1), or "found" in an "outlying possession" at a young age, see *id.* § 1408(3), or who are the children of non-citizen nationals, see *id.* §§ 1408(2) & (4).<sup>11</sup> **Thus, § 1408 establishes a category of persons who qualify as non-citizen nationals; those who qualify, in turn, are described by § 1101(a)(22)(B) as owing "permanent allegiance" to the United States. In this context the term "permanent allegiance" merely describes the nature of the relationship between non-citizen nationals and the United States, a relationship that has already been created by another statutory provision. See Barber v. Gonzales, 347 U.S. 637, 639, 74 S.Ct. 822, 98 L.Ed. 1009 (1954) ("It is conceded that respondent was born a national of the United States;**

Page 218

**that as such he owed permanent allegiance to the United States...."); cf. Philippines Independence Act of 1934, § 2(a)(1), Pub.L. No. 73-127, 48 Stat. 456 (requiring the Philippines to establish a constitution providing that "pending the final and complete withdrawal of the sovereignty of the United States[, ] ... [a]ll citizens of the Philippine Islands shall owe allegiance to the United States").**

**Other parts of Chapter 12 indicate, as well, that § 1101(a)(22) (B) describes, rather than confers, U.S. nationality.** The provision immediately following § 1101(a)(22) defines "naturalization" as "the conferring of nationality of a state upon a person after birth, by any means whatsoever." 8 U.S.C. § 1101(a)(23). If Marquez-Almanzar were correct, therefore, one would expect to find "naturalization by a demonstration of permanent allegiance" in that part of the U.S.Code entitled "Nationality Through Naturalization," see INA tit. 8, ch. 12, subch. III, pt. II, codified at 8 U.S.C. §§1421-58. Yet nowhere in this elaborate set of naturalization requirements (which contemplate the filing by the petitioner, and adjudication by the Attorney General, of an application for naturalization, see, e.g., 8 U.S.C. §§1427, 1429), did Congress even remotely indicate that a demonstration of "permanent allegiance" alone would allow, much less require, the Attorney General to confer U.S. national status on an individual.

Finally, the interpretation of the statute underlying our decision in *Oliver* comports with the historical meaning of the term "national" as it is used in Chapter 12. **The term (which as §§ 1101(a)(22)(B) and 1408 indicate, includes, but is broader than, "citizen") was originally intended to account for the inhabitants of certain territories-territories said to "belong to the United States," including the territories acquired from Spain during the Spanish-American War, namely the Philippines, Guam, and Puerto Rico in the early twentieth century, who were not granted U.S. citizenship, yet were deemed to owe "permanent allegiance" to the United States and recognized as members of the national community in a way that distinguished them from aliens.** See 7 Charles Gordon et al., *Immigration Law and Procedure*, § 91.01[3][b] (2005); see also *Rabang v. Boyd*, 353 U.S. 427, 429-30, 77 S.Ct. 985, 1 L.Ed.2d. 956 (1957) ("The Filipinos, as nationals, owed an obligation of permanent allegiance to this country. . . . In the [Philippine Independence Act of 1934], the Congress granted full and complete independence to [the Philippines], and necessarily severed the obligation of permanent allegiance owed by Filipinos who were nationals of the United States."). **The term "non-citizen national" developed within a specific historical context and denotes a particular legal status. The phrase "owes permanent allegiance" in § 1101(a)(22)(B) is thus a term of art that denotes a legal status for which individuals have never been able to qualify by demonstrating permanent allegiance, as that phrase is colloquially understood.**<sup>12</sup>

We hold, therefore, that one cannot qualify as a U.S. national under 8 U.S.C. §1101(a)(22)(B) by a manifestation of

Page 219

"permanent allegiance" to the United States. As we said in Oliver, the road to U.S. nationality runs through provisions detailed elsewhere in the Code, see 8 U.S.C. §§1401-58, and those provisions indicate that the only "non-citizen nationals" currently recognized by our law are persons deemed to be so under 8 U.S.C. §1408. Our holding is consistent with the BIA's own interpretation of the statute, see In re Navas-Acosta, Interim Dec. (BIA) 3489, 23 I. & N. Dec. 586, 2003 WL 1986475 (BIA 2003), and the decisions of other circuits, see Sebastian-Soler v. U.S. Att'y Gen., 409 F.3d. 1280, 1285 (11th Cir.2005); United States v. Jimenez-Alcala, 353 F.3d. 858, 861-62 (10th Cir.2003); Perdomo-Padilla v. Ashcroft, 333 F.3d. 964, 966-67 (9th Cir.2003), cert. denied 540 U.S. 1104, 124 S.Ct. 1041, 157 L.Ed.2d. 887 (2004). To the extent that United States v. Morin, 80 F.3d. 124 (4th Cir.1996) applies in this context, we disagree with the reasoning of that court.<sup>13</sup>

*It follows from our holding that Marquez-Almanzar is not a U.S. national, but rather an alien subject to removal under 8 U.S.C. §§1227(a)(2)(A)(iii) and (B)(i).*

*[Jose Napoleon MARQUEZ-ALMANZAR, Petitioner v. IMMIGRATION AND NATURALIZATION SERVICE, Respondent, 418 F.3d. 210(2005)]*

Based on the above case, 22 C.F.R. §51.2, and 22 U.S.C. §212 we conclude that:

1. 8 U.S.C. §1408 "non-citizen national of the United States\*\* at birth" is a SUBSET of 8 U.S.C. §1101(a)(22)(B) status.
2. 8 U.S.C. §1101(a)(22)(B) status:
  - 2.1. Is called "person who, though not a citizen of the United States, owes permanent allegiance to the United States\*\*" and NOWHERE is referred to as a "non-citizen national" as described in 8 U.S.C. §1408. The court merely PRESUMED that they were equivalent, but they are NOT or they would have been given the same name.
  - 2.2. Includes 8 U.S.C. §1408 "non-citizen nationals of the United States\*\*" born in possessions such as American Samoa and Swain's Island.
  - 2.3. Includes State nationals who acquired their CONSTITUTIONAL or Fourteenth Amendment citizenship through birth in a CONSTITUTIONAL state of the Union.
3. 8 U.S.C. §1408 STATUTORY "non-citizen national of the United States\*\* at birth" or "U.S.\*\* national" status can only be acquired by birth and not naturalization.
4. 8 U.S.C. §1408 STATUTORY "non-citizen national of the United States\*\* at birth" or "U.S.\*\* national" status can NOT be acquired merely by the taking of an oath or renunciation of a previous oath.
5. The place of birth to earn STATUTORY "non-citizen national of the United States\*\* at birth" status under 8 U.S.C. §1408 or "non-citizen national of the United States\*\*" status under 8 U.S.C. §1101(a)(22)(B) must be a U.S. possession and NOT a CONSTITUTIONAL state of the Union. The only remaining U.S. possessions are American Samoa and Swains Island.
6. One can earn "national" status as a state citizen under both the Fourteenth Amendment AND 8 U.S.C. §1101(a)(21) by birth within a constitutional state. No statute is needed or required under Title 8 of the U.S. Code. Title 8, in fact, primarily deals with those born in federal territories or possessions, in fact. Only the following sections deal with states of the Union also:
  - 6.1. 8 U.S.C. §1421: Naturalization. One cannot become an 8 U.S.C. §1401 STATUTORY citizen by naturalization. Birth is the only vehicle. Naturalization only applies to state citizenship.
  - 6.2. 8 U.S.C. §1481: Expatriation.
7. The best way to describe yourself if you are a state national, in order not to be discredited with the above case is to say you:
  - 7.1. Are a "national" per 8 U.S.C. §1101(a)(21). "state" is in lower case because it is legislatively/statutorily foreign but not CONSTITUTIONALLY foreign in relation to the national government.
  - 7.2. Are a "national of the United States\*\*\* OF AMERICA" per Perkins v. Elg, 307 U.S. 325 (1939). If you weren't, you wouldn't be eligible for a passport per 22 C.F.R. §51.2.
  - 7.3. Are NOT a "person who, though not a citizen of the United States[\*\*], owes permanent allegiance to the United States[\*]" per 8 U.S.C. §1101(a)(22)(B). This is so because the U.S. Supreme Court declared in Rogers v. Bellei, 401 U.S. 815 (1971) that an 8 U.S.C. §1401 "citizen of the United States\*\*" is NOT a Fourteenth Amendment "citizen of the United States\*\*\*". See section 4.12.8.5 later.
  - 7.4. Are NOT a "national and citizen of the United States\*\* at birth" per 8 U.S.C. §1401.
  - 7.5. Are NOT a "non-citizen national of the United States\*\* at birth" or "U.S.\*\* national" per 8 U.S.C. §1408.

1 7.6. Do not derive your citizenship from ANY provision within Title 8 of the U.S. Code, but rather through the  
2 Fourteenth Amendment if born within a constitutional state of the Union.

3 7.7. Are a “non-resident non-person” in federal statutes because not domiciled in the STATUTORY United States\*\*  
4 defined in Title 8 of the U.S. Code, being federal territory not within any constitutional state.

#### 5 4.12.8.6 Expatriation: 8 U.S.C. §1481

6 How can you be sure you are a “national” or “state national” if the authority for being so can’t lawfully be put in any federal  
7 statute? There are lots of ways, but the easiest way is to consider that you as a human being who was born in a state of the  
8 Union and outside the federal “United States\*\*” can legally “expatriate” your nationality. All you need in order to do so is  
9 your original birth certificate and to follow the procedures prescribed in federal law which we explain in section 4.12.16 of  
10 our *Great IRS Hoax*, Form #11.302 book and 4.5.3.13 of our *Sovereignty Forms and Instructions Manual*, Form #10.005.  
11 What exactly are you “expatriating”? The definition of expatriation clarifies this:

12 *"Expatriation is the voluntary renunciation or abandonment of nationality and allegiance."  
13 [Perkins v. Elg, [307 U.S. 325](#), 59 S.Ct. 884, 83 L.Ed. 1320 (1939)]*

14 *“expatriation. The voluntary act of abandoning or renouncing one's country, [nation] and becoming the citizen  
15 or subject of another.  
16 [Black's Law Dictionary, Sixth Edition, p. 576]*

17 Here is the statutory explanation of “expatriation”:

18 [TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part III > § 1481](#)  
19 [§ 1481. Loss of nationality by native-born or naturalized citizen; voluntary action; burden of proof; presumptions](#)

20 (a) A person who is a national of the United States[\*] whether by birth or naturalization, shall lose his nationality  
21 by voluntarily performing any of the following acts with the intention of relinquishing United States nationality—

22 You can’t abandon your “nationality” unless you had it in the first place, so you must be a “national” or a “state national”!  
23 Here is the clincher:

24 [8 U.S.C. §1101: Definitions](#)

25 (a) As used in this chapter—

26 (21) The term "national" means a person owing permanent allegiance to a state.

27 The term “state” above can mean a state of the Union or it can mean a confederation of states called the “United States\*\*\*\*”.  
28 The reason “state” is in lower case is because it refers in most cases to a legislatively foreign state, and all states of the Union  
29 are foreign with respect to the federal government for the purposes of legislative (but not CONSTITUTIONAL) jurisdiction  
30 for nearly all subject matters. All upper case “States” in federal law refer to territories or possessions owned by the federal  
31 government under [4 U.S.C. §110\(d\)](#):

32 *“Foreign States: Nations outside of the United States\*\*...Term may also refer to another state; i.e. a sister state.  
33 The term 'foreign nations', ...should be construed to mean all nations and states other than that in which the  
34 action is brought; and hence, one state of the Union is foreign to another, in that sense.”  
35 [Black's Law Dictionary, Sixth Edition, p. 648]*

36 Sneaky, huh? You’ll never hear especially a federal lawyer agree with you on this because it destroys their jurisdiction to  
37 impose an income tax on you, but it’s true!

**NOTE:** We are NOT suggesting that you SHOULD expatriate, but using the process to illustrate that it is completely consistent with our research. In order to move oneself outside of federal legislative jurisdiction, a human being born in a state of the Union and outside the federal United States\*\* (a “national” of the USA) would want to ONLY move his domicile outside of the federal zone (assuming that they were domiciled in the federal zone to begin with) AND NOT expatriate his nationality. Likewise, a “National and citizen of the United states\*\* at birth” pursuant to 8 U.S.C. §1401 would also want to move their domicile outside of the federal zone.

The rulings of the U.S. Supreme Court also reveal that “citizen of the United States\*\*\*” and “nationality” are equivalent, but only in the context of the Constitution and not any act of Congress. Look at the ruling below and notice how they use “nationality” and “citizen of the United States\*\*\*” interchangeably:

*“Whether it was also the rule at common law that the children of British subjects born abroad were themselves British subjects-**nationality being attributed to parentage instead of locality**-has been variously determined. If this were so, of course the statute of Edw. III. was declaratory, as was the subsequent legislation. But if not, then such children were aliens, and the statute of 7 Anne and subsequent statutes must be regarded as in some sort acts of naturalization. On the other hand, it seems to me that the rule, ‘Partus sequitur patrem,’ has always applied to children of our citizens born abroad, and that the acts of congress on this subject are clearly declaratory, passed out of abundant caution, to obviate misunderstandings which might arise from the prevalence of the contrary rule elsewhere.*

*“**Section 1993 of the Revised Statutes provides that children so born 'are declared to be citizens of the United States\*\*\***; but the rights of citizenship shall not descend to children whose fathers never resided in the United States\*\*\*.’ Thus a limitation is prescribed on the passage of citizenship by descent beyond the second generation if then surrendered by permanent nonresidence, and this limitation was contained in all the acts from 1790 down. Section 2172 provides that such children shall ‘be considered as citizens thereof.’ “*  
[U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]

If after examining the charts above, you find that your present citizenship status does not meet your needs, you are perfectly entitled to change it and the government can’t stop you. We explain later in section 4.11.10 of our *Great IRS Hoax*, Form #11.302 how to abandon any type of citizenship you may find undesirable in order to have the combination of rights and “privileges” that suit your fancy. If a “national” of the USA\*\*\* wanted to qualify for Social Security Benefits, they would have to naturalize to the “United States\*\*\*” to become a statutory “U.S.\*\* national” or move their domicile to the federal zone (BAD IDEA).

#### 4.12.8.7 Statutory geographical definitions

In the following subsections we have an outline of the legal constraints applying to persons who are “state nationals” and who do not claim the status of STATUTORY “national and citizen of the United States\*\* at birth” under 8 U.S.C. §1401. The analysis that follows establishes that for “state nationals”, such persons may in some cases not be allowed to vote in elections without special efforts on their part to maintain their status. They are also not allowed to serve on jury duty without special efforts on their part to maintain their status. These special efforts involve clarifying our citizenship on any government forms we sign to describe ourselves as ONE of the following:

1. “nationals” or “state nationals” but not statutory “citizens of the United States\*\*\*” as defined in and [8 U.S.C. §1101\(a\)\(21\)](#).
2. **Nationals** of the “United States *of America*” (just like our passport says) but not *statutory* citizens of the *federal* “United States\*\*\*” pursuant to [8 U.S.C. §1101\(a\)\(21\)](#) if we were born within and domiciled within a constitutional state of the Union.

We said in section 4.12.3 of the *Great IRS Hoax*, Form #11.302 that all people born in states of the Union are technically “state nationals” or “U.S.\*\*\* nationals”. That is: “nationals of the United States\*\*\* *of America*”.

The legal encyclopedia American Jurisprudence helps us define what is meant by “United States” in the context of citizenship under *federal* (not state) law:

*3C American Jurisprudence 2d, Aliens and Citizens, §2689 (1999), Who is born in United States[\*\*] and subject to United States[\*\*] jurisdiction*

*“A person is born subject to the jurisdiction of the United States[\*\*], for purposes of acquiring citizenship at birth, if his or her birth occurs **in territory over which the United States[\*\*] is sovereign**, even though another country provides all governmental services within the territory, and the territory is subsequently ceded to the other country.”*  
[American Jurisprudence 2d, Aliens and Citizens, Section 2689 (1999)]

The key word in the above definition is “territory” in relationship to the sovereignty word. The only places which are “territories” of the United States[\*\*] government are listed in [Title 48 of the United States\[\\*\\*\] Code](#). The states of the union are NOT territories!



1 *"Territory: A part of a country separated from the rest, and subject to a particular jurisdiction. Geographical*  
 2 *area under the jurisdiction of another country or sovereign power.*

3 *A portion of the United States[\*\*] not within the limits of any state, which has not yet been admitted as a state of*  
 4 *the Union, but is organized with a separate legislature, and with executive and judicial powers appointed by the*  
 5 *President."*

6 *[Black's Law Dictionary, Sixth Edition, p. 1473]*

7 And the rulings of the Supreme Court confirm this:

8 *"A State does not owe its origin to the Government of the United States[\*\*], in the highest or in any of its*  
 9 *branches. It was in existence before it. It derives its authority from the same pure and sacred source as itself:*  
 10 *The voluntary and deliberate choice of the people...A State is altogether exempt from the jurisdiction of the*  
 11 *Courts of the United States[\*\*], or from any other exterior authority, unless in the special instances when the*  
 12 *general Government has power derived from the Constitution itself."*

13 *[Chisholm v. Georgia, 2 Dall. (U.S.) 419 (Dall.) (1794)]*

14  
 15 *"There is no such thing as a power of inherent sovereignty in the government of the United States[\*\*] .... In*  
 16 *this country sovereignty resides in the people [living in the states of the Union, since the states created the United*  
 17 *States[\*\*] government and they came before it], and Congress can exercise no power which they have not, by*  
 18 *their Constitution entrusted to it: All else is withheld."*

19 *[Julliard v. Greenman: 110 U.S. 421 (1884)]*

20 So what is really meant by "United States" for the three types of citizens found in federal statutes such as 8 U.S.C. §1401 and  
 21 8 U.S.C. §1408 and 8 U.S.C. §1452 is the "sovereignty of the United States\*\*", which exists in its fullest, most exclusive,  
 22 and most "general" form inside its "territories", and in federal enclaves within the states, or more generally in what we call  
 23 the "federal zone" in this book. The ONLY place where the exclusive sovereignty of the United States\*\* exists in the context  
 24 of its "territories" is under Article 1, Section 8, Clause 17 of the Constitution on federal land. In the legal field, by the way,  
 25 this type of exclusive jurisdiction is described as "plenary power". Very few of us are born on federal land under such  
 26 circumstances, and therefore very few of us technically qualify as "citizens of the United States\*\*". By the way, the federal  
 27 government does have a very limited sovereignty or "authority" inside the states of the union, but it does not exceed that of  
 28 the states, nor is it absolute or unrestrained or exclusive like it is inside the "territories" of the United States\*\* listed in [Title](#)  
 29 [48 of the United States\\*\\* Code](#).

30 Let's now see if we can confirm the above conclusions with the weasel words that the weasel words that the lawyers in Congress wrote into the  
 31 statutes with the willful intent to deceive common people like you. The key phrase in [8 U.S.C. §1101\(a\)\(38\)](#) above is "*the*  
 32 *continental United States\*\**". The definition of this term is hidden in the regulations as follows:

33 *[Code of Federal Regulations]*

34 *[Title 8, Volume 1]*

35 *[Revised as of January 1, 2002]*

36 *From the U.S. Government Printing Office via GPO Access*

37 *[CITE: 8CFR215]*

38 *TITLE 8--ALIENS AND NATIONALITY CHAPTER I--IMMIGRATION AND NATURALIZATION SERVICE,*

39 *DEPARTMENT OF JUSTICE*

40 *PART 215--CONTROLS OF ALIENS DEPARTING FROM THE UNITED STATES[\*\*]*

41 [Section 215.1: Definitions](#)

42  
 43 *(f) The term continental United States[\*\*] means the District of Columbia and the several [States](#), except Alaska*  
 44 *and Hawaii.*

45 The term "States", which is suspiciously capitalized and is then also defined elsewhere in Title 8 as follows:

46 [8 U.S.C. §1101 Definitions](#)

47 *(a) As used in this chapter—*

48 *(36) State [naturalization]*

49 *The term "State" includes the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United*  
 50 *States[\*\*].*

1 Do you see the sovereign Union states in the above definition? They aren't there. Note that there are several entities listed  
 2 in the above definition of "State", which collectively are called "several States". But when Congress really wants to clearly  
 3 state the 50 Union states that are "foreign states" relative to them, they have no trouble at all, because here is another definition  
 4 of "State" found under an older version of Title 40 of the U.S. Code prior to 2005 which refers to easements on Union state  
 5 property by the federal government:

6 [TITLE 40](#) > [CHAPTER 4](#) > *Sec. 319c*  
 7 [Sec. 319c](#). - *Definitions for easement provisions*

8 *As used in sections [319](#) to [319c](#) of this title -*

9 *(a) The term "State" means the States of the Union, the District of Columbia, the Commonwealth of Puerto Rico,*  
 10 *and the possessions of the United States[\*\*].*

11 The above section, after we found it in 2002 and documented it here, was REWRITTEN in 2005 and REMOVED from Title  
 12 40 of the U.S. Code in order to cover up the distinctions we are trying to make here. Does that surprise you? In fact, this  
 13 kind of "word smithing" by covetous lawyers is at the heart of how the separation of powers between the state and federal  
 14 governments is being systematically destroyed, as documented below:

*Government Conspiracy to Destroy the Separation of Powers*, Form #05.023  
<http://sedm.org/Forms/FormIndex.htm>

15 Did you notice in the now repealed 40 U.S.C. §319c that they used the term "means" instead of "includes" and that they said  
 16 "States of the Union" instead of "several States"? You can tell they are playing word games and trying to hide their limited  
 17 jurisdiction whenever they throw in the word "includes" and do not use the word "Union" in their definition of "State". As  
 18 a matter of fact, section 5.6.15 of the *Great IRS Hoax*, Form #11.302 reveals that there is a big scandal surrounding the use  
 19 of the word "includes". That word is abused as a way to illegally expand the jurisdiction of the federal government beyond  
 20 its clear Constitutional limits. The memorandum of law below thoroughly rebuts any lies or deception the government is  
 21 likely to throw at you regarding the word "includes" and you might want to read it:

*Legal Deception, Propaganda, and Fraud*, Form #05.014  
<http://sedm.org/Forms/FormIndex.htm>

22 Moving on, if we then substitute the definition of the term "State" from 8 U.S.C. §1101(a)(36) into the definition of  
 23 "continental United States[\*\*]" in [8 C.F.R. §215.1](#), we get:

24 *8 C.F.R. §215.1*

25 *The term continental United States[\*\*] means the District of Columbia and the District of Columbia, Puerto*  
 26 *Rico, Guam, and the Virgin Islands of the United States[\*\*], except Alaska and Hawaii.*

27  
 28 We must then conclude that the "continental United States\*\*" means essentially the federal areas within the real (not  
 29 statutorily defined) continental United States\*\*. We must also conclude based on the above analysis that:

- 30 1. The term "continental United States\*\*" is redundant and unnecessary within the definition of "United States\*\*" found  
 31 in [8 U.S.C. §1101](#)(a)(38).
- 32 2. The use of the term "continental United States\*\*" is introduced mainly to deceive and confuse the average American  
 33 about his true citizenship status as a "national" or a "state national" and not a "U.S. national".

34 The above analysis also leaves us with one last nagging question: why do Alaska and Hawaii appear in the definition of  
 35 "United States\*\*" in [8 U.S.C. §1101](#)(a)(38), since we showed that the *other* "States" mentioned as part of this *statutory*  
 36 "United States\*\*" are federal "States"? If our hypothesis is correct that the "United States\*\*" means "the federal zone"  
 37 within federal statutes and regulations and "the states of the Union" collectively within the Constitution, then the definition  
 38 from the regulation above can't include any part of a Union state that is not a federal enclave. In the case of Alaska and  
 39 Hawaii, they were only recently admitted as Union states (1950's). The legislative notes for Title 8 of the U.S. Code (entitled  
 40 "Aliens and Nationality") reveal that the title is primarily derived from the Immigration and Nationality Act of 1940, which  
 41 was written and codified BEFORE Alaska and Hawaii joined the Union. Before that, they were referred to as the Territories  
 42 of Alaska and Hawaii, which belonged to the "United States\*\*" or simply "Alaska and Hawaii". Note that [8 U.S.C.](#)

1 [§1101](#)(a)(38) adds the phrase “of the United States\*\*” after the names of these two former territories and groups them *together*  
 2 with other federal territories, which to us implies that they are referring to Alaska and Hawaii *when they were territories*  
 3 rather than Union states. At the time they were federal territories, then they were federal “States”. These conclusions are  
 4 confirmed by a rule of statutory construction known as “*ejusdem generis*”, which basically says that items of the same class  
 5 or general type *must* be grouped together. The other items that Alaska and Hawaii are grouped with are federal territories in  
 6 the list of enumerated items:

7 *“Ejusdem generis. Of the same kind, class, or nature. In the construction of laws, wills, and other instruments,*  
 8 *the “ejusdem generis rule” is, that where general words follow an enumeration of persons or things, by words of*  
 9 *a particular and specific meaning, such general words are not to be construed in their widest extent, but are to*  
 10 *be held as applying only to persons or things of the same general kind or class as those specifically mentioned.*  
 11 *U.S. v. LaBrecque, D.C. N.J., 419 F.Supp. 430, 432. The rule, however, does not necessarily require that the*  
 12 *general provision be limited in its scope to the identical things specifically named. Nor does it apply when the*  
 13 *context manifests a contrary intention.*

14 *Under “ejusdem generis” canon of statutory construction, where general words follow the enumeration of*  
 15 *particular classes of things, the general words will be construed as applying only to things of the same general*  
 16 *class as those enumerated. Campbell v. Board of Dental Examiners, 53 Cal.App.3d. 283, 125 Cal.Rptr. 694,*  
 17 *696.”*  
 18 *[Black’s Law Dictionary, Sixth Edition, p. 517]*

#### 19 4.12.8.8 The Fourteenth Amendment

20 Many freedom lovers allow themselves to be confused by the content of the Fourteenth Amendment so that they do not  
 21 believe the distinctions we are trying to make here about the differences in meaning of the term “United States” between the  
 22 Constitution and federal statutes. Here is what section 1 of that Amendment says:

##### 23 Fourteenth Amendment

24 *“Section 1. All persons born or naturalized in the United States[\*\*\*] and subject to the jurisdiction thereof, are*  
 25 *citizens of the United States[\*\*\*] and of the State wherein they reside.”*

26 The U.S. Supreme Court clarifies exactly what the phrase “subject to the jurisdiction” above means. It means the “political  
 27 jurisdiction” of the United States\*\* and NOT the “legislative jurisdiction”(!):

28 *“This section contemplates two sources of citizenship, and two sources only, -birth and naturalization. The*  
 29 *persons declared to be citizens are 'all persons born or naturalized in the United States[\*\*\*], and subject to the*  
 30 *jurisdiction thereof.' The evident meaning of these last words is, not merely subject in some respect or degree to*  
 31 *the jurisdiction of the United States[\*\*\*], but completely subject to their political jurisdiction, and*  
 32 *owing them direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do*  
 33 *[169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the*  
 34 *United States[\*\*\*] at the time of birth cannot become so afterwards, except by being naturalized, either*  
 35 *individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which*  
 36 *foreign territory is acquired.”*  
 37 *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

38 “Political jurisdiction” is NOT the same as “legislative jurisdiction”. “Political jurisdiction” was defined by the Supreme  
 39 Court in *Minor v. Happersett*:

40 *“There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies*  
 41 *an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons*  
 42 *associated becomes a member of the nation formed by the association. He owes it allegiance and is entitled to*  
 43 *its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a*  
 44 *compensation for the other; allegiance for protection and protection for allegiance.*

45 *“For convenience it has been found necessary to give a name to this membership. The object is to designate by a*  
 46 *title the person and the relation he bears to the nation. For this purpose the words 'subject,' 'inhabitant,' and*  
 47 *'citizen' have been used, and the choice between them is sometimes made to depend upon the form of the*  
 48 *government. Citizen is now more commonly employed, however, and as it has been considered better suited to*  
 49 *the description of one living under a republican government, it was adopted by nearly all of the States upon*  
 50 *their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the*  
 51 *Constitution of the United States[\*\*\*]. When used in this sense it [the word*

**“citizen”] is understood as conveying the idea of membership of a nation, and nothing more.”**

*“To determine, then, who were citizens of the United States<sup>\*\*\*</sup> before the adoption of the amendment it is necessary to ascertain what persons originally associated themselves together to form the nation, and what were afterwards admitted to membership.”*  
[Minor v. Happersett, [88 U.S. 162](#) (1874)]

Notice how the Supreme court used the phrase “and nothing more”, as if to emphasize that citizenship doesn’t imply legislative jurisdiction, but simply political membership. We described in detail the two political jurisdictions within our country in section 4.7 of our *Great IRS Hoax*, Form #11.302 book. “Political jurisdiction” implies only the following:

1. Membership in a community (see *Minor v. Happersett*, [88 U.S. 162](#) (1874))
2. Right to vote.
3. Right to serve on jury duty.

“Legislative jurisdiction”, on the other hand, implies being “completely subject” and subservient to federal laws and all “Acts of Congress”, which only people in the District of Columbia and the territories and possessions of the United States<sup>\*\*</sup> can be. You can be “completely subject to the political jurisdiction” of the United States<sup>\*\*\*</sup> without being subject in any degree to a specific “Act of Congress” or the Internal Revenue Code, for instance. The final nail is put in the coffin on the subject of what “subject to the jurisdiction” means in the Fourteenth Amendment, when the Supreme Court further said in the above case:

*“It is impossible to construe the words ‘subject to the jurisdiction thereof,’ in the opening sentence, as less comprehensive than the words ‘within its jurisdiction,’ in the concluding sentence of the same section; or to hold that persons ‘within the jurisdiction’ of one of the states of the Union are not ‘subject to the jurisdiction of the United States<sup>\*\*\*</sup>.’”*  
[U.S. v. Wong Kim Ark, [169 U.S. 649](#), 18 S.Ct. 456; 42 L.Ed. 890 (1898), emphasis added]

So “subject to the jurisdiction” in the context of citizenship within the Fourteenth Amendment means “subject to the **[political]** jurisdiction” of the United States<sup>\*\*\*</sup> and not legislative jurisdiction, and the Fourteenth Amendment definitely describes only those people born in states of the Union. Another very interesting conclusion reveals itself from reading the following excerpt from the above case:

*“And Mr. Justice Miller, delivering the opinion of the court [legislating from the bench, in this case], in analyzing the first clause, observed that “the phrase ‘subject to the jurisdiction thereof’ was intended to exclude from its operation children of ministers, consuls, and citizens or subjects of foreign states, born within the United States<sup>\*\*\*</sup>.”*  
[U.S. v. Wong Kim Ark, [169 U.S. 649](#), 18 S.Ct. 456; 42 L.Ed. 890 (1898)]

When we first read that, an intriguing question popped into our head:

*Is “Heaven” or any religious group for that matter a “foreign state” with respect to the United States<sup>\*\*</sup> government and are we God’s “ambassadors” and “ministers” of the Sovereign (“God”) in that “foreign state”?*

Based on the way our deceitful and wicked public servants have been acting lately, we think so and here are the scriptures to back it up!

*“For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ”—*  
[[Philippians 3:20](#), Bible, NKJV]

*“Now, therefore, you are no longer strangers and foreigners, but fellow citizens with the saints and members of the household of God.”*  
[[Ephesians 2:19](#), Bible, NKJV]

*“These all died in faith, not having received the promises, but having seen them afar off were assured of them, embraced them and confessed that they were strangers and pilgrims on the earth.”*  
[[Hebrews 11:13](#), Bible, NKJV]

*“Beloved, I beg you as sojourners and pilgrims, abstain from fleshly lusts which war against the soul...”*  
[[1 Peter 2:11](#), Bible, NKJV]

1 Furthermore, if you read section 5.2.11 of the Great IRS Hoax, Form #11.302, you will *also* find that the 50 Union states are  
 2 considered “foreign states” and “foreign countries” with respect to the U.S. government as far as Subtitle A income taxes are  
 3 concerned:

4 *Foreign courts:* “The courts of a foreign state or nation. In the United States[\*\*], this term is frequently applied  
 5 to the courts of one of the states when their judgments or records are introduced in the courts of another.”  
 6 [Black’s Law Dictionary, Sixth Edition, p. 647]

7 *Foreign Laws:* “The laws of a foreign country or sister state.”  
 8 [Black’s Law Dictionary, Sixth Edition, p. 647]

#### 9 **4.12.8.9 Department of State Foreign Affairs Manual (FAM)**

10 Another place you can look to find confirmation of our conclusions is the Department of State Foreign Affairs Manual,  
 11 section [7 Foreign Affairs Manual \(F.A.M.\), Section 1116.1-1](#), available on our website at:

*Dept. of State Foreign Affairs Manual (FAM), Volume 7, Section 1116.1*  
<http://famguardian.org/TaxFreedom/Evidence/Citizenship/7FAM1100,1110,1111-DeptOfState.pdf>

12 and also available on the Dept. of State website at:

Department of State  
<https://fam.state.gov/>

13 which says in pertinent part:

14 *“d. Prior to January 13, 1941, there was no statutory definition of “the United States” for citizenship purposes.*  
 15 *Thus there were varying interpretations. Guidance should be sought from the Department (CA/OCS) when such*  
 16 *issues arise.” [emphasis added]*

17 If our own government hadn’t defined the meaning of the term “United States” up until 1941, then do you think there might  
 18 have been some confusion over this and that this confusion was deliberate? Can you also see how the ruling in *Wong Kim*  
 19 *Ark* might have been somewhat ambiguous to the average American without a statutory (legal) reference for the terms it was  
 20 using? Once again, the government likes to confuse people about its jurisdiction in order to grab more of it. Here is how  
 21 Thomas Jefferson explained it:

22 *“Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before them,*  
 23 *to throw an anchor ahead and grapple further hold for future advances of power. **They are then in fact the corps***  
 24 *of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate*  
 25 *all power in the hands of that government in which they have so important a freehold estate.”*  
 26 [Thomas Jefferson: Autobiography, 1821. ME 1:121]

27 *“We all know that permanent judges acquire an esprit de corps; that, being known, **they are liable to be tempted***  
 28 *by bribery; that they are misled by favor, by relationship, by a spirit of party, by a devotion to the executive or*  
 29 *legislative; that it is better to leave a cause to the decision of cross and pile than to that of a judge biased to one*  
 30 *side; and that the opinion of twelve honest jurymen gives still a better hope of right than cross and pile does.”*  
 31 [Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283]

32 *“It is not enough that honest men are appointed judges. All know the influence of interest on the mind of man,*  
 33 *and how unconsciously his judgment is warped by that influence. To this bias add that of the esprit de corps,*  
 34 *of their peculiar maxim and creed that ‘it is the office of a good judge to enlarge his jurisdiction,’ and the*  
 35 *absence of responsibility, and how can we expect impartial decision between the General government, of which*  
 36 *they are themselves so eminent a part, and an individual state from which they have nothing to hope or fear?”*  
 37 [Thomas Jefferson: Autobiography, 1821. ME 1:121]

38 *“At the establishment of our Constitutions, the judiciary bodies were supposed to be the most helpless and*  
 39 *harmless members of the government. Experience, however, soon showed in what way they were to become the*  
 40 *most dangerous; that the insufficiency of the means provided for their removal gave them a freehold and*  
 41 *irresponsibility in office; that their decisions, seeming to concern individual suitors only, pass silent and*  
 42 *unheeded by the public at large; that these decisions nevertheless become law by precedent, sapping by little and*  
 43 *little the foundations of the Constitution and working its change by construction before any one has perceived*  
 44 *that that invisible and helpless worm has been busily employed in consuming its substance. In truth, man is not*  
 45 *made to be trusted for life if secured against all liability to account.”*

1 [Thomas Jefferson to A. Coray, 1823. ME 15:486]

2 "I do not charge the judges with wilful and ill-intentioned error; but honest error must be arrested where its  
3 toleration leads to public ruin. As for the safety of society, we commit honest maniacs to Bedlam; so judges  
4 should be withdrawn from their bench whose erroneous biases are leading us to dissolution. It may, indeed,  
5 injure them in fame or in fortune; but it saves the republic, which is the first and supreme law."

6 [Thomas Jefferson: Autobiography, 1821. ME 1:122 ]

7 "The original error [was in] establishing a judiciary independent of the nation, and which, from the citadel of  
8 the law, can turn its guns on those they were meant to defend, and control and fashion their proceedings to its  
9 own will."

10 [Thomas Jefferson to John Wayles Eppes, 1807. FE 9:68]

11 "It is a misnomer to call a government republican in which a branch of the supreme power [the Federal  
12 Judiciary] is independent of the nation."

13 [Thomas Jefferson to James Pleasants, 1821. FE 10:198]

14 "It is left... to the juries, if they think the permanent judges are under any bias whatever in any cause, to take  
15 on themselves to judge the law as well as the fact. They never exercise this power but when they suspect  
16 partiality in the judges; and by the exercise of this power they have been the firmest bulwarks of English  
17 liberty."

18 [Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283]

19 With respect to that last remark, keep in mind that NONE of the rulings of Supreme Court cases like *Wong Kim Ark* have  
20 juries, so what do you think the judges are going to try to do?.. expand their power and enhance their retirement benefits,  
21 duhhhh! Another portion of that same document found in [7 Foreign Affairs Manual \(F.A.M.\), Section 1116.2-1](#) says:

22 "a. Simply stated, "subject to the jurisdiction" [within the context of federal statutes but not within the Fourteenth  
23 Amendment] of the United States[\*\*] means subject to the laws of the United States[\*\*]." [emphasis added]  
24 [[7 Foreign Affairs Manual \(F.A.M.\), Section 1116.2-1](#)]

25 So what does "subject to the laws of the United States\*\*" mean? It means subject to the exclusive/general/plenary legislative  
26 jurisdiction of the national (not federal) government under Article 1, Section 8, Clause 17 of the Constitution, which only  
27 occurs within the federal zone. We covered this earlier in section 4.10 of the *Great IRS Hoax*, Form #11.302 and again later  
28 throughout chapter 5 of that book. Here is how we explain the confusion created by [7 Foreign Affairs Manual \(F.A.M.\),](#)  
29 Section 1116.2-1 above in the note we attached to it inside the Acrobat file of it on our website:

30 This is a distortion. Wong Kim Ark also says: "To be 'completely subject' to the political jurisdiction of the United  
31 States\*\*\* is to be in no respect or degree subject to the political jurisdiction of any other government."

32 If you are subject to a Union state government, then you CANNOT meet the criteria above. That is why a  
33 "national" is defined in 8 U.S.C. §1101(a)(21) as "a person owing permanent allegiance to a [Union] state" and  
34 why most natural persons are "nationals" rather than "U.S. citizens"

#### 35 4.12.8.10 Federal court jurisdiction

36 Let's now further explore what [7 Foreign Affairs Manual \(F.A.M.\), Section 1116.2-1](#) means when it says "subject to the laws  
37 of the United States\*\*\*". In doing so, we will draw on a very interesting article on our website entitled Authorities on  
38 Jurisdiction of Federal Courts found on our website at:

Authorities on Jurisdiction of Federal Courts, Family Guardian Fellowship  
<http://famguardian.org/Subjects/LegalGovRef/ChallJurisdiction/AuthoritiesArticle/AuthOnJurisdiction.htm>

39 We start with a cite from Title 18 that helps explain the jurisdiction of "the laws of the United States\*\*\*":

40 [TITLE 18](#) > [PART III](#) > [CHAPTER 301](#) > Sec. 4001.  
41 [Sec. 4001. - Limitation on detention; control of prisons](#)

42 (a) No citizen shall be imprisoned or otherwise detained by the United States\*\* except pursuant to an Act of  
43 Congress.

44 Building on this theme, we now add a corroborating citation from the [Federal Rules of Criminal Procedure, Rule 26, Notes](#)  
45 [of Advisory Committee on Rules, paragraph 2](#), in the middle,

**The Great  IRS Hoax: Why We Don't Owe Income Tax, version 4.54**

**TOP SECRET: For Official Treasury/IRS Use Only (FOUO)**

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"On the other hand since all Federal crimes are statutory [see United States v. Hudson, 11 U.S. 32, 3 L.Ed. 259 (1812)] and all criminal prosecutions in the Federal courts are based on acts of Congress. . . ." [emphasis added]

We emphasize the phrase "**Acts of Congress**" above. In order to define the jurisdiction of the Federal courts to conduct criminal prosecutions and how they might apply "the laws of the United States\*\*" in any given situation, one would have to find out what the specific definition of "Act of Congress," is. We find such a definition in Federal Rule of Criminal Procedure 54(c) prior to Dec. 2002, wherein "Act of Congress" was defined. Rule 54(c) stated:

"Act of Congress" includes any act of Congress locally applicable to and in force in the District of Columbia, in Puerto Rico, in a territory or in an insular possession."

If you want to examine this rule for yourself, here is the link, which subsequently moved to Rule 1:

[https://www.law.cornell.edu/rules/frcrmp/rule\\_1](https://www.law.cornell.edu/rules/frcrmp/rule_1)

The \$64,000 question is:

"ON WHICH OF THE FOUR LOCATIONS NAMED IN [former] RULE 54(c) OF THE FEDERAL RULES OF CRIMINAL PROCEDURE IS THE UNITED STATES\*\* DISTRICT COURT ASSERTING JURISDICTION WHEN THE U.S. ATTORNEY HAULS YOUR ASS IN COURT ON AN INCOME TAX CRIME?"

**Hint:** everyone knows what and where the District of Columbia is, and everyone knows where Puerto Rico is, and territories and insular possessions are defined in Title 48 United States Code, happy hunting!

The Supreme Court says the same thing about this situation as well:

"It is no longer open to question that the general government, unlike the states, Hammer v. Dagenhart, 247 U.S. 251, 275, 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, possesses no inherent power in respect of the internal affairs of the states; and emphatically not with regard to legislation." [Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)]

Keep in mind that Title 8 of the U.S. Code, which establishes citizenship under federal law is federal "legislation". I guess that means there is nothing in that title that can define or circumscribe our rights as people born within and domiciled within a state of the Union, which is foreign to the federal government for the purposes of legislative jurisdiction. In fact, that is exactly our status as a "national" defined in 8 U.S.C. §1101(a)(21). The term "national" is defined in Title 8, Section 1101 but the rights of such a human being are not limited or circumscribed there because they can't be under the Constitution. This, folks, is the essence of what it means to be truly "sovereign" with respect to the federal government, which is that you aren't the subject of any federal law. Laws limit rights and take them away. Rights don't come from laws, they come from God! America is "The land of the Kings". Every one of you is a king or ruler over your public servants, and THEY, not you, should be "rendering to Caesar", just as the Bible says in Matt. 22:15:22:

"The people of the state [not the federal government, but the state: IMPORTANT!], as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the king by his own prerogative." [Lansing v. Smith, 4 Wendell 9, (NY) (1829)]

"It will be admitted on all hands that with the exception of the powers granted to the states and the federal government, through the Constitutions, the people of the several states are unconditionally sovereign within their respective states." [Ohio L. Ins. & T. Co. v. Debolt, 16 How. 416, 14 L.Ed. 997 ]

"Sovereignty [that's you!] itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts." [Yick Wo v. Hopkins, 118 U.S. 356, 6 S.Ct. 1064 (1886)]

#### 4.12.8.11 **Rebutted arguments against those who believe people born in the states of the Union are not "nationals"**

A few people have disagreed with our position on the "national" and "state national" citizenship status of persons born in states of the Union. These people have sent us what might appear to be contradictory information from websites maintained by the federal government. We thank them for taking the time to do so and we will devote this section to rebutting all of their

incorrect views. Below are some of the arguments against our position on “state national” citizenship that we have received and enumerated to facilitate rebuttal. We have boldfaced the relevant portions to make the information easier to spot.

1. U.S. Supreme Court, *Miller v. Albright*, 523 U.S. 420 (1998), footnote #2:

*“2. Nationality and citizenship are not entirely synonymous; one can be a national of the United States and yet not a citizen. 8 U.S.C. §1101(a)(22). The distinction has little practical impact today, however, for the only remaining noncitizen nationals are residents of American Samoa and Swains Island. See T. Aleinikoff, D. Martin, & H. Motomura, Immigration: Process and Policy 974-975, n. 2 (3d ed. 1995). The provision that a child born abroad out of wedlock to a United States citizen mother gains her nationality has been interpreted to mean that the child gains her citizenship as well; thus, if the mother is not just a United States national, but also a United States citizen, the child is a United States citizen. See 7 Gordon § 93.04[2][b], p. 93-42; id., § 93.04[2][d][viii], p. 93-49.”*

*[Miller v. Albright, 523 U.S. 420 (1998)]*

2. Volume 7 of the Department of State Foreign Affairs Manual (FAM) section 1111.3 published by the Dept. of States at <https://fam.state.gov/> says the following about nationals but not citizens of the United States:

*c. Historically, Congress, through statutes, granted U.S. nationality, but not citizenship, to persons born or inhabiting territory acquired by the United States through conquest or treaty. At one time or other natives and certain other residents of Puerto Rico, the U.S. Virgin Islands, the Philippines, Guam, and the Panama Canal Zone were U.S. non-citizen nationals.*

*d. Under current law (the Immigration and Nationality Act of 1952, as amended through October 1994), only persons born in American Samoa and the Swains Islands are U.S. nationals (Secs. 101(a)(29) and 308(I) INA). [Department of State Foreign Affairs Manual (F.A.M.), Volume 7, Section 1111.3]*

3. The *Social Security Program Operations Manual System (P.O.M.S.)* at <https://secure.ssa.gov/apps10/> says the following:

*Social Security Program Operations Manual System (P.O.M.S.), Section RS 02001.003 “U.S. Nationals”*

*Most of the agreements refer to “U.S. nationals.”*

*The term includes both U.S. citizens and persons who, though not citizens, owe permanent allegiance to the United States. As noted in RS 02640.005 D., the only persons who are nationals but not citizens are American Samoans and natives of Swains Island.*

4. The USDA Food Stamp Service, website says at <http://www.fns.usda.gov/fsp/rules/Memo/Support/02/polimgmt.htm>:

*Non-citizens who qualify outright*

*There are some immigrants who are immediately eligible for food stamps without having to meet other immigrant requirements, as long as they meet the normal food stamp requirements:*

- *Non-citizen nationals (people born in American Samoa or Swains Island).*
- *American Indians born in Canada.*
- *Members (born outside the U.S.) of Indian tribes under Section 450b(e) of the Indian Self-Determination and Education Assistance Act.*
- *Members of Hmong or Highland Laotian tribes that helped the U.S. military during the Vietnam era, and who are legally living in the U.S., and their spouses or surviving spouses and dependent children.*

The defects that our detractors fail to realize about the above information are the following points:

1. The term “United States” as used in 8 U.S.C. §1408 means the federal zone based on the definitions provided in 8 U.S.C. §1101(a)(36), 8 U.S.C. §1101(a)(38), and 8 C.F.R. §215.1(f). See our *Tax Deposition Questions*, section 14, questions 77 through 82 at the following address for more details:  
[http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section\\_14.htm](http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section_14.htm)
2. All of the cites that our detractors quote come from federal statutes and “Acts of Congress”. The federal government is not authorized under our Constitution or under international law to prescribe the citizenship status of persons who neither reside within nor were born within its territorial jurisdiction. The only thing that federal statutes can address are the status of persons who either reside in, were born in, or resided in the past within the territorial jurisdiction of the federal government. People born within states of the Union do not satisfy this requirement and their citizenship status resulting



from that birth is determined only under state and not federal law. State jurisdiction is foreign to federal jurisdiction EXCEPT in federal areas within a state. The quote below confirms this, keeping in mind that Title 8 of the U.S. Code qualifies as “legislation”:

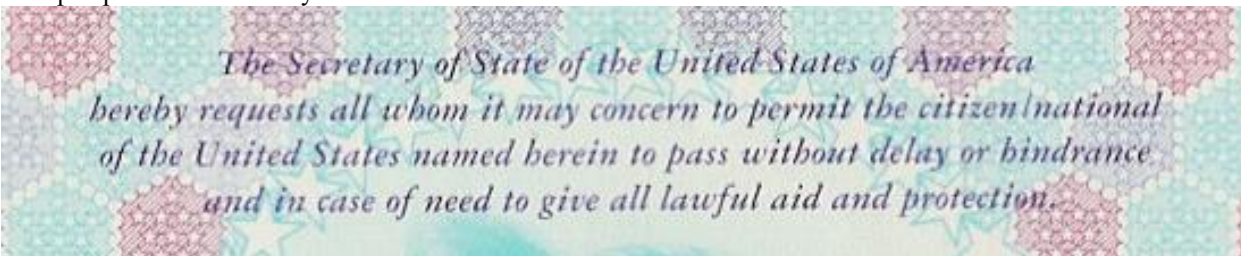
“While states are not sovereign in true sense of term but only quasi sovereign, yet in respect of all powers reserved to them [under the Constitution] they are supreme and independent of federal government as that government within its sphere is independent of the states.”

“It is no longer open to question that the general government, unlike the states, *Hammer v. Dagenhart*, [247 U.S. 251, 275](#), 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, possesses no inherent power in respect of the **internal affairs of the states; and emphatically not with regard to legislation.**”  
[*Carter v. Carter Coal Co.*, [298 U.S. 238](#), 56 S.Ct. 855 (1936)]

3. The only thing you need in order to obtain a U.S.A. Passport is “allegiance”. 22 U.S.C. §212. If the federal government is willing to issue you a passport, then they regard you as a “national”, because the only type of citizenship that carries with it exclusively allegiance is that of a “national”. 8 U.S.C. §1101. See:

[Getting a USA Passport as a “state national”](#), Form #10.013  
<https://sedm.org/Forms/FormIndex.htm>

4. USA passports indicate that you are a “citizen OR national”:



“citizen/national”= “citizen” OR “national”

“/”= “virgule”

5. The quotes of our detractors above recognize only *one* of the *four* different ways of becoming a “national but not citizen of the United States” described in 8 U.S.C. §1408. They also recognize only *one* of the *three* different definitions of “United States” that a person can be a “national” of, as revealed in *Hooven & Allison Co. v. Evatt*, [324 U.S. 652](#) (1945). They also fail to recognize that an 8 U.S.C. §1452 “national but not citizen of the United States” is not necessarily the same as a “national and citizen of the United States at birth”.
6. Information derived from informal publications or advice of employees of federal agencies are *not* admissible in a court of law as evidence upon which to base a good faith belief. The *only* basis for good-faith belief is a reading of the actual statute or regulation that implements it. The reason for this is that employees of the government are frequently wrong, and frequently not only say wrong things, but in many cases the people who said them had no lawful delegated authority to say such things. See <http://famguardian.org/Subjects/Taxes/Articles/reliance.htm> for an excellent treatise from an attorney on why this is.
7. People writing the contradictory information falsely “presume” that the term “citizen” in a general sense that most Americans use is the same as the term “citizen” as used in the definition of “citizens and nationals of the United States” found in 8 U.S.C. §1401. In fact, we conclusively prove throughout this document that this is emphatically not the case. A “citizen” as used in the Internal Revenue Code and most federal statutes means a person born in a territory or possession of the United States, and *not* in a state of the Union. Americans born in states of the Union are a different type of “citizen”, and we show [Why You are a “national”, “state national”, and Constitutional but not Statutory Citizen](#), Form #05.006 that these types of people are “nationals” and “state nationals” but not “citizens” or “U.S. citizens” in the context of any federal statute.

“The 1<sup>st</sup> section of the 14<sup>th</sup> article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[\*\*\*], but citizenship of the states. No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the public journals. It had been said by eminent judges that no man was a citizen of the United States[\*\*\*] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[\*], were not citizens. Whether this proposition was sound or not had never been judicially decided.”  
[*Slaughter-House Cases*, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

We therefore challenge those who make this unwarranted presumption to provide law and evidence proving us wrong on this point. .

8. Whatever citizenship we enjoy we are entitled to abandon. This is our right, as declared both by the Congress and the Supreme Court. See Revised Statutes, section 1999, page. 350, 1868. “citizens **and** nationals of the United States” as defined in 8 U.S.C. §1401 have two statuses: “citizen” and “national”. We are entitled to abandon either of these two. If we abandon nationality, then we automatically lose the “citizen” part, because nationality is where we obtain our allegiance. But if we abandon the “citizen” part, then we still retain our nationality under 8 U.S.C. §1101(a)(21). This is the approach we advocated earlier in section 4.12.12.1. Because all citizenship must be consensual, then the government must respect our ability to abandon those types of citizenship we find objectionable. Consequently, if either you or the government believe that you are a “citizen and national of the United States” under 8 U.S.C. §1401, then you are entitled by law to abandon only the “citizen” portion and retain the “national” portion, and 8 U.S.C. §1452 tells you how to have that choice recognized by the Department of State.

Item 2 above is important, because it establishes that the federal government has no authority to write law that prescribes the citizenship status of persons born *outside* of federal territorial jurisdiction and *within* the states of the Union. The U.S. Constitution in Article 1, Section 8, Clause 4 empowers Congress to write “an uniform Rule of Naturalization”, but “naturalization” is only one of *two* ways of acquiring citizenship. Birth is the other way, and the states have exclusive jurisdiction and legislative authority over the citizenship status of those people who acquire their state citizenship by virtue of birth within states of the Union. Here is what the U.S. Supreme Court held on this subject:

*“The power of naturalization, vested in congress by the constitution, is a power to confer citizenship, not a power to take it away. ‘A naturalized citizen,’ said Chief Justice Marshall, ‘becomes a member of the society, possessing all the rights of a native citizen, and standing, in the view of the constitution, on the footing of a native. **The constitution does not authorize congress to enlarge or abridge those rights. The simple power of the national legislature is to prescribe a uniform rule of naturalization, and the exercise of this power exhausts it, so far as respects the individual.**”*

[U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]

*“A naturalized citizen is indeed made a citizen under an act of Congress, but the act does not proceed to give, to regulate, or to prescribe his capacities. **He becomes a member of the society, possessing all the rights of a native citizen, and standing, in the view of the constitution, on the footing of a native. The constitution does not authorize Congress to enlarge or abridge those rights. The simple power of the national Legislature, is to prescribe a uniform rule of naturalization, and the exercise of this power exhausts it, so far as respects the individual. The constitution then takes him up, and, among other rights, extends to him the capacity of suing in the Courts of the United States, precisely under the same circumstances under which a native might sue. He is \*828 distinguishable in nothing from a native citizen, except so far as the constitution makes the distinction. The law makes none.**”*

[Osborn v. Bank of U.S., 22 U.S. 738 (1824)]

The rules of comity prescribe whether or how this citizenship is recognized by the federal government, and by reading 8 U.S.C. §1408, it is evident that the federal government chose *not* directly recognize within Title 8 of the U.S.C. the citizenship status of persons born within states of the Union to parents neither of whom were “U.S. citizens” under 8 U.S.C. §1401 and neither of whom “resided” inside the federal zone prior to the birth of the child. We suspect that this is because not only does the Constitution not give them this authority, but more importantly because doing so would spill the beans on the true citizenship of persons born in states of the Union and result in a mass exodus from the tax system by most Americans.

As we said, there are four ways identified in 8 U.S.C. §1408 that a person may be a “national but not citizen of the United States” **at birth**. We have highlighted the section that our detractors are ignoring, and which we quote frequently on our treatment of the subject of citizenship.

[TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part I > Sec. 1408.](#)  
[Sec. 1408. - Nationals but not citizens of the United States at birth](#)

*Unless otherwise provided in section 1401 of this title, the following shall be nationals, but not citizens, of the United States at birth:*

*(1) A person born in an outlying possession of the United States on or after the date of formal acquisition of such possession;*

*(2) A person born outside the United States and its outlying possessions of parents both of whom are nationals, but not citizens, of the United States, and have had a residence in the United States, or one of its outlying possessions prior to the birth of such person;*

(3) A person of unknown parentage found in an outlying possession of the United States while under the age of five years, until shown, prior to his attaining the age of twenty-one years, not to have been born in such outlying possession; and

(4) A person born outside the United States and its outlying possessions of parents one of whom is an alien, and the other a national, but not a citizen, of the United States who, prior to the birth of such person, was physically present in the United States or its outlying possessions for a period or periods totaling not less than seven years in any continuous period of ten years -

(A) during which the national parent was not outside the United States or its outlying possessions for a continuous period of more than one year, and

(B) at least five years of which were after attaining the age of fourteen years.

The proviso of section 1401(g) of this title shall apply to the national parent under this paragraph in the same manner as it applies to the citizen parent under that section

Subsections (1), (3), and (4) above deal with persons who are born in outlying possessions of the United States, and Swains Island and American Samoa would certainly be included within these subsections. These people would be the people who are addressed by the information cited by our detractors from federal websites above. Subsection (2), however, deals with persons who are born outside of the federal United States (federal zone) to parents who are “nationals but not citizens of the United States” and who resided at one time in the federal United States. Anyone born overseas to American parents is a “non-citizen U.S. national” under this section and this status is one that is not recognized in any of the cites provided by our detractors but is recognized by the law itself. Since states of the Union are outside the federal United States and outside the “United States” used in Title 8, then parents born in states of the Union satisfy the requirement for “national but not citizen of the United States” status found in 8 U.S.C. §1408(2).

One of the complaints we get from our readers is something like the following:

*“Let’s assume you’re right and that 8 U.S.C. §1408(2) prescribes the citizenship status of persons born in a state of the Union. The problem I have with that view is that ‘United States’ means the federal zone in that section, and subsection (2) requires that the parents must reside within the ‘United States’ prior to the birth of the child. This means they must have ‘resided’ in the federal zone before the child was born, and most people don’t satisfy that requirement.”*

Let us explain why the above concern is unfounded. According to 8 U.S.C. §1408(2), the parents must also reside in the federal United States prior to the birth of the child. We assert that most people born in states of the Union do in fact meet this requirement and we will now explain why. They can meet this requirement by any one of the following ways:

1. Serving in the military or residing on a military base or occupied territory.
2. Filing an IRS form 1040 (not a 1040NR, but a 1040). The federal 1040 form says “U.S. individual” at the top left. A “U.S. individual” is defined in 26 C.F.R. §1.1441-1(c)(3) as either an “alien” residing within the federal zone with income from within the federal zone. Since “nonresident aliens” file the 1040NR form, the only thing that a person who files a 1040 form can be is a “resident alien” as defined in 26 U.S.C. §7701(b)(1) and 26 C.F.R. §1.1-1(a)(2)(ii) or a “citizen” residing abroad who attaches a form 2555 to the 1040. See Great IRS Hoax, Form #11.302, Section 5.2.17 for further details on this if you are curious. Consequently, being a “resident alien” qualifies you as a “resident”. You are not, in fact a resident because you didn’t physically occupy the federal zone for the year covered by the tax return, but if the government is going to treat you as a “resident” by accepting and processing your tax return, then they have an obligation to treat either you or your parents as “residents” in all respects, including those related to citizenship. To do otherwise would be inconsistent and hypocritical.
3. Spending time in a military hospital.
4. Visiting federal property or a federal reservation within a state routinely as a contractor working for the federal government.
5. Working for the federal government on a military reservation or inside of a federal area.
6. Sleeping in a national park.
7. Spending time in a federal courthouse.

The reason why items 3 through 7 above satisfy the requirement to be a “resident” of the federal United States is because the term “resident” is nowhere defined in Title 8 of the U.S. Code, and because of the definition of “resident” in Black’s Law Dictionary:

1            **“Resident.** Any person who occupies a dwelling within the State, has a present intent to remain within the State  
 2 for a period of time, and manifests the **genuineness of that intent by establishing an ongoing physical presence**  
 3 **within the State together with indicia that his presence within the State is something other than merely**  
 4 **transitory in nature.”**  
 5            [Black’s Law Dictionary, Sixth Edition, p. 1309]

6 The key word in the above is “permanent”, which is defined as it pertains to citizenship in 8 U.S.C. §1101(a)(31) below:

7            [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101](#)  
 8            [Sec. 1101. - Definitions](#)

9            (a) As used in this chapter—

10            (31) The term "permanent" means a relationship of continuing or lasting nature, as distinguished from temporary,  
 11 but a relationship may be permanent even though it is one that may be dissolved eventually at the instance either  
 12 of the United States or of the individual, in accordance with law.

13 Since Title 8 does not define the term “lasting” or “ongoing” or “transitory”, we referred to the regular dictionary, which  
 14 says:

15            **“lasting:** existing or continuing a long while: ENDURING.”  
 16            [Webster’s Ninth New Collegiate Dictionary, 1983, ISBN 0-87779-510-X, p. 675]

17            **“ongoing:** 1. being actually in process 2: continuously moving forward; GROWING”  
 18            [Webster’s Ninth New Collegiate Dictionary, 1983, ISBN 0-87779-510-X, p. 825]

19            **“transitory:** 1: tending to pass away: not persistent 2: of brief duration: TEMPORARY syn see TRANSIENT.”  
 20            [Webster’s Ninth New Collegiate Dictionary, 1983, ISBN 0-87779-510-X]

21 No period of time is specified in order to meet the criteria for “permanent”, so even if we lived there a day or a few hours,  
 22 we were still there “permanently”. The Bible also says in Matt. 6:26-31 that we should not be anxious or presumptuous about  
 23 tomorrow and take each day as a new day. The last verse in that sequence says:

24            **“Therefore do not worry about tomorrow, for tomorrow will worry about its own trouble.”**  
 25            [Matt. 6:31, Bible, NKJV]

26 In fact, we are not allowed to be presumptuous at all, which means we aren’t allowed to assume or intend anything about the  
 27 future. Our future is in the hands of a sovereign Lord, and we exist by His good graces alone.

28            **“Come now, you who say, ‘Today or tomorrow we will go to such and such a city, spend a year there, buy and**  
 29 **sell, and make a profit’; whereas you do not know what will happen tomorrow. For what is your life? It is even**  
 30 **a vapor that appears for a little time and then vanishes away. Instead you ought to say, ‘If the Lord wills, we**  
 31 **shall live and do this or that.’ But now you boast in your arrogance. All such boasting is evil.”**  
 32            [James 4:13-16, Bible, NKJV]

33            **“But the person who does anything presumptuously, whether he is native-born or a stranger, that one brings**  
 34 **reproach on the Lord, and he shall be cut off from among his people.”**  
 35            [Numbers 15:30, Bible, NKJV]

36 Consequently, the Christian’s definition of “permanent” is anything that relates to what we intend for today only and **does**  
 37 **not** include anything that might happen starting tomorrow or at any time in the future beyond tomorrow. Being presumptuous  
 38 about the future is “boastful” and “evil”, according to the Bible! The future is uncertain and our lives are definitely not  
 39 “permanent” in God’s unlimited sense of eternity. Therefore, wherever we are is where we “intend” to permanently reside  
 40 as Christians.

41 Even if you don’t like the above analysis of why most Americans born in states of the Union are “nationals but not citizens  
 42 of the United States” under 8 U.S.C. §1408(2), we still explained above that you have the right to abandon only the “citizen”  
 43 portion and retain the “national” portion of any imputed dual citizenship status under 8 U.S.C. §1401. We also show you  
 44 how to have that choice formally recognized by the U.S. Department of State in section 2.5.3.13 of the *Sovereignty Forms*  
 45 *and Instructions Manual*, Form #10.005 under the authority of 8 U.S.C. §1452, and we know people who have successfully  
 46 employed this strategy, so it must be valid.

1 Furthermore, even if you don't want to believe that any of the preceding discussion is valid, we also explained that the federal  
 2 government cannot directly prescribe the citizenship status of persons born within states of the Union under international law.  
 3 To illustrate this fact, consider the following extension of a popular metaphor:

4 *"If a tree fell in the forest, and Congress refused to pass a law recognizing that it fell and forced the agencies in  
 5 the executive branch to refuse to acknowledge that it fell because doing so would mean an end to income tax  
 6 revenues, then did it really fall?"*

7 The answer to the above questions is emphatically "yes". We said that the rules of comity prevail in that case the federal  
 8 government recognizing the citizenship status of those born in states of the Union. But what indeed is their status under  
 9 federal law? 8 U.S.C. §1101(a)(21) defines a "national" as:

10 [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)  
 11 [Sec. 1101. - Definitions](#)

12 (a) As used in this chapter—

13 (21) The term "national" means a person owing permanent allegiance to a state.

14 If you were born in a state of the Union, you are a "national of the United States\*\*\*\*" because the "state" that you have  
 15 allegiance to is the confederation of states called the "United States\*\*\*". As further confirmation of this fact, if  
 16 "naturalization" is defined as the process of **conferring** "nationality" under 8 U.S.C. §1101(a)(23), and "expatriation" is  
 17 defined as the process of **abandoning** "nationality and allegiance" by the Supreme Court in *Perkins v. Elg*, 307 U.S. 325  
 18 (1939), then "nationality" is the key that determines citizenship status. What makes a person a "national" is "allegiance" to  
 19 a state. The only type of citizenship which carries with it the notion of "allegiance" is that of "national", as shown in 8 U.S.C.  
 20 §1101(a)(21) and 8 U.S.C. §1101(a)(22)(B). You will not find "allegiance" mentioned anywhere in Title 8 in connection  
 21 with those humans who claim to be "nationals and citizens of the United States at birth" as defined in 8 U.S.C. §1401:

22 [TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)  
 23 [Sec. 1101. - Definitions](#)

24 (a) As used in this chapter—

25 (22) The term "national of the United States[\*]" means

26 (A) a citizen of the United States[\*\*], or

27 (B) a person who, though not a citizen of the United States[\*\*], owes permanent [but not necessarily exclusive]  
 28 allegiance to the United States[\*].

29 People born in states of the Union can and most often do have allegiance to the confederation of states called the "United  
 30 States" just as readily as people who were born on federal property, and the federal government under the rules of comity  
 31 should be willing to recognize that allegiance without demanding that such humans surrender their sovereignty, become tax  
 32 slaves, and come under the exclusive jurisdiction of federal statutes by pretending to be people who live in the federal zone.  
 33 Not doing so would be an injury and oppression of their rights, and would be a criminal conspiracy against rights, because  
 34 remember, people who live inside the federal zone have no rights, by the admission of the U.S. Supreme Court in *Downes v.*  
 35 *Bidwell*, 182 U.S. 244 (1901):

36 [TITLE 18 > PART 1 > CHAPTER 13 > Sec. 241.](#)  
 37 [Sec. 241. - Conspiracy against rights](#)

38 *If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory,  
 39 Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him  
 40 by the Constitution or laws of the United States, or because of his having so exercised the same; or*

41 *If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or  
 42 hinder his free exercise or enjoyment of any right or privilege so secured -*

43 *They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the  
 44 acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated  
 45 sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under  
 46 this title or imprisoned for any term of years or for life, or both, or may be sentenced to death*

1 It would certainly constitute a conspiracy against rights to force or compel a person to give up their true citizenship status in  
 2 order to acquire any kind of citizenship recognition from a corrupted federal government. The following ruling by the U.S.  
 3 Supreme Court plainly agrees with these conclusions:

4 *“It would be a palpable incongruity to strike down an act of state legislation which, by words of express*  
 5 *divestment, seeks to strip the citizen of rights guaranteed by the federal Constitution, but to uphold an act by*  
 6 *which the same result is accomplished under the guise of a surrender of a right in exchange for a valuable*  
 7 *privilege which the state threatens otherwise to withhold. It is not necessary to challenge the proposition that,*  
 8 *as a general rule, the state, having power to deny a privilege altogether, may grant it upon such conditions as*  
 9 *it sees fit to impose. But the power of the state in that respect is not unlimited, and one of the limitations is*  
 10 *that it may not impose conditions which require the relinquishment of Constitutional rights. If the state may*  
 11 *compel the surrender of one constitutional right as a condition of its favor, it may, in like manner, compel a*  
 12 *surrender of all. It is inconceivable that guaranties embedded in the Constitution of the United States may*  
 13 *thus be manipulated out or existence.”*

14 [*Frost v. Railroad Commission, 271 U.S. 583, 46 S.Ct. 605 (1926)*]

15 Lastly, we will close this section with a list of questions aimed at those who still challenge our position on being a “national  
 16 of the United States\*?”. If you are going to lock horns with us or throw rocks, please start by answering the following questions  
 17 or your inquiry will be ignored. Remember Abraham Lincoln’s famous saying: “*He has a right to criticize who has a heart*  
 18 *to help.*”:

19 1. By what authority can a state national get a passport if they are NOT a “national of the United States\*?”?

20 22 U.S.C. §212

21 *No passport shall be granted or issued to or verified for any other persons than those owing allegiance, whether*  
 22 *citizens or not, to the United States*

23 \_\_\_\_\_  
 24 **Title 22: Foreign Relations**  
 25 [PART 51—PASSPORTS](#)  
 26 [Subpart A—General](#)  
 27 [§51.2 Passport issued to nationals only.](#)

28 (a) A United States passport shall be issued only to a national of the United States (22 U.S.C. 212).

29 (b) *Unless authorized by the Department no person shall bear more than one valid or potentially valid U.S.*  
 30 *passport at any one time.*

31 [*SD-165, 46 FR 2343, Jan. 9, 1981*]

32 2. Is the “citizen” mentioned in 8 U.S.C. §1101(a)(22)(A) the SAME “citizen” mentioned in 8 U.S.C. §1401?

33 [Title 8 › Chapter 12 › Subchapter I › § 1101](#)  
 34 [8 U.S. Code § 1101 - Definitions](#)

35 (a) *As used in this chapter—*

36 (22) *The term “[national of the United States\[\\*\\*\]](#)” means*

37 **(A) a citizen of the United States[\*\*], or**

38 **(B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.**

39 2.1. If you assert that the paragraph (A) “citizen of the United States\*?” includes Fourteenth Amendment  
 40 CONSTITUTIONAL citizens, then where is the authority to include them, since the U.S. Supreme Court held in  
 41 *Rogers v. Bellei, 401 U.S. 815 (1971)* that 8 U.S.C. §1401 and Fourteenth Amendment CONSTITUTIONAL  
 42 citizens are NOT equivalent?

43 2.2. If you assert that the paragraph (A) “citizen of the United States\*?” does NOT include Fourteenth Amendment  
 44 CONSTITUTIONAL citizens then you can’t avoid agreement with our conclusions about “national” status.

3. "Expatriation" is defined in *Perkins v. Elg*, 307 U.S. 325 (1939) as:

*"Expatriation is the voluntary renunciation or abandonment of nationality and allegiance."  
[Perkins v. Elg, 307 U.S. 325; 59 S.Ct. 884; 83 L.Ed. 1320 (1939)]*

How can you abandon your nationality as a "national" or "state national" with the Secretary of the State of the United States under 8 U.S.C. §1481 if you didn't have it to begin with?

4. Naturalization is defined in 8 U.S.C. §1101(a)(23) as:

*8 U.S.C. §1101*

*(a) As used in this chapter—*

*(23) The term "naturalization" means the conferring of **nationality** [NOT "citizenship" or "U.S. citizenship", but "nationality", which means "**national**"] of a state upon a person after birth, by any means whatsoever. "*

How can you say a person isn't a "national" after they were naturalized, and if they are, what type of "national" do they become? As a "national" born or naturalized outside of federal jurisdiction and the "United States", do they meet the requirements of 8 U.S.C. §1452 and if not, why not? All law is prima facie territorial. Ex parte Blain, L. R., 12 Ch.Div. 522, 528; State v. Carter, 27 N.J.L. 499; People v. Merrill, 2 Park. Crim. Rep. 590, 596.

5. If the Supreme Court declared that the United States\*\*\* defined in the Constitution is not a "nation", but a "society" in *Chisholm v. Georgia*:

*"By that law the several States and Governments spread over our globe, are considered as forming a society, not a NATION. It has only been by a very few comprehensive minds, such as those of Elizabeth and the Fourth Henry, that this last great idea has been even contemplated. 3rdly. and chiefly, I shall examine the important question before us, by the Constitution of the United States, and the legitimate result of that valuable instrument. "  
[Chisholm v. Georgia, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793)]*

...then what exactly does it mean to be a "national of the United States\*\*\*" within the meaning of the Constitution and not federal statutes or Title 8 of the U.S. Code?

6. If a "national" is defined in 8 U.S.C. §1101(a)(21) simply as a person who owes "allegiance" to the United States\*\*\*, then why can't a human who lives in a state of the union have allegiance to the confederation of states called the "United States\*\*\*", which the U.S. Supreme Court held above was a "society" and not a "nation". And what would you call that "society", if it wasn't a "nation"? The Supreme Court said in *Hooven and Allison v. Evatt* that there are three geographical definitions of the term "United States" and one of those definitions includes the following, which is what I claim to be a "national" of:

*"It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations."  
[Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945)]*

7. How come I can't have allegiance to the "society" called "United States\*\*\*" described in the Constitution and define that "society" as being the country and not the OTHER two types of "United States\*\*" found in federal statutes, which are synonymous with the "federal zone" and not the country?

8. The federal government has exclusive jurisdiction over the following issues:

8.1. "naturalization", under Article 1, Section 8, Clause 4 of the U.S. Constitution.

8.2. The citizenship status of persons born in its territories or possessions.

However, the federal government has no power to determine citizenship by birth of person born in states of the Union, because the Constitution does not confer upon them that power. The only constitutional legislative power the national government has is over NATURALIZATION, not over citizenship at birth. All the cases and authorities that detractors of our position like to cite relate ONLY to the above subject matters, which are all governed exclusively by federal law, which does not apply within states of the Union for this subject matter. Please therefore show us a case that involves a

1 person born in a state of the Union and not on a territory or possession in which the person claimed to be a “national”,  
2 and show us where the court said they weren’t. You absolutely won’t find such a case!

### 3 **4.12.8.12 Sovereign Immunity of State Nationals**

4 There are big legal advantages to being an “American national” or “state national” instead of a “U.S. citizen”. An “American  
5 national” or simply “national” born within and living within a state of the Union is technically the equivalent of an  
6 instrumentality of a “foreign state” under the federal Foreign Sovereign Immunities Act (F.S.I.A.).

7 *Foreign States: “Nations outside of the United States...Term may also refer to another state; i.e. a sister state.  
8 The term ‘foreign nations’, ...should be construed to mean all nations and states other than that in which the  
9 action is brought; and hence, one state of the Union is foreign to another, in that sense.”  
10 [Black’s Law Dictionary, Sixth Edition, p. 648]*

11 Below is the explanation of a “foreign state” from the Department of State website:

12 *Section 1603(b) defines an “agency or instrumentality” of a foreign state as an entity (1) which is a separate legal  
13 person, corporate or otherwise, and (2) which is an organ of a foreign state or political subdivision thereof, or a  
14 majority of whose shares or other ownership interest is owned by a foreign state or political subdivision thereof,  
15 and (3) which is neither a citizen of the a state of the United States as defined in Sec. 1332(c) and (d) nor created  
16 under the laws of any third country. An instrumentality of a foreign state includes a corporation, association, or  
17 other juridical person a majority of whose shares or other ownership interests are owned by the state, even when  
18 organized for profit.  
19 [Department of State Website, [http://travel.state.gov/law/info/judicial/judicial\\_693.html](http://travel.state.gov/law/info/judicial/judicial_693.html)]*

20 The FSIA itself defines “foreign state” as follows:

21 [TITLE 28](#) > [PART IV](#) > [CHAPTER 97](#) > § 1603  
22 [§ 1603. Definitions](#)

23 *For purposes of this chapter—*

24 *(a) A “foreign state”, except as used in section 1608 of this title, includes a political subdivision of a foreign state  
25 or an agency or instrumentality of a foreign state as defined in subsection (b).*

26 *(b) An “agency or instrumentality of a foreign state” means any entity—*

27 *(1) which is a separate legal person, corporate or otherwise, and*

28 *(2) which is an organ of a foreign state or political subdivision thereof, or a majority of whose shares or other  
29 ownership interest is owned by a foreign state or political subdivision thereof, and*

30 *(3) which is neither a citizen of a State of the United States as defined in section 1332 (c) and (d) of this title, nor  
31 created under the laws of any third country.*

32 *(c) The “United States” includes all territory and waters, continental or insular, subject to the jurisdiction of the  
33 United States.*

34 The statute above says in paragraph (b)(3) that a person cannot be an instrumentality of a “foreign state” if they are a  
35 STATUTORY “citizen of the United States” under 8 U.S.C. §1401, which is exactly the description of a person who is a  
36 “national” or “state national” but not a “U.S. citizen”. Under the FSIA, a “nation” is simply a group of people who have their  
37 own internal laws to govern themselves. A church, for instance, qualifies as a self-governing “nation”, if:

- 38 1. It has its own rules and laws (God’s laws)
- 39 2. Its own ecclesiastical courts to govern internal disputes.
- 40 3. None of its members are “U.S. citizens” under 8 U.S.C. §1401.

41 The ministers of such a church are “instrumentalities of a foreign state” within the meaning of the FSIA, and they are immune  
42 from federal suit or IRS collection actions pursued under the authority of federal law. Of course, they cannot be immune  
43 from federal law if they conduct “commerce” with “the Beast” by signing up for any social welfare benefit, because the FSIA  
44 says so:



[TITLE 28 > PART IV > CHAPTER 97 > § 1605](#)  
[§ 1605. General exceptions to the jurisdictional immunity of a foreign state](#)

(a) *A foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case—[. . .]*

(2) *in which the action is based upon a commercial activity carried on in the United States by the foreign state; or upon an act performed in the United States in connection with a commercial activity of the foreign state elsewhere; or upon an act outside the territory of the United States in connection with a commercial activity of the foreign state elsewhere and that act causes a direct effect in the United States;*

However, so long as members of the church maintain complete economic separation from “the Beast”, they can maintain their status as a “foreign state” and the sovereign immunity that goes with it.

Likewise, a sovereign “American National” also qualifies as a “foreign state” because he participates in the government of a state of the Union, which is “foreign” with respect to the federal government, as you will learn in the next chapter. He is an instrumentality of the foreign state by virtue of his participation in it as:

1. A jurist
2. A voter
3. An elected official.
4. A “taxpayer”.

Those private individuals who believe in God also qualify as ministers and fiduciaries of a “foreign state” as God’s ambassadors and ministers. The name of the “foreign state” is “Heaven” and their home or domicile qualifies as a “foreign embassy”. They are also entitled to diplomatic immunity. See the following page of the Department of State for details on diplomatic immunity:

Department of State Office of Foreign Missions (OFM)  
<http://www.state.gov/ofm/>

If you study the subject of diplomatic immunity as we have, you will learn that such “foreign diplomats” are not subject to the laws of other foreign states, even when resident therein, and are also not subject to taxation of the foreign state. More information is available on this subject below:

[Law and Government Topic](http://famguardian.org/Subjects/LawAndGovt/LawAndGovt.htm), Family Guardian Fellowship, Section 9: Challenging Jurisdiction  
<http://famguardian.org/Subjects/LawAndGovt/LawAndGovt.htm>

Sovereign American Nationals are also protected by 18 U.S.C. §112, which is as follows:

[TITLE 18 > PART I > CHAPTER 7 > § 112](#)  
[112. Protection of foreign officials, official guests, and internationally protected persons](#)

(a) *Whoever assaults, strikes, wounds, imprisons, or offers violence to a foreign official, official guest, or internationally protected person or makes any other violent attack upon the person or liberty of such person, or, if likely to endanger his person or liberty, makes a violent attack upon his official premises, private accommodation, or means of transport or attempts to commit any of the foregoing shall be fined under this title or imprisoned not more than three years, or both. Whoever in the commission of any such act uses a deadly or dangerous weapon, or inflicts bodily injury, shall be fined under this title or imprisoned not more than ten years, or both.*

(b) *Whoever willfully—*

(1) *intimidates, coerces, threatens, or harasses a foreign official or an official guest or obstructs a foreign official in the performance of his duties;*

(2) *attempts to intimidate, coerce, threaten, or harass a foreign official or an official guest or obstruct a foreign official in the performance of his duties; or*

(3) *within the United States and within one hundred feet of any building or premises in whole or in part owned, used, or occupied for official business or for diplomatic, consular, or residential purposes by—*

1 (A) a foreign government, including such use as a mission to an international organization;

2 (B) an international organization;

3 (C) a foreign official; or

4 (D) an official guest;

5 congregates with two or more other persons with intent to violate any other provision of this section;

6 shall be fined under this title or imprisoned not more than six months, or both.

7 (c) For the purpose of this section "foreign government", "foreign official", "internationally protected person",  
8 "international organization", "national of the United States", and "official guest" shall have the same meanings  
9 as those provided in section 1116 (b) of this title.

10 The last question we must address about sovereignty is to identify precisely and exactly what activities a sovereign must  
11 avoid in order to prevent losing his sovereignty and his legal and judicial immunity within federal courts. This subject is  
12 dealt with in the context of the federal Foreign Sovereign Immunities Act (F.S.I.A.), which grants judicial immunity from  
13 suit for most foreign states and governments and instrumentalities of foreign states, including states of the Union and the  
14 people living within them. The Department of State maintains a website that summarizes the details of the FSIA at:

15 <https://www.state.gov/wp-content/uploads/2019/05/2017-Digest-Chapter-10-.pdf>

16 Below is an all-inclusive specific list of exceptions to the FSIA from the above website that cause a sovereign to lose immunity  
17 in a federal court and thereby subject themselves to the jurisdiction of the federal court. The numbers are section numbers  
18 from the Foreign Sovereign Immunities Act of 1976, which is codified in 28 U.S.C. Chapter 97, starting with section 1602.

- 19 1. **1605(a)(1)** - explicit or implicit waiver of immunity by the foreign state;
- 20 2. **1605(a)(2)** - commercial activity carried on in the United States [federal zone] or an act performed in the United States  
21 in connection with a commercial activity elsewhere, or an act in connection with a commercial activity of a foreign state  
22 elsewhere that causes a direct effect in the United States;
- 23 3. **1605(a)(3)** - property taken in violation of international law is at issue;
- 24 4. **1605(a)(4)** - rights in property in the United States acquired by succession or gift or rights in immovable property situated  
25 in the United States are at issue;
- 26 5. **1605(a)(5)** - money damages are sought against a foreign state for personal injury or death, or damage to or loss of  
27 property, occurring in the United States [federal zone] and caused by the tortious act or omission of that foreign state;
- 28 6. **1605(a)(6)** - action brought to enforce an agreement made by the foreign state with or for the benefit of a private party  
29 to submit to arbitration;
- 30 7. **1605(a)(7)** - money damages are sought against a foreign state for personal injury or death that was caused by an act of  
31 torture, extrajudicial killing, aircraft sabotage, hostage taking, or the provision of material support or resources for such  
32 an act, if the foreign state is designated as a state sponsor of terrorism under section 6(j) of the Export Administration  
33 Act of 1979 (50 U.S.C. App 2405(j)) or Section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).
- 34 8. **1605(b)** - a suit in admiralty is brought to enforce a maritime lien against a vessel or cargo of the foreign state which  
35 maritime lien is based upon a commercial activity of the foreign state.

36 From among the list above, the only exceptions that are relevant to American nationals who are not "U.S. citizens" is items  
37 #1 and #2 above. First, we'll talk about #2. Receipt of Social Security benefits, tax deductions, Earned Income Credit, or a  
38 graduated rate of tax certainly qualifies as "commercial activity" because all of these benefits can only be claimed by those  
39 with income "effectively connected with a trade or business in the United States". Consequently, it ought to be clear, as we  
40 point out throughout this book, that you cannot accept any benefits from the U.S. government that you didn't earn and still  
41 maintain your sovereignty and sovereign immunity in a federal district court. The other important conclusion to be drawn  
42 from this exception is that the "commercial activity" must occur in the "United States", which under the Internal Revenue  
43 Code means the District of Columbia. This explains why 26 U.S.C. §7701(a)(39) says that all those subject to the code shall  
44 be treated as though they reside in the District of Columbia for the purposes of judicial jurisdiction. Is the picture becoming  
45 clearer?

The other exception that applies above within the FSIA was #1, which is “explicit or implicit waiver of immunity by the foreign state”. When you sign any federal form under penalty of perjury, you in effect waive your sovereign immunity, because now a federal judge will have jurisdiction to penalize you if you lied on the form. Furthermore, if the form also has the potential to produce a “refund” of taxes paid, you are also meeting exception #2 above because now you are engaging in “commercial activity” with the “United States” as well. This is why it is a bad idea to sign a federal tax form under penalty of perjury without at least qualifying the perjury statement to exclude all other instances of federal jurisdiction, so as to ensure that you continue to enjoy sovereign immunity.

The one hypocrisy with the FSIA is that it doesn’t apply to the relationship between the U.S. government and an American national who has been harmed by the government. For instance, if they stole money from you, then you need their permission to recover it because you can’t sue the U.S. government without its permission. The reverse, however, is frequently not true. Therefore, being a foreign sovereign by virtue of being an “American national” who is not also a “U.S. citizen” is at least one example where Americans are deprived of “the equal protection of the laws” mandated by Section 1 of the Fourteenth Amendment. Our society is based on the “equal protection of the laws”, and therefore this would appear to be an injustice that must be righted eventually by our courts.

#### 4.12.8.13 Conclusions

Our conclusions then to the matters at our disposal are the following based on the above reasonable analysis:

1. The “United States\*\*\*” defined in Section 1 of the Fourteenth Amendment means the states of the Union while the “United States\*\*” appearing in federal statutes in most cases, means the federal zone. For instance, the definition of “United States\*\*” relating to citizenship and found in 8 U.S.C. §1101(a)(38) means the federal zone, as we prove in the following:

Tax Deposition Questions, Form #03.016, Questions 77 through 82 located at: <a href="http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section 14.htm">http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section 14.htm</a> .
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2. Most Americans, and especially those born in and living within states of the Union are statutory “nationals” or “state nationals” rather than statutory “U.S.\*\* citizens”, “citizens and nationals of the United States\*\*”, or “U.S. nationals” under all “acts of Congress” and federal statutes. The Internal Revenue Code is an “act of Congress” and a federal statute.
3. The government has deliberately tried to confuse and obfuscate the laws on citizenship to fool the average American into incorrectly declaring that they are “U.S. citizens” in order to be subject to their laws and come under their jurisdiction. See section 4.11.10 of our *Great IRS Hoax*, Form #11.302 book for complete details on how they have done it.
4. The courts have not lived up to their role in challenging unconstitutional exercises of power by the other branches of government or in protecting our Constitutional rights. They are on the take like everyone else who works in the federal government and have conspired with the other branches of government in illegally expanding federal jurisdiction.
5. Once the feds used this ruse with words to get Americans under their corrupted jurisdiction as statutory “U.S. citizens” and presumed “taxpayers”, our federal “servants” have then made themselves into the “masters” by subjecting sovereign Citizens to their corrupted laws within the federal zone that can disregard the Constitution because the Constitution doesn’t apply in these areas. By so doing, they can illegally enforce their income tax laws and abuse their powers to plunder the assets, property, labor, and lives of most Americans in the covetous pursuit of money that the law and the Constitution did not otherwise entitle them to. This act to subvert the operation of the Constitution amounts to an act of war and treason on the sovereignty of Americans and the sovereign states that they are domiciled in, punishable under Article III, Clause 3 of the U.S. Constitution with death by execution.

If you would like to read a law review article on the subject of who are “non-citizen nationals of the United States\*\*”, please see:

<u><i>Our Non-Citizen Nationals, Who are They?</i></u> , California Law Review, Vol. XIII, Sept. 1934, Number 6, pp. 593-635, SEDM Exhibit #01.010 <a href="http://sedm.org/Exhibits/ExhibitIndex.htm">http://sedm.org/Exhibits/ExhibitIndex.htm</a>
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#### 4.12.9 Summary of Constraints Applying to Statutory “State National” Status

So basically, if you owe allegiance to your state and are a constitutional “citizen” of that state, you are a “national” under federal law. But how does that affect one’s voting rights? Below is the answer for California:

CALIFORNIA CONSTITUTION  
ARTICLE 2 VOTING, INITIATIVE AND REFERENDUM, AND RECALL

SEC. 2. A United States[\*\*] citizen 18 years of age and resident in this State may vote.

The situation may be different for other states. If you are domiciled in a state other than California, you will need to check the laws of your specific home state in order to determine whether the prohibition against voting applies to “nationals” in your state. If authorities give you a bad time about trying to register to vote without being a STATUTORY “U.S.\*\* citizen”, then show them the Declaration of Independence, which says:

*“We hold these truths to be self-evident, that all men 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.—*

Emphasize that it doesn’t say “endowed by their government” or “endowed by their federal citizenship” or “endowed by their registrar of voters”, but instead “endowed by their CREATOR”. The rights to life, liberty, and the pursuit of happiness certainly include suffrage and the right to own property. Suffrage is necessary in turn to protect personal property from encroachment by the government and socialistic fellow citizens. These are not “privileges” that result from *federal citizenship*. They are rights that result from birth! Thomas Jefferson said so:

*“A free people [claim] their rights as derived from the laws of nature, and not as the gift of their chief magistrate.”  
[Thomas Jefferson: Rights of British America, 1774. ME 1:209, Papers 1:134]*

*“Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with His wrath?”  
[Thomas Jefferson: Notes on Virginia Q.XVIII, 1782. ME 2:227 ]*

We will now analyze the constraints applying to “nationals” :

**1. Right to vote:**

- 1.1. “nationals” or “state nationals” can register to vote under laws in most states but must be careful how they describe their status on the voter registration application.
- 1.2. Some state voter registration forms have a formal affidavit by which signer swears, under penalties of perjury, that s/he is a “citizen of the United States\*\*” or a “U.S.\*\* citizen”.
- 1.3. Such completed affidavits become admissible evidence and conclusive proof that signer is a “citizen of the United States\*\*” under federal statutes, which is not the same thing as a “national” or “state national”.

**2. Right to serve on jury duty:**

- 2.1. “nationals” or “state nationals” can serve on jury duty under most state laws. If your state gives you trouble by not allowing you to serve on jury duty as a “national”, you are admonished to litigate to regain your voting rights and change state law.
- 2.2. Some state jury summons forms have a section that allows persons to disqualify themselves from serving on jury duty if they do not claim to be “citizens of the United States\*\*”. We should return the summons form with an affidavit claiming that we want to serve on jury duty and are “nationals” rather than “citizens” of the United States\*\*. If they then disqualify us from serving on jury duty, we should litigate to regain our right to serve on juries.

3. The exercise of federal citizenship, including voting and serving on jury duty, is a statutory privilege which can be created, taxed, regulated and even revoked by Congress! Please reread section 4.3 of *The Great IRS Hoax*, Form #11.302 book about “Government instituted slavery using privileges” for clarification on what this means. In effect, the government, through operation of law, has transformed a right into a taxable privilege, .
4. The exercise of “national” Citizenship is an unalienable Right which Congress cannot tax, regulate or revoke under any circumstances.
5. Such a Right is guaranteed by the U.S. Constitution, which Congress cannot amend without the consent of three-fourths of the Union States.

**4.12.10 Federal citizenship**

*“All government without the consent of the governed is the very definition of slavery.”  
[Jonathan Swift]*

1 **4.12.10.1 Types of citizenship under federal law**

2 At present, there are three types of federal citizenship identified in Title 8 of the U.S. Code, which is an “act of Congress”:

3

Table 4-32: Types of federal citizens under federal law

#	Legal name	Where born	Defined in	Common name	Description
1	“nationals but not citizens of the United States <b>at birth</b> ”	1. American Samoa 2. Swains Island	<a href="#">8 U.S.C. §1408</a> <a href="#">8 U.S.C. §1101(a)(22)(B)</a> ; <a href="#">8 U.S.C. §1452</a>	“U.S.[**] national”	The U.S. Supreme Court and the Constitution call these people “citizens of the United States”. See section 4.12.10.8 later for details. Used on the 1040NR form to describe people who file that form. Does not describe people who are not born in the federal United States.
2	“U.S.A. *** national” or “state national” or “Constitutional but not statutory U.S. *** citizen”	states of the Union	<a href="#">8 U.S.C. §1101(a)(21)</a>	“national” or “state national”	This person is not necessarily the same as the “U.S. national” above, because it includes people who born in states of the Union. Notice that this term does not mention 8 U.S.C. §1408 citizenship nor confine itself only to citizenship <b>by birth</b> in the federal zone. Therefore, it also includes people born in states of the Union.
3	“nationals and citizens of the United States** <b>at birth</b> ”	1. District of Columbia 2. Puerto Rico 3. Guam 4. Virgin Islands 5. Foreign country/abroad to at least one “national” parent.	<a href="#">8 U.S.C. §1401</a> ; <a href="#">8 U.S.C. §1101(a)(22)(A)</a>	“U.S.[**] citizen”	All “U.S. citizens” are also “nationals” per <a href="#">8 U.S.C. §1401</a> but “nationals” are not necessarily “U.S. citizens” as per <a href="#">8 U.S.C. §1101(a)(22)(B)</a> . <sup>193</sup> . Term used on the 1040 form to describe the children who are being claimed as deductions.

Throughout the remainder of this book, when we refer generically to “nationals”, we mean statuses 1 or 2 above, which includes “nationals but not citizens of the United States **at birth**” under 8 U.S.C. §1408 or “nationals, but not citizens” under 8 U.S.C. §1101(a)(21). STATUTORY “Nationals but not citizens” under 8 U.S.C. §1452 and “Nationals but not citizens **at birth**” under 8 U.S.C. §1408 includes only those born in American Samoa and Swains Island.

It is very important to be mindful of the *context* whenever you hear or use the term “citizen of the United States” or “U.S. citizen”, because the term “United States” has an *entirely different meaning* in federal statutes or “acts of Congress” than it has in the Constitution. This is especially true when filling out government forms. The differences in meaning of these terms between the Constitution and “acts of Congress” is a direct result of the fact that the federal government has no police powers within the states, as we discussed earlier in section 4.8. In the Constitution and the rulings of the Supreme Court, the term “United States” means *the collective states of the Union* while in federal statutes or “acts of Congress”, it means the federal zone. Watch out! Here is a quick summary of the effects on meanings based on this very important observation:

<sup>193</sup> See 7 Foreign Affairs Manual (F.A.M.), Section 1111.1 available from: <http://foia.state.gov/famdir/masterdocs/07fam/07m1110.pdf>

Table 4-33: Summary of citizenship terms within their context

#	Term	Contextual meaning		
		Constitution and rulings of the U.S. supreme Court	Federal statutes or "acts of Congress"	State statutes
1	"citizen"	"National" of the collective states of the Union as described in <i>Minor v. Happersett</i> , 88 U.S. 162 (1874) and 8 U.S.C. §1101(a)(21)	"National" of the federal zone as defined in 8 U.S.C. §1401	"national" of the "state"
2	"citizen of the United States"	"National" of the collective states of the Union or "United States****" as defined in 8 U.S.C. §1101(a)(21)	Territorial citizen born in the federal zone as defined in 8 U.S.C. §1401	"National" of the country "United States" as defined in 8 U.S.C. §1101(a)(21)
3	"U.S. citizen"	Not used	Territorial citizen born in the federal zone as defined in 8 U.S.C. §1401	"National" of the <u>country</u> "United States" as defined in 8 U.S.C. §1101(a)(21)
4	"national of the United States*"	Not used	"National" defined in 8 U.S.C. §1101(a)(22)	Not used
5	"national"	Not defined, but equivalent to a Fourteenth Amendment, Section 1 citizen	8 U.S.C. §1101(a)(21) and 8 U.S.C. §1101(a)(22)(B)	Not used
6	"U.S. national"	Not used	"National" of the federal zone ("United States**") as defined in 8 U.S.C. §1408 or 8 U.S.C. §1452	Not used
7	"citizen of the United States of America"	"National" of the collective states of the Union as described in <i>Minor v. Happersett</i> , 88 U.S. 162 (1874) and 8 U.S.C. §1101(a)(21)	Not used	Not used
8	"national but not citizen of the United States***"	Person born in a federal possession and domiciled there.	8 U.S.C. §1452 and 8 U.S.C. §1408	Not used

"citizen of the United States\*\*\*\*" status under the Constitution is the equivalent of "a person who, though not a citizen of the United States, owes permanent allegiance to the United States\*" status under 8 U.S.C. §1101(a)(22)(B). "national and citizen of the United States\*\*\*" under 8 U.S.C. §1401, on the other hand, is a PRIVILEGE and not a right that can be revoked by fiat at any time:

*"To be a citizen of the United States is a political privilege which no one, not born to, can assume without its consent in some form."*  
[Elk v. Wilkins, 112 U.S. 94 (1884)]

The Fourteenth Amendment did not create "citizen of the United States" status or add any restrictions to the existing citizenship laws, but simply allayed doubts and controversies that had arisen prior to that time:

*"...the opening sentence of the fourteenth amendment is throughout affirmative and declaratory, intended to allay doubts and to settle controversies which had arisen, and not to impose any new restrictions upon citizenship."*  
[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]

"U.S. citizen" or "national and citizen of the United States\*\*" status under federal statutes and "acts of Congress" is *different* from "citizen of the United States\*\*\*\*" status under the Fourteenth Amendment Section 1. "U.S.\*\* citizen" or "national and

1 citizen of the United States\*\*\*” under federal statutes pursuant 8 U.S.C. §1401 is different from the Constitutional “citizen of  
 2 the United States\*\*\*” or statutory “USA national” pursuant to 8 U.S.C. §101(a)(21). Although these two nationals are  
 3 different, they both came into existence as a result of the operation of *The Laws of Nations*. The Fourteenth Amendment  
 4 didn’t *create* the Constitutional status of “citizen of the United States\*\*\*”. The only thing that the ratification of the 14<sup>th</sup>  
 5 Amendment in 1868 accomplished was to:

- 6 • Extend the status of “citizen of the United States\*\*\*” to persons of *all* races, instead of only the whites who were  
 7 previously the only citizens recognized under the Constitution.
- 8 • Further extend the privileges and immunities of those persons who were *already* “citizens of the United States\*\*\*”
- 9 • Clarify and further define the meaning of the term “citizen of the United States\*\*\*” under the Constitution

10 White persons born in states of the Union *always were* the equivalent of “nationals” under federal statutes from the very  
 11 beginning of our country under *The Law of Nations, Vattel, Book I, Section 212* and they had this status long before the  
 12 creation of the 14<sup>th</sup> Amendment in 1868.<sup>194</sup> This is true because a “national” is defined in 8 U.S.C. §1101(a)(21) as someone  
 13 who “owes allegiance to a state” and 8 U.S.C. §1101(a)(22) defines a “national of the United States\*” as someone who owes  
 14 allegiance to the “United States\*”. Nationality and allegiance are the only thing you need in order to be regarded as a  
 15 CONSTITUTIONAL “citizen” in our country:

16 *“There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies*  
 17 *an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons*  
 18 *associated becomes a member of the nation formed by the association. **He owes it allegiance and is entitled to***  
 19 ***its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a***  
 20 ***compensation for the other; allegiance for protection and protection for allegiance.**”*

21 *“For convenience it has been found necessary to give a name to this membership. The object is to designate by a*  
 22 *title the person and the relation he bears to the nation. For this purpose the words 'subject,' 'inhabitant,' and*  
 23 *'citizen' have been used, and the choice between them is sometimes made to depend upon the form of the*  
 24 *government. **Citizen is now more commonly employed, however, and as it has been considered better suited to***  
 25 ***the description of one living under a republican government, it was adopted by nearly all of the States upon***  
 26 ***their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the***  
 27 ***Constitution of the United States. When used in this sense it is understood as conveying the idea of membership***  
 28 ***of a nation, and nothing more.**”*

29 *“**To determine, then, who were citizens of the United States before the adoption of the amendment it is***  
 30 ***necessary to ascertain what persons originally associated themselves together to form the nation, and what***  
 31 ***were afterwards admitted to membership.**”*

32 *“Looking at the Constitution itself we find that it was ordained and established by 'the people of the United*  
 33 *States,'<sup>3</sup> and then going further back, we find that these were the people of the several States that had before*  
 34 *dissolved the political bands which connected them with Great Britain, and assumed a separate and equal station*  
 35 *among the powers of the earth,<sup>4</sup> and that had by Articles of Confederation and Perpetual Union, in which they*  
 36 *took the name of 'the United States of America,' entered into a firm league of [88 U.S. 162, 167] friendship with*  
 37 *each other for their common defence, the security of their liberties and their mutual and general welfare, binding*  
 38 *themselves to assist each other against all force offered to or attack made upon them, or any of them, on account*  
 39 *of religion, sovereignty, trade, or any other pretence whatever. 5*

40 *“**Whoever, then, was one of the people of either of these States when the Constitution of the United States was***  
 41 ***adopted, became ipso facto a citizen—a member of the nation created by its adoption. He was one of the persons***  
 42 ***associating together to form the nation, and was, consequently, one of its original citizens. As to this there has***  
 43 ***never been a doubt. Disputes have arisen as to whether or not certain persons or certain classes of persons***  
 44 ***were part of the people at the time, but never as to their citizenship if they were.**”*  
 45 *[Minor v. Happersett, 88 U.S. 162 (1874)]*

46 The treatment of the term “allegiance” above is significant. We must understand exactly what this word means in order to  
 47 understand the foundation of our republican form of government. Below is a definition of “allegiance” from the law  
 48 dictionary:

49 *“**Allegiance.** Obligation of fidelity and obedience to **government** in consideration for protection for government*  
 50 *gives. U.S. v. Kyh, D.C.N.Y., 49 F.Supp. 407, 414. See also Oath of allegiance or loyalty.” [Black’s Law*  
 51 *Dictionary, Sixth Edition, p. 74]*

<sup>194</sup> *The Law of Nations*, incidentally, was one of the reference documents that the founders used to write the Constitution.



The person who is a “national” does not have the kind of “allegiance” as that described above. Allegiance above is to the government, while “nationals” instead have their allegiance to the “state”, which is the sovereign people (as individuals) within the territorial boundaries of the political body and not exclusively the “government”:

8 U.S.C. §1101 Definitions

(a) (21) The term “national” means a person owing permanent allegiance to a state.

The term “state” is then defined as follows:

“**State.** A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other communities of the globe. *United States v. Kusche*, D.C.Cal., 56 F.Supp. 201 207, 208. The organization of social life which exercises sovereign power in behalf of the people. *Delany v. Moralitis*, C.C.A.Md., 136 F.2d. 129, 130. **In its largest sense, a “state” is a body politic or a society of men.** *Beagle v. Motor Vehicle Acc. Indemnification Corp.*, 44 Misc.2d. 636, 254 N.Y.S.2d. 763, 765. **A body of people occupying a definite territory and politically organized under one government.** *State ex re. Maisano v. Mitchell*, 155 Conn. 256, 231 A.2d. 539, 542. A territorial unit with a distinct general body of law. *Restatement, Second, Conflicts*, §3. Term may refer either to body politic of a nation (e.g. *United States*) or to an individual government unit of such nation (e.g. *California*).

[...]

**The people of a state, in their collective capacity**, considered as the party wronged by a criminal deed; the public; as in the title of a cause, “*The State vs. A.B.*”  
[*Black’s Law Dictionary, Sixth Edition, p. 1407*]

To have “allegiance” to “a state” as a “national” is to have allegiance to the sovereign within the body politic, which in a republican system of government is the people collectively and individually and not necessarily the government. We *cannot* “assume” or “presume” that the government represents the will of the people. This is especially true when the government has gone bad and is not representing the will of the people. When we have a rebellious government that has strayed from the Constitution and its “de jure” foundation to become a “de facto” government, then the allegiance we have to the Constitution and the people who ordained it must supersede our allegiance to the government that has violated its charter to implement the Constitution. The people, not the government, must always be regarded as the ultimate sovereigns within republican systems of governance.

Ironically, the very definition of the word “privilege” in Black’s Law Dictionary, Sixth Edition, seems to contradict the conclusion that “citizenship” can be a privilege to begin with!:

“**Privilege. A particular benefit or advantage** enjoyed by a person, company, or class beyond the common advantages of other citizens. An exceptional or extraordinary power or exemption. A peculiar right, advantage, exemption, power, franchise, or immunity held by a person or class, not generally possessed by others.”  
[*Black’s Law Dictionary, Sixth Edition, p. 1197*]

Note above that it says “beyond the common advantages of other citizens”, thus implying that citizenship itself *cannot* be a “privilege” and that you must also be accepting some kind of benefit beyond that of “citizenship” in order to be classified as “privileged”. Furthermore, if everyone accepts this “privilege” (as the government calls it) called “U.S. citizen” status in federal statutes or even if more than half of all natural persons do, then it becomes a “common advantage”, and thus no longer a *special* privilege granted only to a minority or a select few. This is the situation today with most Americans, where most falsely believe they are “U.S. citizens” as defined by federal statutes. By the above logic and definition, then, a reasonable man could easily conclude that “U.S. citizen” status *cannot* be classified as a “privilege” because it is “common” and is shared by a majority rather than a minority.

#### 4.12.10.2 History of federal citizenship

So far we have not offered any authority other than statutes to prove that the government actually recognizes two distinct classes of federal citizenship. We will now present additional evidence by describing the 13th and 14th Amendments and the history of how they have been viewed by the Supreme Court of the United States.

1 Prior to the Thirteenth and Fourteenth Amendments, all persons born in a state of the Union were “citizens of the United  
 2 States” under the Constitution and under the rulings of the U.S. Supreme Court, but NOT under federal statutes or “acts of  
 3 Congress”:

4 “There is no doubt that women may be citizens. They are persons, and by the fourteenth amendment ‘all  
 5 persons born or naturalized in the United States and subject to the jurisdiction thereof’ are expressly declared  
 6 to be ‘citizens of the United States and of the State wherein they reside.’ But, in our opinion, it did not need  
 7 this amendment to give them that position. Before its adoption the Constitution of the United States did not in  
 8 terms prescribe who should be citizens of the United States or of the several States, yet there were necessarily  
 9 such citizens without such provision.

10 [...]

11 “The fourteenth amendment did not affect the citizenship of women any more than it did of men. In this particular,  
 12 therefore, the rights of Mrs. Minor do not depend upon the amendment. She has always been a citizen from  
 13 her birth, and entitled to all the privileges and immunities of citizenship. The [Fourteenth] Amendment  
 14 prohibited the State, of which she is a citizen, from abridging any of their privileges and immunities as a citizen  
 15 of the United States; but it did not confer citizenship on her. That she had before its adoption.

16 “The Constitution does not define the privileges and immunities of citizens. For that definition we must look  
 17 elsewhere.

18 “The [Fourteenth] Amendment did not add to the privileges and immunities of a citizen. It simply furnished  
 19 an additional guaranty for the protection of such as he already had. No new voters were necessarily made by it.  
 20 Indirectly it may have had that effect, because it may have increased the number of citizens entitled to suffrage  
 21 under the Constitution and laws of the States, but it operates for this purpose, if at all, through the States and  
 22 the state laws, and not directly upon the citizen.

23 “All the States had government when the Constitution was adopted. These governments the Constitution did  
 24 not change.”

25 [Minor v. Happersett, 88 U.S. 162 (1874)]

26 Therefore, “citizen of the United States” status under our Constitution and under the rulings of the Supreme Court existed  
 27 before the passage of the Fourteenth Amendment to the U.S. Constitution. The status of being a “citizen of the United States”  
 28 under the Constitution and under Supreme Court rulings is equivalent to the status of being a “national” under federal statutes  
 29 or “acts of Congress” and is defined in 8 U.S.C. §1101(a)(21).

30 Towards the end of the Civil War in 1865, the 13th Amendment was ratified and thereby abolished slavery and involuntary  
 31 servitude except as punishment for a crime. The Supreme Court ruled that the 13th Amendment operated to free former  
 32 slaves and prohibit slavery, but it in no way conferred citizenship to the former slaves, or to those races other than white,  
 33 because the founders of the Constitution were all of the white race.

34 Even after the end of the Civil War and the passage of the Thirteenth Amendment, Southern states were openly discriminating  
 35 against blacks by denying them state citizenship and political rights. Congress was under political pressure from the northern  
 36 states and had to do something about this problem. The Fourteenth Amendment was introduced as the answer to this problem  
 37 because it extended citizenship to persons of all races instead of only the whites covered by our original Constitution. The  
 38 "big daddy" and chief protector of blacks then became the federal government under the new Fourteenth Amendment. This  
 39 protection was extended by extending national citizenship, which then made blacks "subject to the jurisdiction of the United  
 40 States".

41 “The first section of the fourteenth amendment of the constitution [169 U.S. 649, 676] begins with the words,  
 42 ‘All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the  
 43 United States and of the state wherein they reside.’ As appears upon the face of the amendment, as well as from  
 44 the history of the times, this was not intended to impose any new restrictions upon citizenship, or to prevent any  
 45 persons from becoming citizens by the fact of birth within the United States, who would thereby have become  
 46 citizens according to the law existing before its adoption. It is declaratory in form, and enabling and extending  
 47 in effect. Its main purpose doubtless was, as has been often recognized by this court, to establish the citizenship  
 48 of free negroes, which had been denied in the opinion delivered by Chief Justice Taney in Scott v. Sandford  
 49 (1857) 19 How. 393; and to put it beyond doubt that all blacks, as well as whites, born or naturalized within  
 50 the jurisdiction of the United States, are citizens of the United States. Slaughter House Cases (1873) 16 Wall.  
 51 36, 73; Strauder v. West Virginia (1879) 100 U.S. 303, 306; Ex parte Virginia (1879) Id. 339, 345; Neal v.  
 52 Delaware (1880) 103 U.S. 370, 386; Elk v. Wilkins (1884) 112 U.S. 94, 101, 5 S.Sup.Ct. 41. But the opening  
 53 words, ‘All persons born,’ are general, not to say universal, restricted only by place and jurisdiction, and not by

1 color or race, as was clearly recognized in all the opinions delivered in the Slaughter House Cases, above cited.

2  
3 [U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]

4 The Fourteenth Amendment approach that Congress devised would only work if it could confer national citizenship *without*  
5 conferring state citizenship. This approach was the *only* remedy available to Congress to end slavery and discrimination in  
6 the southern states because the federal government did *not* have the authority under the Constitution to determine if a former  
7 slave could become a Citizen of one of the several states since the 9th and 10th Amendments said that powers not granted  
8 specifically to the federal government by the Constitution are reserved to the states or to the People.

9 History shows that the Commonwealth of Pennsylvania and New York State were nationalizing blacks as State Citizens  
10 before the outbreak of the Civil War. In other southern states, blacks were not Citizens and therefore did not have standing  
11 in any court based on the privileges and immunities of “citizens of the United States”. The 14<sup>th</sup> Amendment was written  
12 primarily to afford citizenship to those of the black race that were recently freed by the 13<sup>th</sup> Amendment (*Slaughter-House*  
13 *Cases*, 16 Wall. 36, 71), and did not include Indians and others NOT born in and subject to the jurisdiction of the United  
14 States (*McKay v. Cambell*, 2 Sawy. 129). Thus, the 14<sup>th</sup> Amendment recognized that an individual can be a “citizen of the  
15 United States\*\*\*” under the Constitution *without* being a Citizen of a State.” (*Slaughter-House Cases*, supra; cf. *U.S. v.*  
16 *Cruikshank*, 92 U.S. 542 (1875)).

17 The Fourteenth Amendment was introduced for ratification to the states on June 16, 1866 and ratification was completed on  
18 July 28, 1868 at the end of the Civil War by the three fourths of the states required by the Constitution.<sup>195</sup> Ratification of the  
19 amendment by the southern states was made a precondition of them being readmitted back into the Union after the war. Until  
20 they were readmitted into the union, they were conquered federal territories.<sup>196</sup> Many of the southern states that voted in  
21 favor of ratifying the amendment did so at gunpoint while they were occupied by federal troops! Their legislatures in many  
22 such cases were summarily dismissed as “rebels” by Congress and replaced with puppet legislatures hand-selected by  
23 Congress following the cessation of war. You could say that they ratified the amendment under duress because of this, and  
24 that the amendment is therefore invalid because the ratification must be entirely voluntary to be legally binding. Furthermore,  
25 before they voted on this ratification, they had no representation in Congress and were “outnumbered” until they gave in.

26 The blacks following the civil war therefore had to be “collectively naturalized” into the status of being “citizens of the United  
27 States” so they could then freely roam to any state and be citizens of the state they were in, even if that state refused to grant  
28 them state citizenship. In order to do this, “citizen of the United States\*\*\*” status under the Constitution had to be made  
29 paramount and dominant over state citizenship

30 *“The first of these questions is one of vast importance, and lies at the very foundations of our government. The*  
31 *question is now settled by the fourteenth amendment itself, that citizenship of the United States is the primary*  
32 *citizenship in this country; and that State citizenship is secondary and derivative, depending upon citizenship*  
33 *of the United States and the citizen’s place of residence. The States have not now, if they ever had, any power*  
34 *to restrict their citizenship to any classes or persons.* A citizen of the United States has a perfect constitutional  
35 right to go to and reside in any State he chooses, and to claim citizenship therein, [83 U.S. 36, 113] and an  
36 equality of rights with every other citizen; and the whole power of the nation is pledged to sustain him in that  
37 right. He is not bound to cringe to any superior, or to pray for any act of grace, as a means of enjoying all the  
38 rights and privileges enjoyed by other citizens. And when the spirit of lawlessness, mob violence, and sectional  
39 hate can be so completely repressed as to give full practical effect to this right, we shall be a happier nation, and  
40 a more prosperous one than we now are. Citizenship of the United States ought to be, and, according to the  
41 Constitution, is, a surt and undoubted title to equal rights in any and every States in this Union, subject to such  
42 regulations as the legislature may rightfully prescribe. If a man be denied full equality before the law, he is denied  
43 one of the essential rights of citizenship as a citizen of the United States.”  
44 [Slaughter-House Cases, 83 U.S. 36 (1873)]

45  
46 *“By the thirteenth amendment of the constitution slavery was prohibited. The main object of the opening sentence*  
47 *of the fourteenth amendment was to settle the question, upon which there had been a difference of opinion*  
48 *throughout the country and in this court, as to the citizenship of free negroes, (Scott v. Sandford, 19 How. 393;)*  
49 *and to put it beyond doubt that all persons, white or black, and **whether formerly slaves** or not, born or*  
50 *naturalized [collectively naturalized, in the case of slaves] in the United States[\*\*\*], and **owing no allegiance***  
51 *to any alien power, should be citizens of the United States[\*\*\*] and of the state in which they reside. Slaughter-*  
52 *House Cases, 16 Wall. 36, 73; Strauder v. West Virginia, 100 U.S. 303 , 306. ”*

<sup>195</sup> See dissenting opinion of Chief Justice Fuller in *U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898).

<sup>196</sup> See *Dyett v. Turner*, 439 P.2d. 266 (1968). Available at: <http://famguardian.org/Subjects/LawAndGovt/Citizenship/Dyett/dyett.htm>

1 [Elk v. Wilkins, 112 U.S. 94 (1884)]

2 The blacks were therefore collectively naturalized *without their consent* following the Civil War in the *Civil Rights Act of*  
3 *1866* on April 9, 1866, 14 Stat. 27 so they could be protected from state government abuses of their natural rights.

4 "By the act of April 9, 1866, entitled 'An act to protect all persons in the United States in their civil rights, and  
5 furnish means for their vindication,' (14 St. 27,) it is provided that 'all persons born in the United States, and not  
6 subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States.'  
7 This, so far as we are aware, is the first general enactment making persons of the Indian race citizens of the  
8 United States. Numerous statutes and treaties previously provided for all the individual members of particular  
9 Indian tribes becoming, in certain contingencies, citizens of the United States. But the act of 1866 reached Indians  
10 not in tribal relations. **Beyond question, by that act, national citizenship was conferred directly upon all persons**  
11 **in this country, of whatever race, (excluding only 'Indians not taxed,') who were born within the territorial**  
12 **limits of the United States, and were not subject to any foreign power.**"

13 [Elk v. Wilkins, 112 U.S. 94 (1884)]

14 Congress had the exclusive authority to collectively naturalize the blacks under Article 1, Section 8, Clause 4 of the U.S.  
15 Constitution. Collective naturalization also occurs, for instance, when a new territory is annexed to the "United States". An  
16 example of collective naturalization was the case of the Louisiana Purchase from France or the Alaska Purchase from Russia.  
17 Note that at the time of the Louisiana Purchase and the Alaska Purchase, these areas became federal territories, which are the  
18 proper subject of exclusive federal jurisdiction and acts of Congress. The U.S. Supreme Court calls these areas "inchoate  
19 states" in their rulings. The same condition applied to the southern states following the Civil War, which effectively became  
20 federal territories during the period when they were conquered but had not yet rejoined the Union. Conditions had been  
21 placed on them in order to rejoin. For instance, they could not send representatives to the Congress until they had ratified the  
22 Fourteenth Amendment. In effect, they would be slaves of the rest of the states until they had consented to the ratification of  
23 the Fourteenth Amendment that would help eliminate slavery. During the time that the southern states were federal territories,  
24 an act of Congress such as the Civil Rights Act of 1866 could lawfully be passed to naturalize all the blacks. Once they  
25 rejoined the Union as sovereign states, such an act could not have been passed because the jurisdiction of the states within  
26 their borders would again have been exclusive and plenary.

27 To restate: In the *Slaughter-House Cases*, 16 Wall. 36, 71 supra the U.S. Supreme Court held:

28 "It is quite clear, then, that there is a citizenship of the United States and a citizenship of a state, which are  
29 distinct from each other and which depend upon different characteristics or circumstances of the individual.  
30 Of the privileges and immunities of the citizens of the United States and of the privileges and immunities of the  
31 citizen of the state, and what they respectfully are, we will presently consider; but we wish to state here that it is  
32 only the former which are placed by this clause under the protection of the Federal Constitution, and the latter,  
33 whatever they may be, are not intended to have any additional protection by this paragraph of the amendment."

34 The U.S. Supreme Court has also ruled that "The term United States is a metaphor [a figure of speech]". *Cunard S.S Co. v.*  
35 *Mellon*, 262 U.S. 100, 122; and that

36 "The term 'United States' may be used in one of several senses. It may be merely the name of a sovereign occupying  
37 the position analogous to that of sovereign in a family of nations. It may designate territory over which  
38 sovereignty of the United States extends, or it may be a collective name of the states which are united by and  
39 under the Constitution."

40 [Hooven & Allison Co. v. Evatt, 324 U.S. 652, 672-73.]

41 Did the Courts really say that someone could be a Citizen of a State without being a "citizen of the United States" (which  
42 means "national of the United States" in federal statutes)? Yes, they did. Who would fit this description? How about a  
43 national from another country who resides in a state of the Union and who has not yet been naturalized under the laws of this  
44 country. It's true that the cases cited above are old, some over 100 years old. None of these cases have ever been overturned  
45 by a more recent decision, so they are valid. A more recent case is *Crosse v. Bd. of Supervisors*, 221 A.2d. 431 (1966) which  
46 says:

47 "Both before and after the Fourteenth Amendment to the federal Constitution, it has not been necessary for a  
48 person to be a citizen of the United States in order to be a citizen of his state." Citing *U.S. v. Cruikshank*, supra.

49 The Pennsylvania Commonwealth, for instance, is one of the "several states" described in the Constitution. The Constitution  
50 treats the several states of the Union as independent countries and jurisdictions that are "foreign" to each other and to the  
51 federal government for the purposes of legislative jurisdiction and internal "police powers". 28 U.S.C. §297 makes it very  
52 clear that the states of the Union are "foreign countries" with respect to each other. Each state is on an equal footing with all

the other states of the Union in terms of its sovereignty and nearly exclusive control over everything that happens internal to its borders. The Buck Act in 1940 created federal areas inside the 50 Union states. If you live in a federal area, you are subject to federal territorial laws and the municipal laws of the District of Columbia. The Internal Revenue Service (IRS) is *internal* to the federal zone. The Pennsylvania Commonwealth is not part of the federal zone, but the Commonwealth of Pennsylvania is. PA is the name that the post office recognizes for mail sent into the Commonwealth of Pennsylvania, which is a federal area. Pa., Penna., and Pennsylvania are the names that the post office uses for mail sent into the Pennsylvania Commonwealth, which is not a federal area. If I accept mail sent to PA, I am saying that I live in the federal zone. The same situation exists in the other states.

One important outcome of being a “U.S. citizen” under federal statutes and “acts of Congress” is that the federal government may tax only its own “U.S. citizens” when they reside outside of federal territorial jurisdiction, for instance when they are in foreign countries. See the Supreme Court case of *Cook v. Tait* for authorities on this subject. In the U.S. Constitution Annotated, under the Fifth Amendment (see <http://caselaw.lp.findlaw.com/data/constitution/amendment05/13.html> - 6), here is what it says about this subject:

*In laying taxes, the Federal Government is less narrowly restricted by the Fifth Amendment than are the States by the Fourteenth. **The Federal Government may tax property belonging to its [“U.S.”] citizens, even if such property is never situated within the jurisdiction of the United States.**<sup>197</sup> and it may tax the income of a citizen resident abroad, which is derived from property located at his residence.<sup>198</sup> The difference is explained by the fact that protection of the Federal Government follows the citizen wherever he goes, whereas the benefits of state government accrue only to persons and property within the State's borders.*

It is important, however, to point out that the Union states are exempted from direct taxes under Article 1, Section 9, Clause 4 and Article 1, Section 2, Clause 3 of the Constitution but foreign countries where “U.S. citizens” (under federal statutes) reside are not. This point is VERY important, and clearly indicates from where the tax jurisdiction of the United States government derives. It isn’t mainly a geographical jurisdiction as far as taxes *internal* to the federal zone go, but instead originates mainly from our “U.S. citizen” status under federal statutes and “acts of Congress”. Through this devious mechanism of fooling sovereign state Citizens and “nationals” into becoming privileged “U.S. citizens” under federal statutes and “acts of Congress”, the federal government usurped the Sovereignty of the People, as well as the Sovereignty of the several Union states. They also usurped the authority of sovereign state Citizens by creating “Federal areas” within the authority of Article IV, Section 3, Clause 2 in the Constitution for the United States of America which states:

*“The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States, and nothing in this Constitution shall be so construed as to prejudice any claims of the United states, or of any particular State.”*

**Therefore, all STATUTORY “U.S. citizens” [i.e. citizens of the District of Columbia and the territories described in federal statutes] residing in one of the states of the Union, are classified as property and franchisees of the federal government,** and as an “individual” entity! These serfs are “completely subject to the jurisdiction of the United States” no matter where they reside because they are chattel and slaves of that government. See *Wheeling Steel Corp. v. Fox*, 298 U.S. 193, 80 L.Ed. 1143, 56 S.Ct. 773 (1936). Under the “Buck Act,” 4 U.S.C Secs. 105-113, the federal government has created a “Federal area” or “enclave” within the boundaries of the several states. This area is similar to any territory that the federal government acquires through purchase, conquest or treaty, thereby imposing federal territorial law upon the people in this “Federal area.” Federal territorial law is evidenced by the Executive Branch’s Admiralty flag (a federal flag with a gold or yellow fringe on it) flying in schools, offices and courtrooms. As you will find out in section 5.6.1 of the *Tax Fraud Prevention Manual*, Form #06.008, “acts of Congress” and all federal crimes falling under Title 18, the Criminal Code, only apply inside these federal areas and *not* within states of the Union.

There are actually four potential sources of federal jurisdiction over “nationals” living in a state of the Union:

1. In personam jurisdiction
2. Citizenship
3. Territorial jurisdiction. If a person’s “domicile” is within the territorial jurisdiction, then they are subject to the jurisdiction of the sovereign.
4. Subject matter jurisdiction

<sup>197</sup> United States v. Bennett, [232 U.S. 299, 307](#) (1914).

<sup>198</sup> Cook v. Tait, [265 U.S. 47](#) (1924).

1 “Nationals”, also called “citizens of the United States\*\*\*” by the Supreme Court and the Fourteenth Amendment, are subject  
 2 to the political (but not legislative) jurisdiction of the “United States\*\*\*” even when they are outside the territorial jurisdiction  
 3 of that country United States\*. That is the whole reason why we have embassies in foreign countries: to protect citizens  
 4 residing in foreign lands. States of the Union *do not* have legislative jurisdiction over their citizens when they are outside the  
 5 state. However, today all state citizens are also citizens of the United States\*\*\* and hence all state citizens have the same  
 6 protections when they are outside of the “U.S.\*\*\*” that was spoken of at the beginning of this paragraph, meaning outside  
 7 the country United States\*. Federal political jurisdiction derives from being either a STATUTORY “U.S.\*\* citizen” under  
 8 8 U.S.C. § 1401 or a “national of the United States\*” under 8 U.S.C. § 1101(a)(22). Being a “U.S.\*\* citizen” under federal  
 9 statutes is a privilege while being a CONSTITUTIONAL citizen under the Fourteenth Amendment is a right after it is  
 10 acquired by birth or naturalization. It cannot be unilaterally revoked by the government without your consent. *Afroyim v.*  
 11 *Rusk*, 387 U.S. 253 (1967). We hope this clears up all remaining doubts you might have about the nature of federal  
 12 citizenship.

13 Now for a little history on citizenship prior to the Civil War. To begin, the “citizen of the United States\*\*” in 26 C.F.R.  
 14 §31.3121(e) -1 is a citizen of a territory or possession of the United States under Title 48 of the U.S. Code and 8 U.S.C.  
 15 §1401. This citizenship doesn't have anything to do with the Fourteenth Amendment. It is a special “non-constitutional”  
 16 class of citizenship. This misunderstanding dates back to 1803 at the time of the Louisiana Purchase. Article 1, Section 8,  
 17 Clause 17 jurisdiction applies exclusively to:

- 18 1. The District of Columbia as the seat of government, and
- 19 2. Territory within states of the Union ceded to the United States for purposes specified.

20 The territorial clause, at Article 4, Section 3, applied only to what was known as the Northwest Territory ceded by New York  
 21 and other new sovereign states in 1787 to help pay off debts of the Revolution.

22 In the cession treaty with France, there were two important provisions for territory ceded as a result of the Louisiana Purchase:

- 23 1. Those who lived in the territory would enjoy all rights, benefits and protections of “citizens of the United States\*\*\*,”  
 24 and
- 25 2. As the territory was settled, it would become one or more States of the Union.

26 Thomas Jefferson was President at the time. He knew that the Constitution makes no provision for acquisition of new  
 27 territories so he drafted two proposed amendments to accommodate the Louisiana Purchase and the treaty provisions.  
 28 However, Congress elected to do nothing, reasoning that territorial acquisition was implicit from the constitutional provisions  
 29 relating to waging war & making treaties. As a consequence, the U.S. Government has been operating under implied rather  
 30 than constitutionally enumerated powers for territorial acquisition ever since.

31 Until the Spanish-American War (1898), cession treaties all included the two key elements that were in the Louisiana  
 32 Purchase -- the acquired territory would become one or more States of the Union, and those living in the territory would enjoy  
 33 all rights, benefits and protections the Constitution affords citizens of the several States until such time as the territory was  
 34 admitted to the Union. When Spain ceded Puerto Rico & the Philippines, the cession treaty did not include those provisions.

35 If you will read the *Downes v. Bidwell* case, that Supreme Court decision, and the other Insular Tax Cases decided in the  
 36 same general timeframe, a distinction was made between incorporated territories such as Alaska and Hawaii (destined to  
 37 become States of the Union, per cession treaties), and the new “unincorporated” insular possessions. They were deemed  
 38 “foreign” to States of the Union, i.e., to the “United States,” in that they were not under the “constitutional umbrella.”

39 In 1917, Congress extended nationality (“national of the United States\*\*”) status to the people of Puerto Rico; in 1927, the  
 40 status was extended to the people of the Virgin Islands, etc., until citizenship was finally extended to the people of Guam,  
 41 American Samoa and the Northern Mariana Islands. It appears that nationality (“national of the United States\*\*”) status was  
 42 also extended to the people of Alaska and Hawaii prior to the two being admitted to the Union, but in all cases it was a “non-  
 43 constitutional” citizenship -- the Fourteenth Amendment didn't have a thing to do with it, because these were territories at the  
 44 time and were not part of the “United States\*\*\*” as referred to in the Constitution.

45 One of the important declarations in *Downes v. Bidwell* is that once the Constitution has been extended to a territory, it cannot  
 46 be withdrawn. The District of Columbia, federal enclaves ceded by states of the Union for Article 1, Section 8, Clause 17  
 47 purposes, the Northwest Territory, and territories acquired from 1803 to 1898 all enjoyed the same benefit of falling under

1 the constitutional umbrella without being part of the “United States” within the meaning of the Constitution. However, until  
2 admitted to the Union, people in the territories, as well as those in today's unincorporated insular possessions:

- 3 1. Did not elect Senators and Representatives to Congress, and
- 4 2. could not vote in presidential elections. Additionally, both incorporated territories and unincorporated possessions are or  
5 were subject to Congress' plenary power, i.e., the "municipal" authority of the United States.

6 An essential necessary to understand the scheme is to understand that "all legislation is geographical in nature." In other  
7 words, it applies to a territory. The Social Security Act of 1935 applied to the "geographical United States\*\*," i.e., to  
8 territories and possessions of the United States\*\*. It did not apply to states of the Union, and there is no special provision  
9 that extends application to federal enclaves within States of the Union. This is one of the reasons there are some code sections  
10 that conditionally include the District of Columbia where others don't.

11 If you would like to study the history of citizenship further, the best and most authoritative source is the Supreme Court case  
12 of *Minor v. Happersett*, 88 U.S. 162 (1874).

### 13 4.12.10.3 Constitutional Basis of federal citizenship

14 Here is Section 1 of the 14<sup>th</sup> Amendment that confers “national” citizenship upon persons born in the United States\*\*\*:

15 *Section 1. All persons born or naturalized in the United States[\*\*\*], and subject to **the jurisdiction thereof**,  
16 are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law  
17 which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any  
18 person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the  
19 equal protection of the laws.*

20 Prior to the introduction of the Fourteenth Amendment after the Civil War, the U.S. Constitution only established the  
21 individual rights enumerated by the first eight Amendments to the U.S. Constitution at the *federal level*. This meant that  
22 prior to the Fourteenth Amendment, the individual rights enumerated by the first eight amendments to the U.S. Constitution  
23 were *not* guaranteed to Americans by the states of the Union and many state constitutions did not universally include all of  
24 these rights. The Fourteenth Amendment was introduced at the federal level to compel states to honor the first 8 amendments  
25 of the constitution in the case of all “citizens of the United States”.<sup>199</sup> These “citizens of the United States” identified by both  
26 the Fourteenth Amendment and the U.S. Supreme Court are referred to as “nationals but not citizens” or simply “nationals”  
27 within federal statutes.<sup>200</sup> Here is how the Supreme Court of the United States described the significance of the Fourteenth  
28 Amendment in terms of its effect on federal legislative jurisdiction:

29 *“The [Fourteenth] amendment prohibited the state, of which she is a citizen, from abridging any of her  
30 privileges and immunities as a citizen of the United States, but it did not confer citizenship on her. That she  
31 had before its adoption.*

32 *“If the right of suffrage is one of the necessary privileges of a citizen of the United States, then the Constitution  
33 and laws of Missouri confining it to men are in violation of the Constitution of the United States, as amended,  
34 and consequently void. The direct question is therefore presented whether all citizens are necessarily voters.*

35 *“The Constitution does not define the privileges and immunities of citizens. For that definition we must look  
36 elsewhere. In this case, we need not determine what they are, but only whether suffrage is necessarily one of  
37 them.*

38 [. . .]

39 *The [Fourteenth] amendment did not add to the privileges and immunities of a citizen. It simply furnished a  
40 additional guaranty for the protection of such as he already had. **No new voters were necessarily made by it.**  
41 **Indirectly it may have had that effect because it may have increased the number of citizens entitled to suffrage**  
42 **under the constitution and laws of the states, but it operates for this purpose, if at all, through the states and**  
43 **the state laws, and not directly upon the citizen.”**  
44 *[Minor v. Happersett, 88 U.S. 162 (1874)]**

<sup>199</sup> See Cong. Globe, 39th Cong., 1st Sess., pt. 3, p. 2765 through 2766 (May 23, 1866).

<sup>200</sup> See 8 U.S.C. §1101(a)(21).

1 So we can see that the Fourteenth Amendment operates exclusively through the states and state law, not through federal law.  
 2 It is not a source of federal legislative jurisdiction, but simply confers membership in the political community called the  
 3 “United States\*\*\*” by virtue of their birth in a state of the Union.

4 Following the introduction of the Fourteenth Amendment, it became quite common for people to confuse “citizens of the  
 5 United States\*\*\*” under the Fourteenth Amendment and under Supreme Court rulings with “U.S. citizens” under federal  
 6 statutes and “acts of Congress” such as 8 U.S.C. §1401, which are two completely different statuses. Because of this  
 7 confusion, people in states of the Union would almost universally but mistakenly identify themselves as “U.S. citizens” under  
 8 the authority of federal statutes on the many government forms they would eventually submit in the context of federal taxes.  
 9 This created a “false presumption” and evidence supporting the belief that they are residents of the federal zone and feudal  
 10 serfs of Congress. Through this devious obfuscation mechanism, people who were victims of such confusion became  
 11 “property and franchisees of the federal government” in receipt of taxable privileges who were aliens in their own state and  
 12 whose “U.S. citizen” status made them into residents and citizens of the federal zone from a legal perspective. Sneaky  
 13 politicians would later introduce the Buck Act of 1940 following the passage of the Fourteenth Amendment in 1868 as a way  
 14 to allow states to tax this franchise and states would later introduce income tax statutes of their own to cash in on these federal  
 15 slaves.

16 Remember the Supreme Court’s definition of the term “United States” in *Hooven and Allison v. Evatt*, 324 U.S. 652 (1945)  
 17 which we talked about earlier in section 4.5 in which there were three definitions of “United States”? The key to  
 18 understanding the meaning of the 14<sup>th</sup> Amendment shown above are the words “United States\*\*\*”, which means the  
 19 collective states of the Union of states in the context of the Constitution, and **”the jurisdiction”**, which means the political  
 20 and NOT legislative jurisdiction of these states.

21 *“It is impossible to construe the words ‘subject to the jurisdiction thereof,’ in the opening sentence [of the*  
 22 *Fourteenth Amendment], as less comprehensive than the words ‘within its jurisdiction,’ in the concluding sentence*  
 23 *of the same section; or to hold that persons ‘within the jurisdiction’ of one of the states of the Union are not*  
 24 *‘subject to the jurisdiction of the United States[\*\*\*].’”*  
 25 *[U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]*

26 Now do you understand? Can you also understand then why your government would want you to be a federal statutory “U.S.  
 27 citizen” defined in 8 U.S.C. §1401 and who lives in the federal zone from a legal perspective? They can legally make you  
 28 into a slave with no rights who is completely subject to their jurisdiction! Tricky, huh? The Supreme Court confirmed these  
 29 conclusions in *Downes v. Bidwell*, 182 U.S. 244 (1901), when it said in pertinent part:

30 *“The 13th Amendment to the Constitution, prohibiting slavery and involuntary servitude ‘within the United States,*  
 31 *or in any place subject to their jurisdiction,’ is also significant as showing that there may be places within the*  
 32 *jurisdiction of the United States that are no part of the Union. To say that the phraseology of this amendment was*  
 33 *due to the fact that it was intended to prohibit slavery in the seceded states, under a possible interpretation that*  
 34 *those states were no longer a part of the Union, is to confess the very point in issue, since it involves an admission*  
 35 *that, if these states were not a part of the Union, they were still subject to the jurisdiction of the United States.*

36 *Upon the other hand, the 14th Amendment, upon the subject of citizenship, declares only that ‘all persons born*  
 37 *or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and*  
 38 *of the state wherein they reside.’ Here there is a limitation to persons born or naturalized in the United States,*  
 39 *which is not extended to persons born in any place ‘subject to their jurisdiction.’”*  
 40 *[Downes v. Bidwell, 182 U.S. 244 (1901)]*

41 The Social Security Program Operations Manual (POM) clarifies the meaning of “subject to **the** jurisdiction” found in section  
 42 1 of the Fourteenth Amendment:

43 [GN 00303.100 U.S. Citizenship\[...\]](#)

#### 44 5. SUBJECT TO THE JURISDICTION OF THE U.S.

45 ***Individuals under the purview of the Fourteenth Amendment (which states that all individuals born in the U.S.***  
 46 ***and to whom U.S. laws apply are U.S. citizens).** Acquisition of citizenship is not affected by the fact that the*  
 47 *alien parents are only temporarily in the U.S. at the time of the child’s birth. Under international law, children*  
 48 *born in the U.S. to foreign sovereigns or foreign diplomatic officers listed on the State Department Diplomatic*  
 49 *List are not subject to the jurisdiction of the U.S.*

50 The legal encyclopedia, American Jurisprudence, further clarifies the meaning of U.S. citizenship as follows:



Who is born in United States and subject to United States jurisdiction "A person is born subject to the jurisdiction of the United States, for purposes of acquiring citizenship at birth, if his or her birth occurs in territory over which the United States is sovereign, even though another country provides all governmental services within the territory, and the territory is subsequently ceded to the other country."  
[3C American Jurisprudence 2d, Aliens and Citizens, §2689 (1999)]

Therefore, an individual may not legally be a "U.S. citizen" or "citizen of the United States" under federal statutes or "acts of Congress" unless he or she was born on a federal territory, such as in Guam, the Virgin Islands, or Puerto Rico. States of the Union are not territories of the central government. Below is the definition of the word "territory" so you can see for yourself, right from Black's Law Dictionary, Sixth Edition, p. 1473:

**"Territory:** A part of a country separated from the rest, and subject to a particular jurisdiction. Geographical area under the jurisdiction of another country or sovereign power.

**A portion of the United States not within the limits of any state**, which has not yet been admitted as a state of the Union, but is organized with a separate legislature, and with executive and judicial powers appointed by the President."

The major legal encyclopedia, Corpus Juris Secundum (C.J.S.), has the following enlightening things to say about the word "territory":

86 Corpus Juris Secundum, Territories  
§1. Definitions, Nature, and Distinctions

**The word "territory," when used to designate a political organization has a distinctive, fixed, and legal meaning under the political institutions of the United States, and does not necessarily include all the territorial possessions of the United States, but may include only the portions thereof which are organized and exercise governmental functions under act of congress.**

While the term "territory" is often loosely used, and has even been construed to include municipal subdivisions of a territory, and "territories of the" United States is sometimes used to refer to the entire domain over which the United States exercises dominion, the word "territory," when used to designate a political organization, has a distinctive, fixed, and legal meaning under the political institutions of the United States, but may include only a portion or the portions thereof which are organized and exercise governmental functions under acts of congress. The term "territories" has been defined to be political subdivisions of the outlying dominion of the United States, and in this sense the term "territory" is not a description of a definite area of land but of a political unit governing and being governed as such. The question whether a particular subdivision or entity is a territory is not determined by the particular form of government with which it is, more or less temporarily invested.

"Territories" or "territory" as including "state" or "states."

While the term "territories of the" United States may, under certain circumstances, include the states of the Union, as used in the federal Constitution, and in ordinary acts of congress "territory" does not include a foreign state.

As used in this title, the term "territories" generally refers to the political subdivisions created by congress, and not within the boundaries of any of the several states."  
[86 Corpus Juris Secundum (C.J.S.), Territories, §1 (2003)]

The U.S. Supreme Court also defined precisely what "territory" meant as follows:

**"Various meanings are sought to be attributed to the term 'territory' in the phrase 'the United States and all territory subject to the jurisdiction thereof.' We are of opinion that it means the regional areas- of land and adjacent waters-over which the United States claims and exercises [plenary/exclusive] dominion and control as a sovereign power. The immediate context and the purport of the entire section show that the term is used in a physical and not a metaphorical sense-that it refers to areas or districts having fixity of location and recognized boundaries. See United States v. Bevans, 3 Wheat. 336, 390.**

**"It now is settled in the United States and recognized elsewhere that the territory subject to *its* jurisdiction includes the land areas under its dominion and control, the ports, harbors, bays and other enclosed arms of the sea along its coast and a marginal belt of the sea extending from the coast line outward a marine league, or three geographic miles. Church v. Hubbard, 2 Cranch, 187, 234; The Ann, 1 Fed.Cas. No. 397, p. 926; United States v. Smiley, 27 Fed.Cas. No. 16317, p. 1132; Manchester v. Massachusetts, 139 U.S. 240, 257, 258 S., 11 Sup.Ct. 559; Louisiana v. Mississippi, 202 U.S. 1, 52, 26 S.Sup.Ct. 408; 1 Kent's Com. (12th Ed.) \*29; 1 Moore, [262 U.S. 100, 123] International Law Digest, 145; 1 Hyde, International Law, 141, 142, 154; Wilson, International**

1 *Law (8th Ed.) 54; Westlake, International Law (2d Ed.) p. 187, et seq; Wheaton, International Law (5th Eng. Ed.*  
 2 *[ Phillipson]) p. 282; 1 Oppenheim International Law (3d Ed.) 185-189, 252. This, we hold, is the territory which*  
 3 *the amendment designates as its field of operation; and the designation is not of a part of this territory but of 'all*  
 4 *of it.'*  
 5 *[Cunard S.S. Co. v. Mellon, 262 U.S. 100, 43 S.Ct. 504 (1923)]*

6 It is extremely important to emphasize once again the need to consider the context of the words being used in order to properly  
 7 and clearly understand federal jurisdiction. The term “subject to **the** jurisdiction” as used in the Fourteenth Amendment of  
 8 the Constitution has an *entirely different meaning* than the term “subject to **its** jurisdiction” as used in federal statutes or “acts  
 9 of Congress”. Below is a table that hopefully will make the distinctions clear in your mind:

10 **Table 4-34: Constitution v. Federal Statute jurisdiction**

Context	Term used	Authority where cited	Where term used within authority cited	Jurisdiction
Federal statute or “act of Congress”	“subject to <b>its</b> jurisdiction”	<i>Cunard S.S. Co. v. Mellon</i> , 262 U.S. 100 (1923)	National Prohibition Act (41 Stat. 305)	Federal zone only under Article 1, Section 8, Clause 17 of the Constitution. Refers to both legislative and political jurisdiction.
U.S. Constitution	“subject to <b>the</b> jurisdiction”	<i>U.S. v. Wong Kim Ark</i> , 169 U.S. 649 (1898)	Fourteenth Amendment, section 1	The collective states of the Union. Does not include any part of the federal zone. Applies ONLY to “political jurisdiction” and excludes “legislative jurisdiction”.

11 An interesting and important outcome of the above analysis regarding the Fourteenth Amendment is the following very  
 12 reasonable conclusion:

13 *If you claim to be a statutory “U.S. citizen” under the Internal Revenue Code and yet do not live in the federal*  
 14 *United States\*\*/federal zone, the only way you can be subject to the jurisdiction of the United States is to yourself*  
 15 *be property or territory of the United States! **That’s right: you are a slave!** The only thing subject to the*  
 16 *jurisdiction of the United States is its territory, and if you aren’t on federal property then YOU are federal*  
 17 *territory!*

18 Human beings born in the sovereign 50 Union states outside of the “federal zone” are technically not “U.S. citizens” under  
 19 federal statutes such as 8 U.S.C. §1401, but “nationals” as defined in 8 U.S.C. §1101(a)(21). As “nationals” who are not  
 20 statutory “U.S. citizens”, they are classified as “nonresident aliens” within the Internal Revenue Code, but only if serving in  
 21 a public office in the national government:

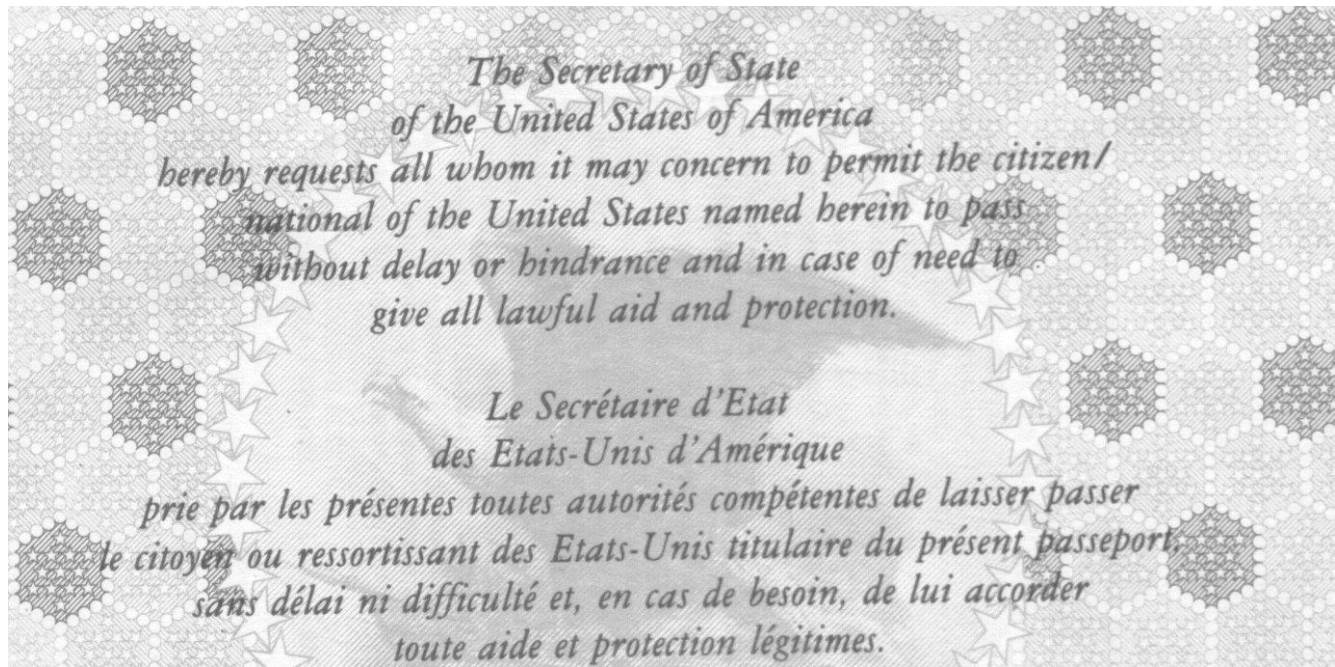
22 *26 U.S.C. §7701 Definitions*

23 *(B) Nonresident alien*

24 *An individual is a nonresident alien if such individual is neither a citizen of the United States nor a*  
 25 *resident of the [federal] United States (within the meaning of subparagraph (A)).*

26 One of our readers took this section a step further and actually examined her passport. Below is a snapshot of what the cover  
 27 of the U.S. passport says, which confirms the fact that U.S. passports recognize two classes of citizenship: “U.S. citizens”  
 28 and “nationals”:

29 **Figure 4-7: Copy of U.S. Passport Cover**



1  
2 We can now apply what we have just learned above to the federal government's definition of "U.S. citizen" found in the  
3 Internal Revenue Code and explain why they defined it the way they did. Are you a "U.S. citizen"? Here's the only definition  
4 of "citizen of the United States" found anywhere in the I.R.C. or 26 CFR:

5 *26 C.F.R. 31.3121(e)-1 State, United States, and citizen.*

6 *(b)...The term 'citizen of the United States' includes a citizen of the Commonwealth of Puerto Rico or the Virgin*  
7 *Islands, and, effective January 1, 1961, a citizen of Guam or American Samoa.*

8 The answer is **EMPHATICALLY NO!** The above definition, you will note, also depends on the definition of "United States"  
9 or "U.S." appearing in [26 U.S.C. §7701\(a\)\(9\)](#) and [26 U.S.C. §7701\(a\)\(10\)](#), which we showed earlier in sections 3.9.1.24 and  
10 3.9.1.20 means the federal United States in the context of the Internal Revenue Code. The context must always be examined  
11 to determine which of the two types of federal citizens (nationals or citizens) they are talking about. Therefore, the only thing  
12 "U.S. citizen" or "citizen of the United States" can mean in Subtitles A and C of the Internal Revenue Code is persons born  
13 in federal territories and possessions, which doesn't include most of us. Based on what we just learned, we can now  
14 understand why the conniving lawyers inhabiting the District of Columbia (Washington, D.C.) defined it the way they did!  
15 Puerto Rico, the Virgin Islands, American Samoa, and Guam are all federal TERRITORIES and territories are the only place  
16 that "U.S. citizens" as defined above can be born and reside! The District of Columbia is NOT a territory as the word is  
17 correctly defined!

18 The Fourteenth Amendment has two requirements in order to be a "citizen of the United States ":

- 19 1. Born in a state of the Union **AND**  
20 2. "subject to the jurisdiction" of the federal government.

21 We must therefore think very clearly about what it means to be "subject to the jurisdiction" above and what context we are  
22 talking about: federal statutes versus the Constitution. You will find out later in section 4.11 that the term "subject to the  
23 jurisdiction" means the political jurisdiction, which means the ability to vote or serve on jury duty within the 50 states of the  
24 Union. If we therefore reside in the 50 Union states and outside of the federal zone, then we are technically "subject to the  
25 [political] jurisdiction" of the federal government under the Constitution, but at the same time, we are **not** subject to most  
26 federal statutes and regulations or to the Internal Revenue Code. The founding fathers endowed us with the ability to  
27 participate politically in voting and jury service within our country without subjecting ourselves to federal police powers or  
28 legislative jurisdiction.

1 How does the government rope us into the jurisdiction of federal statutes and “acts of Congress” so they can tax and pillage  
 2 us? They use confusing terms and definitions on tax and voter registration and jury duty forms to get us to “volunteer” or  
 3 “elect” to be treated as though we are statutory federal “U.S. citizens” under 8 U.S.C. §1401 who are subject to federal law  
 4 and who reside inside the federal zone. For instance, they scare us into filling out an IRS form 1040 that creates a false but  
 5 prima facie presumption that we occupy the federal zone as a “alien”.<sup>201</sup> In effect, they trick us by abusing language into  
 6 admitting that we occupy the federal zone so they can make us into financial slaves, and it’s perfectly legal because the  
 7 Thirteenth Amendment prohibition against involuntary servitude doesn’t apply inside the federal zone!

#### 8 **4.12.10.4 The voluntary nature of citizenship: Requirement for “consent” and “intent”**

9 As we said in section 4.11, the act of becoming a citizens is a voluntary act and requires an intent and consent on your part.  
 10 The government likes to rig its forms to deceive you into admitting that you are a “U.S. citizen” under federal statutes and  
 11 the Internal Revenue Code, which most people aren’t. Whenever you see any kind of state or federal government form that  
 12 asks you whether you are a “U.S. citizen”, remember that they are asking about your “intent” and asking for your “consent”  
 13 to treat you as a “U.S. citizen”. In doing so, what they are really asking you but can’t say outright:

14 *“Do you want to volunteer to give up all of your rights and become a slave to state and federal income taxes who  
 15 is devoid of Constitutional rights? Do you want to be a Socialist puppet of your government?”*

16 If your answer is yes, you have just volunteered into slavery and servitude to the federal government, in effect. There is  
 17 absolutely no advantage whatsoever to becoming a “U.S. citizen” because as we said before, your rights don’t come from  
 18 your citizenship, but from where you live. Even the U.S. Supreme Court says that citizenship is an optional and voluntary  
 19 act:

20 ***“The people of the United States resident within any State are subject to two governments: one State, and the  
 21 other National; but there need be no conflict between the two. The powers which one possesses, the other does  
 22 not. They are established for different purposes, and have separate jurisdictions. Together they make one whole,  
 23 and furnish the people of the United States with a complete government, ample for the protection of all their rights  
 24 at home and abroad. True, it may sometimes happen that a person is amenable to both jurisdictions for one and  
 25 the same act. Thus, if a marshal of the United States is unlawfully resisted while executing the process of the  
 26 courts within a State, and the resistance is accompanied by an assault on the officer, the sovereignty of the United  
 27 States is violated by the resistance, and that of the State by the breach of peace, in the assault. So, too, if one  
 28 passes counterfeited coin of the United States within a State, it may be an offence against the United States and  
 29 the State: the United States, because it discredits the coin; and the State, because of the fraud upon him to whom  
 30 it is passed. This does not, however, necessarily imply that the two governments possess powers in common, or  
 31 bring them into conflict with each other. It is the natural consequence of a citizenship [92 U.S. 542, 551] which***

32 *owes allegiance to two sovereignties, and claims protection from both. **The citizen cannot  
 33 complain, because he has voluntarily submitted himself  
 34 to such a form of government.** He owes allegiance to the two departments, so to  
 35 speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws.  
 36 In return, he can demand protection from each within its own jurisdiction.”*  
 37 *[United States v. Cruikshank, 92 U.S. 542 (1875) [emphasis added]*

38 Returning to the Cruikshank cite above and the meaning of the word “voluntarily” in the context of “U.S. citizen” status, you  
 39 might at this point want to go forward to Chapter 14, which is Definitions, and look at the definition of “voluntary”. Here is  
 40 it again:

41 *“Voluntary: (Black’s Law Dictionary, Sixth Edition, p. 1575) **“Unconstrained by interference; unimpelled by  
 42 another’s influence; spontaneous; acting of oneself.** Coker v. State, 199 Ga. 20, 33 S.E.2d. 171, 174. Done by  
 43 design or intention. **Proceeding from the free and unrestrained will of the person. Produced in or by an act of  
 44 choice. Resulting from free choice, without compulsion or solicitation.** The word, especially in statutes, often  
 45 implies knowledge of essential facts. Without valuable consideration; gratuitous, as a voluntary conveyance.  
 46 Also, having a merely nominal consideration; as, a voluntary deed.”*

47 The implications here are profound, because the Supreme Court is implying here that we don’t have to choose to be statutory  
 48 “U.S.\*\* citizens” because it is voluntary! Voluntary citizenship and voluntary political rights are the very heart and soul of  
 49 what it means to live in a free country and have liberty! We can’t be citizens by compulsion or by presumption, and must do

<sup>201</sup> See 26 C.F.R. §1.1-1(a)(2)(ii) and 26 C.F.R. §1.1441-1(c)(3) for confirmation of the fact that the only “individuals” who are “subject” to the Internal Revenue Code are aliens and nonresident aliens.

1 so by choice. We can simply be “free inhabitants” under the Articles of Confederation instead of statutory “citizens” if that  
 2 status affords us the most protections for our God-give rights and liberties. The reason why citizenship MUST be voluntary  
 3 is because of what we find in the Declaration of Independence, which states:

4 “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator  
 5 with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure  
 6 these rights, Governments are instituted among Men, deriving their just powers from  
 7 the consent of the governed, --That whenever any Form of Government becomes destructive of these  
 8 ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation  
 9 on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety  
 10 and Happiness.” [emphasis added]

11 The key word here is “consent”. If you don’t want to be a “U.S. citizen” or accept the so-called “benefits” or “privileges and  
 12 immunities” of a highly litigious and corrupt and greedy socialist democracy, or submit yourself to its corrupt laws that are  
 13 clearly in conflict with God’s sovereign laws, then you don’t have to! Consent can’t be compelled and if it is, then the  
 14 exercise of government power in such a case is no longer “just” as Thomas Jefferson says here, and represents “injustice”.

15 “An agreement obtained by duress, coercion, or intimidation is invalid, since the party coerced is not exercising  
 16 his free will, and the test is not so much the means by which the party is compelled to execute the agreement as  
 17 the state of mind induced.<sup>202</sup> Duress, like fraud, rarely becomes material, except where a contract or  
 18 conveyance has been made which the maker wishes to avoid. As a general rule, duress renders the contract or  
 19 conveyance voidable, not void, at the option of the person coerced,<sup>203</sup> and it is susceptible of ratification. Like  
 20 other voidable contracts, it is valid until it is avoided by the person entitled to avoid it.<sup>204</sup> However, duress in  
 21 the form of physical compulsion, in which a party is caused to appear to assent when he has no intention of doing  
 22 so, is generally deemed to render the resulting purported contract void.<sup>205</sup>”  
 23 [American Jurisprudence 2d, Duress, §21 (1999)]

24 Please remember that the purpose of our court system is to effect justice, not injustice, so the courts can’t enforce that which  
 25 isn’t consensual. The only exception to this rule is if a person does something that infringes on the equal rights or liberties  
 26 of a bona fide, flesh and blood third party. Nonpayment of “income taxes” (which are in reality donations) does not  
 27 accomplish this because the state/government isn’t a natural or real person, but an artificial legal entity that actually is a  
 28 corporation. The problem is, even if your choice or consent was procured by force or fraud or trickery on the part of the  
 29 government or its treacherous lawyers, as it is in most cases, the judges in our corrupt federal courts are so eager to get their  
 30 hands in your pocket that they won’t give you the benefit of the doubt as their very own precedents and rulings clearly  
 31 establish. Here is what the U.S. Supreme Court said about this subject:

32 “Keeping in mind the well-settled rule that the citizen is exempt from taxation unless the same is imposed by  
 33 clear and unequivocal language, and that where the construction of a tax law is doubtful, the doubt is to be  
 34 resolved in favor of those upon whom the tax is sought to be laid.”  
 35 [Spreckels Sugar Refining Co. v. McClain, 192 U.S. 397 (1904)]

36 “Waivers of constitutional rights not only must be voluntary, but must be knowing, intelligent acts done with  
 37 sufficient awareness of the relevant circumstances and likely consequences.”  
 38 [Brady v. United States, 397 U.S. 742, 90 S.Ct. 1463 (1970)]

39 Powerful stuff, folks! By the way, there are LOTS of similar quotes like the first quote above that use the word “taxpayer”  
 40 instead of “citizen”, but we positively refuse to use them because the word “taxpayer” is a due process trap and a government  
 41 scam, as you will learn later in section 5.3.1. Based on the above, if most judges really were “honorable” (which is why we  
 42 are supposed to call them “your honor” but also why they seldom merit that name), they would presume we are “nationals”  
 43 unless and until **THE GOVERNMENT** meets the burden of proof that we chose to become privileged “U.S. citizens” by an

<sup>202</sup> Brown v. Pierce, 74 U.S. 205, 7 Wall. 205, 19 L.Ed. 134

<sup>203</sup> Barnette v. Wells Fargo Nevada Nat’l Bank, 270 U.S. 438, 70 L.Ed. 669, 46 S.Ct. 326 (holding that acts induced by duress which operate solely on the mind, and fall short of actual physical compulsion, are not void at law, but are voidable only, at the election of him whose acts were induced by it); Fiske v. Gershman, 30 Misc.2d. 442, 215 N.Y.S.2d. 144; Glenney v. Crane (Tex Civ App Houston (1st Dist)), 352 S.W.2d. 773, writ ref n r e (May 16, 1962); Carroll v. Fetty, 121 W.Va. 215, 2 S.E.2d. 521, cert den 308 U.S. 571, 84 L.Ed. 479, 60 S.Ct. 85.

<sup>204</sup> Fiske v. Gershman, 30 Misc.2d. 442, 215 N.Y.S.2d. 144; Heider v. Unicume, 142 Or. 416, 20 P.2d. 384; Glenney v. Crane (Tex Civ App Houston (1st Dist)), 352 S.W.2d. 773, writ ref n r e (May 16, 1962)

<sup>205</sup> Restatement 2d, Contracts § 174, stating that if conduct that appears to be a manifestation of assent by a party who does not intend to engage in that conduct is physically compelled by duress, the conduct is not effective as a manifestation of assent.

1 informed and deliberate choice and consent rather than by presumption and by fraud because of our own legal ignorance  
 2 when filling out government forms. The foundation of this is that in our system of justice, we are “innocent until proven  
 3 guilty”. In the commercial world, a contract becomes valid only when there is:

- 4 1. An offer: government offers to make us “U.S. citizens”
- 5 2. Acceptance: we accept their offer voluntarily and without duress. Being deceived constitutes duress insofar as the  
 6 actions of our government are concerned.
- 7 3. Consideration: receipt of the privileges and immunities of “U.S. citizen” status in our case or income tax on the part  
 8 of the government
- 9 4. Mutual assent by both parties: informed choice and a full understanding of the rights that are being surrendered or  
 10 waived in the process of procuring the perceived benefit.

11 The fourth element above is missing from the “citizenship contract” we signed when we submitted our government application  
 12 for voter registration, passport, or social security benefits, and therefore the “citizenship contract” cannot and should not be  
 13 legally enforced by our dishonorable courts, but it is anyway in a massive conspiracy to deprive us of rights under 18 U.S.C.  
 14 §241 and in violation of the spirit and intent of the “social contract” called U.S. Constitution and that of the framers who  
 15 wrote it. The goal of this document is to ensure that your consent from this day forward is fully informed so that the  
 16 government can no longer use your own ignorance as a weapon against you to STEAL your property. After you have read  
 17 this document, if you continue to remain a “U.S. citizen”, then you will have no one to blame but yourself for your inaction  
 18 at eliminating that status and regaining your God-given rights. The choice to do NOTHING is a choice to remain a slave.  
 19 As Sherry Peel Jackson, an X IRS Examination agent very powerfully said at the We The People Truth In Taxation Hearings  
 20 on February 28, 2002:

21 *“You can remain an informed slave, or you can leave the plantation entirely!”*

22 So the question is, why on earth would anyone want to “volunteer” to be a citizen of either their state or federal government  
 23 and thereby volunteer to be subject to the legislative jurisdiction of our corrupt and covetous government? What if you don’t  
 24 want government “protection” as the Supreme Court describes above and want to fend for yourself or better yet have God  
 25 protect you? Remember that a compelled benefit is not a benefit, but slavery disguised as government benevolence! If the  
 26 government abuses its power by threatening anyone who doesn’t want protection [from harassment by IRS computers in the  
 27 collection of taxes when they aren’t paid, for instance] and thereby forces you to accept protection and to pay taxes for that  
 28 protection, then government becomes nothing more than a mafia protection racket under such circumstances, who charges  
 29 you for protection from its own bad deeds! This kind of arrangement is no different than Racketeer Influenced Corrupt  
 30 Organizations (RICO), which is a serious crime under 18 U.S.C. §225. I certainly don’t choose to “volunteer” to be a citizen  
 31 of my federal government under such compelled circumstances and you shouldn’t either.

32 We should never forget that God in the Bible clearly states that we should not be citizens of any state or government, because  
 33 in doing so we surrender our sovereignty and the protection of God, and trade our God-given rights for taxable government  
 34 “privileges” and protection, thereby becoming slaves!:

35 *“Protection draws subjection.”*  
 36 *[Steven Miller]*

37 *“Stand fast therefore in the liberty wherewith Christ hath made us free, and be not entangled again with the  
 38 yoke of bondage [to the government or the income tax].”  
 39 *[Galatians 5:1, Bible, NKJV]**

40 *“For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ”  
 41 *[Philippians 3:20]**

42 *“Now, therefore, you are no longer strangers and foreigners, but fellow citizens with the saints and members of  
 43 the household of God.”  
 44 *[Ephesians 2:19, Bible, NKJV]**

45 *“These all died in faith, not having received the promises, but having seen them afar off were assured of them,  
 46 embraced them and confessed that they were strangers and pilgrims on the earth.”  
 47 *[Hebrews 11:13]**

48 *“Beloved, I beg you as sojourners and pilgrims, abstain from fleshly lusts which war against the soul...”  
 49 *[Peter 2:1]**

**4.12.10.5 How you unknowingly volunteered to become a “citizen of the United States” under federal statutes**

Armed with the knowledge that “U.S. citizen” status under federal statutes and “acts of Congress” is *entirely voluntary*, let’s now examine the federal government’s definition of the term “naturalization” to determine at what point we “volunteered”:

[8 U.S.C. §1101\(a\)\(23\)](#) naturalization defined

(a)(23) The term “naturalization” means the conferring of **nationality** [NOT “citizenship” or “U.S. citizenship”, but “nationality”, which means “[national](#)”] of a state upon a person after birth, by any means whatsoever.

And here is the definition in Black’s Law Dictionary, Sixth Edition, p. 1026 of *naturalization*:

**Naturalization.** The process by which a person acquires nationality [not citizenship, but nationality] after birth and becomes entitled to the privileges of U.S. citizenship. [8 U.S.C.A. §1401](#) et seq..

*In the United States collective naturalization occurs when designated groups are made citizens by treaty (as Louisiana Purchase), or by a law of Congress (as in annexation of Texas and Hawaii). Individual naturalization must follow certain steps: (a) petition for naturalization by a person of lawful age who has been a lawful resident of the United States for 5 years; (b) investigation by the Immigration and Naturalization Service to determine whether the applicant can speak and write the English language, has a knowledge of the fundamentals of American government and history, is attached to the principles of the Constitution and is of good moral character; (c) hearing before a U.S. District Court or certain State courts of record; and (d) after a lapse of at least 30 days a second appearance in court when the oath of allegiance is administered.*  
[Black’s Law Dictionary, Sixth Edition, p. 1026]

Hmmm. Well then, if you were a foreigner who was “naturalized” to become a “national” (and keep in mind that all of America is mostly a country of immigrants), then some questions arise:

1. At what point did you become a STATUTORY “U.S. citizen” under federal law, because “naturalization” didn’t do it?
2. By what means did you inform the government of your “informed choice” in this *voluntary* process?

The answer is that when you applied for a passport or registered to vote or participated in jury duty, the government asked you whether you were a “U.S. citizen” and you lied by saying “YES”. In effect, although you never made an informed choice to surrender your sovereign status as a “national” to become a “U.S. citizen”, you created a “presumption” on their part that you were a “U.S. citizen” just because of the erroneous paperwork you sent them which they can later use as evidence in court to prove you are a “U.S. citizen”. Even worst, they ENCOURAGED you to make it erroneous because of the way they designed the forms by not even giving you a choice on the form to indicate that you were a “national” instead of a “U.S. citizen”! By you checking the “U.S. citizen” block on their rigged forms, that is all the evidence they needed to conclude, incorrectly and to their massive financial benefit I might add, that you were a “U.S. citizen” who was “completely subject to the jurisdiction” of the United States. BAD IDEA!

Technically and lawfully, the federal government *does not* have the lawful authority to confer statutory “citizen of the United States\*\*\*” status upon a person born inside a Union state on land that is not part of the federal zone and domiciled there. If they did, they would be “sheep poachers” who were stealing citizens from the Union states and depriving those states of control over persons born within their jurisdiction. This is so because “citizen of the United States\*\*\*” status is superior and dominant over state citizenship according to the Supreme Court in the *Slaughter-House Cases*, 83 U.S. 36 (1873):

*“The first of these questions is one of vast importance, and lies at the very foundations of our government. **The question is now settled by the fourteenth amendment itself, that citizenship of the United States is the primary citizenship in this country; and that State citizenship is secondary and derivative, depending upon citizenship of the United States and the citizen’s place of residence. The States have not now, if they ever had, any power to restrict their citizenship to any classes or persons.** A citizen of the United States has a perfect constitutional right to go to and reside in any State he chooses, and to claim citizenship therein, [83 U.S. 36, 113] and an equality of rights with every other citizen; and the whole power of the nation is pledged to sustain him in that right. He is not bound to cringe to any superior, or to pray for any act of grace, as a means of enjoying all the rights and privileges enjoyed by other citizens. And when the spirit of lawlessness, mob violence, and sectional hate can be so completely repressed as to give full practical effect to this right, we shall be a happier nation, and a more prosperous one than we now are. **Citizenship of the United States ought to be, and, according to the Constitution, is, a surt and undoubted title to equal rights in any and every States in this Union,** subject to such regulations as the legislature may rightfully prescribe. If a man be denied full equality before the law, he is denied one of the essential rights of citizenship as a citizen of the United States.”*  
[*Slaughter-House Cases*, 83 U.S. 36 (1873)]

Therefore, persons born in the Union states but outside the federal zone (federal areas or enclaves within the states) must be *naturalized* technically in order to become “citizens of the United States”. However, the rules for naturalization in the case of federal citizenship are so lax and transparent that people are fooled into thinking they *always were* “citizens of the United States”! Whenever you fill out a passport or voter registration form and claim you are a “citizen of the United States” or a “U.S. citizen”, for instance, even if you technically weren’t because you weren’t born inside the federal zone, then you have effectively and formally “naturalized” yourself into federal citizenship and given the government evidence admissible under penalty of perjury proving that you are a federal serf and slave!

I therefore like to think of the term “U.S. citizen” used by the Internal Revenue Service and the Internal Revenue Code as being like the sign that your enemies taped on your back in grammar school without you knowing which said “HIT ME!”, and the only people who can see the sign or understand what it means are those who work for the government and the IRS and the legal profession! Your own legal ignorance is the only reason that you don’t know that you have this sign on your back.

#### 4.12.10.6 Presumptions about “citizen of the United States” status

The courts often “presume” you to be a statutory federal citizen under 8 U.S.C. §1401, without even telling you that there are different classes of citizens. It is up to you dispute this.

*“Unless the defendant can prove he is not a citizen of the United States, the IRS has the right to inquire and determine a tax liability.”*  
[U.S. v. Slater, 545 Fed.Supp. 179,182 (1982)]

The legal encyclopedia, American Jurisprudence, further helps explain the nature of the above presumption as shown below:

*“As a general rule, it is presumed, until the contrary is shown, that every person is a citizen of the country [nation, meaning “national”] in which he or she resides.<sup>206</sup> Furthermore, once granted, citizenship is presumably retained unless voluntarily relinquished,<sup>207</sup> and the burden rests upon one alleging a change of citizenship and allegiance to establish that fact. Consequently, a person born in the United States is presumed to continue to be a citizen until the contrary is shown, and where it appears that a person was once a citizen of a particular foreign country, even though residing in another, the presumption is that he or she still remains a citizen of such foreign country, until the contrary appears.”*  
[3C American Jurisprudence 2d, Presumptions concerning citizenship (1999)]

The above quote is obviously written so that it could very easily mislead those who do not understand the separation of powers doctrine or the nature of federal jurisdiction. As we said earlier in section 4.5, the “United States\*” is *not* a “nation”, but a “federation” of independent states. Within the context of *The Law of Nations* (see Vattel), the federal zone *in combination with* the 50 states are collectively considered a “country”, but *not* a nation. Politicians and judges do frequently refer to the federal government as the “national government” to deliberately mislead people, but you would be mistaken to conclude that we are a “nation” in the legal sense.<sup>208</sup> When the above cite says we are “presumed” to be a “citizen” of the “country in which he or she resides”, what they are saying is that we are to be presumed to be a “national” but not necessarily a statutory “citizen” under the laws of that country. The US\* is a country but not a nation, while both the US\*\* and the US\*\*\* are both a county and a nation. Therefore, if you are residing within the US\*\* you are presumed to be a national of the US\*\* and if you are residing in the US\*\*\* you are presumed to be a national of the US\*\*\*. The word “citizen” used independently of the name of a geographic region, simply implies “national”. This confusion over definitions was not our doing, but a creation of the politicians and the courts to keep you confused and enslaved to their corrupt jurisdiction.

As we covered earlier in section 2.8.2, having a Social Security Number (SSN) also creates a rebuttable presumption that you are a “U.S. citizen”, according to the Internal Revenue Code:

[26 C.F.R. §301.6109-1\(g\)](#)

(g) Special rules for taxpayer identifying numbers issued to foreign persons—

(1) General rule—

<sup>206</sup> Shelton v. Tiffin, 47 U.S. 163, 6 How. 163, 12 L.Ed. 387 (1848).

<sup>207</sup> Afroyim v. Rusk, 387 U.S. 253, 87 S.Ct. 1660, 18 L.Ed.2d. 757 (1967).

<sup>208</sup> See *Chisholm v. Georgia*, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793)



(i) Social security number. A social security number is generally identified in the records and database of the Internal Revenue Service as a number belonging to a U.S. citizen or resident alien individual. A person may establish a different status for the number by providing proof of foreign status with the Internal Revenue Service under such procedures as the Internal Revenue Service shall prescribe, including the use of a form as the Internal Revenue Service may specify. Upon accepting an individual as a nonresident alien individual, the Internal Revenue Service will assign this status to the individual's social security number.

The reason you can rebut this presumption is that the Social Security Administration Program Operations Manual says that both “U.S. citizens” and “U.S. nationals” can participate in the Social Security program, and because foreigners can acquire a Socialist Security Number as well using an SSA Form SS-5.

To rebut the presumption that you are a statutory “U.S. citizen” under 8 U.S.C. §1401, simply present your SSA Form SS-5 reflecting your correct status as a “national”, along with your birth certificate. You can also show them a copy of any of the following documents, which we show you how to prepare so as to reflect your correct citizenship status in section 4.5.3.13 of the Sovereignty Forms and Instructions Manual, Form #10.005:

1. Voter registration
2. Passport application
3. Government security clearance application
4. Jury summons

Using the above evidence to rebut incorrect presumptions about your citizenship status can be useful when you are filing tax returns and when you are litigating in court and you want the judge to respect your choice of citizenship status.

**WARNING!:** If you have a Socialist Security Number and you don’t rebut the presumption that you are a statutory “U.S. citizen” with evidence in a court proceeding, then the state and federal courts will automatically presume that you are without even telling you that they are! This can have disastrous results!

#### 4.12.10.7 Privileges and Immunities of U.S. citizens

Statutory “U.S.\*\* citizens” under 8 U.S.C. §1401 do not have natural rights (constitutional civil rights) granted by God but instead have statutory civil rights granted by Congress. The rights that most people believe they have are not natural rights but civil rights which are actually franchise privileges granted by Congress to only statutory “citizens of the United States\*\*” under 8 U.S.C. §1401. Some of these statutory civil rights parallel the protection of the Bill of Rights (the first 10 Amendments to the Constitution), but by researching the Civil Rights Act along with case law decisions involving those rights, it can be shown that these so-called civil rights do not include the Ninth or Tenth Amendments and have only limited application with regard to Amendments One through Eight.

If you accept any benefit from the federal government or you claim any statutory civil right, you are making an "adhesion contract" with the federal government. You may not be aware of any adhesion contracts but the courts are. The other aspect of such a contract is that you will obey every statute that Congress passes. For example, if you want to be in receipt of the “privilege” of becoming a commissioned officer in the U.S. military, 10 U.S.C. §532(a)(1) requires that you must be a statutory “citizen of the United States\*\*”. That same statute in paragraph (3) requires that officers must be “of good moral character”. Does supreme ignorance fit the description of “good moral character”? No one other than either an idiot or a liar would claim to be a statutory “citizen of the United States\*\*” if they were born in a Union state outside of the federal zone and domiciled there, based on the content of this section. Does that meet the definition of “good moral character?” We think not! We must also conclude that there are an awful lot of officers in the U.S. military who don’t belong there, because the vast majority of them no doubt had to be born inside the Union states instead of inside the federal zone. Wouldn’t this make a GREAT subject for a lawsuit: getting most of the officers in the military kicked out of the military because they are not, in fact, “U.S. citizens”? Can you see just how insidious this “privilege-induced slavery” is that our government uses to trap us into their corrupt jurisdiction? The most distressing part is that it’s all based on fraud and lies, and the government in this case loves being lied to and won’t question the lies, because willfully acquiescing to lies is the only way they can manufacture “taxpayers” and idiots they can govern and have jurisdiction over!

Privileged “U.S. citizens” under 8 U.S.C. §1401 are presumed to be operating in the jurisdiction of private commercial law because that is the jurisdiction of their creator -- Congress. This is evidenced by the existence of various contracts and the use of negotiable instruments. All are products of international law or commercial law [Uniform Commercial Code]. Under Common Law your intent is important; in a court of equity and contract (commercial law) the only thing that matters is that

1 you live up to the letter of the contract. Because you have adhesion contracts with Congress, you cannot use the Constitution  
 2 or Bill of Rights as a defense because it is irrelevant to the contract. As stated previously, the contract says you will obey  
 3 every Act of Congress. A federal "U.S. citizen" under 8 U.S.C. §1401 does *not* have access to Common Law. If you doubt  
 4 this, appoint a counsel of your choice and under contract who is *not* licensed by the socialist state to practice law to represent  
 5 you in court. Go in front of the federal court and when they ask for his state bar number, tell them the counsel isn't licensed  
 6 and doesn't need to be licensed. If they try to dismiss your counsel for not being licensed, cite Article 1, Section 10 of the  
 7 Constitution says

8 ***U.S. Constitution, Article I, Section 10***

9 *"No State shall ... pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts,*  
 10 *or grant any Title of Nobility."*

11 By removing your counsel, they have effected a Bill of Attainder by penalizing you without a law or even a trial related to  
 12 attorney licensing for exercising your right to contract. They have in effect created a Title of Nobility for all those who are  
 13 licensed to practice law in the state. They have also penalized you in effect for exercising your right of free speech in the  
 14 process of removing the person you chose to be your *spokesperson*, who is then prevented from representing you. They have  
 15 done this in furtherance of the private lawyer's labor union called the American Bar Association (ABA).

16 Section 1 of the Fourteenth Amendment says that "citizens of the United States", which we will show later are actually  
 17 "nationals" or "nationals of the United States\*\*\*\*" under 8 U.S.C. §1101(a)(21), have special "privileges and immunities"  
 18 above and beyond those of purely state Citizens, but what exactly are they? The annotated Fourteenth Amendment answers  
 19 this question. Below is an excerpt from the annotated Fourteenth Amendment on the "privileges and immunities" of U.S.  
 20 citizens:

21 ***SECTION 1. RIGHTS GUARANTEED: PRIVILEGES AND IMMUNITIES***

22 *Unique among constitutional provisions, the privileges and immunities clause of the Fourteenth Amendment*  
 23 *enjoys the distinction of having been rendered a "practical nullity" by a single decision of the Supreme Court*  
 24 *issued within five years after its ratification. In the Slaughter-House Cases, 15 a bare majority of the Court*  
 25 *frustrated the aims of the most aggressive sponsors of this clause, to whom was attributed an intention to*  
 26 *centralize "in the hands of the Federal Government large powers hitherto exercised by the States" with a view to*  
 27 *enabling business to develop unimpeded by state interference. This expansive alteration of the federal system was*  
 28 *to have been achieved by converting the rights of the citizens of each State as of the date of the adoption of the*  
 29 *Fourteenth Amendment into privileges and immunities of United States citizenship and thereafter perpetuating*  
 30 *this newly defined status quo through judicial condemnation of any state law challenged as "abridging" any one*  
 31 *of the latter privileges. To have fostered such intentions, the Court declared, would have been "to transfer the*  
 32 *security and protection of all the civil rights . . . to the Federal Government, . . . to bring within the power of*  
 33 *Congress the entire domain of civil rights heretofore belonging exclusively to the States," and to "constitute this*  
 34 *court a perpetual censor upon all legislation of the States, on the civil rights of their own citizens, with authority*  
 35 *to nullify such as it did not approve as consistent with those rights, as they existed at the time of the adoption of*  
 36 *this amendment. . . . [The effect of] so great a departure from the structure and spirit of our institutions . . . is to*  
 37 *fetter and degrade the State governments by subjecting them to the control of Congress, in the exercise of powers*  
 38 *heretofore universally conceded to them of the most ordinary and fundamental character. . . . We are convinced*  
 39 *that no such results were intended by the Congress . . . , nor by the legislatures . . . which ratified" this amendment,*  
 40 *and that the sole "pervading purpose" of this and the other War Amendments was "the freedom of the slave race."*

41 *Conformably to these conclusions, the Court advised the New Orleans butchers that the Louisiana statute,*  
 42 *conferring on a single corporation a monopoly of the business of slaughtering cattle, abrogated no rights*  
 43 *possessed by them as United States citizens; insofar as that law interfered with their claimed privilege of pursuing*  
 44 *the lawful calling of butchering animals, the privilege thus terminated was merely one of "those which belonged*  
 45 *to the citizens of the States as such." Privileges and immunities of state citizenship had been "left to the state*  
 46 *governments for security and protection" and had not been placed by this clause "under the special care of the*  
 47 *Federal Government." The only privileges which the Fourteenth Amendment protected against state*  
 48 *encroachment were declared to be those "which owe their existence to the Federal Government, its National*  
 49 *character, its Constitution, or its laws." 16 These privileges, however, had been available to United States citizens*  
 50 *and protected from state interference by operation of federal supremacy even prior to the adoption of the*  
 51 *Fourteenth Amendment. The Slaughter-House Cases, therefore, reduced the privileges and immunities clause to*  
 52 *a superfluous reiteration of a prohibition already operative against the states.*

53 *Although the Court has expressed a reluctance to attempt a definitive enumeration of those privileges and*  
 54 *immunities of United States citizens which are protected against state encroachment, it nevertheless felt obliged*  
 55 *in the Slaughter-House Cases "to suggest some which owe their existence to the Federal Government, its National*  
 56 *character, its Constitution, or its laws." 17 Among those which it then identified were the right of access to the*  
 57 *seat of Government and to the seaports, subtreasuries, land officers, and courts of justice in the several States,*

1 the right to demand protection of the Federal Government on the high seas or abroad, the right of assembly, the  
 2 privilege of habeas corpus, the right to use the navigable waters of the United States, and rights secured by treaty.  
 3 In *Twining v. New Jersey*, [18](#) the Court recognized "among the rights and privileges" of national citizenship the  
 4 right to pass freely from State to State, [19](#) the right to petition Congress for a redress of grievances, [20](#) the right  
 5 to vote for national officers, [21](#) the right to enter public lands, [22](#) the right to be protected against violence while  
 6 in the lawful custody of a United States marshal, [23](#) and the right to inform the United States authorities of  
 7 violation of its laws. [24](#) Earlier, in a decision not mentioned in *Twining*, the Court had also acknowledged that  
 8 the carrying on of interstate commerce is "a right which every citizen of the United States is entitled to exercise."  
 9 [25](#)

10 In modern times, the Court has continued the minor role accorded to the clause, only occasionally manifesting a  
 11 disposition to enlarge the restraint which it imposes upon state action. *Colgate v. Harvey*, [26](#) which was overruled  
 12 five years later, [27](#) represented the first attempt by the Court since adoption of the Fourteenth Amendment to  
 13 convert the privileges and immunities clause into a source of protection of other than those "interests growing  
 14 out of the relationship between the citizen and the national government." Here, the Court declared that the right  
 15 of a citizen resident in one State to contract in another, to transact any lawful business, or to make a loan of  
 16 money, in any State other than that in which the citizen resides was a privilege of national citizenship which was  
 17 abridged by a state income tax law excluding from taxable income interest received on money loaned within the  
 18 State. In *Hague v. CIO*, [28](#) two and perhaps three justices thought that freedom to use municipal streets and parks  
 19 for the dissemination of information concerning provisions of a federal statute and to assemble peacefully therein  
 20 for discussion of the advantages and opportunities offered by such act was a privilege and immunity of a United  
 21 States citizen, and in *Edwards v. California* [29](#) four Justices were prepared to rely on the clause. [30](#) In *Oyama v.*  
 22 *California*, [31](#) in a single sentence the Court agreed with the contention of a native-born youth that a state Alien  
 23 Land Law, applied to work a forfeiture of property purchased in his name with funds advanced by his parent, a  
 24 Japanese alien ineligible for citizenship and precluded from owning land, deprived him "of his privileges as an  
 25 American citizen." The right to acquire and retain property had previously not been set forth in any of the  
 26 enumerations as one of the privileges protected against state abridgment, although a federal statute enacted prior  
 27 to the proposal and ratification of the Fourteenth Amendment did confer on all citizens the same rights to  
 28 purchase and hold real property as white citizens enjoyed. [32](#)

29 [Extracted from Findlaw website at: <http://caselaw.lp.findlaw.com/data/constitution/amendment14/02.html> - 1]

30 It is important to realize that the status of "citizen of the United States" under Section 1 of the Fourteenth Amendment makes  
 31 state citizenship "derivative and dependent" upon federal citizenship.

32 "Thus, the dual character of our citizenship is made plainly apparent. That is to say, a citizen of the United States  
 33 is ipso facto and at the same time a citizen of the state in which he resides. And while the Fourteenth  
 34 Amendment does not create a national citizenship, it has the effect of making that citizenship 'paramount and  
 35 dominant' instead of 'derivative and dependent' upon state citizenship. [3](#) 'In reviewing the subject,' Chief Justice  
 36 White said, in the *Selective Draft Law Cases*, [245 U.S. 366, 377](#), 388 S., 389, 38 S.Ct. 159, 165, L.R.A. 1918C,  
 37 361, Ann.Cas. 1918B, 856: 'We have hitherto considered it as it has been argued from the point of view of the  
 38 Constitution as it stood prior to the adoption of the Fourteenth Amendment. But to avoid all misapprehension we  
 39 briefly direct attention to that (the fourteenth) amendment for the purpose of pointing out, as has been frequently  
 40 done in the past, how completely it broadened the national scope of the government under the Constitution by  
 41 causing citizenship of the United States to be paramount and dominant instead of being subordinate [296 U.S.  
 42 404, 428] and derivative, and therefore operating as it does upon all the powers conferred by the Constitution  
 43 leaves no possible support for the contentions made if their want of merit was otherwise not to clearly made  
 44 manifest.' "  
 45 [*Colgate v. Harvey*, 296 U.S. 404 (1935)]

46 Five years later, in *Madden v. Commonwealth of Kentucky*, 309 U.S. 83 (1940), the Supreme Court contradicted itself by  
 47 overruling *Colgate v. Harvey* in its majority opinion, but the above does help you to understand how the courts think about  
 48 statutory "nationals". The court also ruled in *Madden* that the main goal of the Fourteenth Amendment was to protect Negro  
 49 slaves in their freedom, and was therefore not intended to apply to the rest of the predominantly white population.

50 "This Court declared in the *Slaughter-House Cases*<sup>15</sup> that the Fourteenth Amendment as well as the Thirteenth  
 51 and Fifteenth were adopted to protect the negroes in their freedom. This almost contemporaneous interpretation  
 52 extended the benefits of the privileges and immunities clause to other rights which are inherent in national  
 53 citizenship but denied it to those which spring from [309 U.S. 83, 92] state citizenship."  
 54 [*Madden v. Commonwealth of Kentucky*, 309 U.S. 83 (1940)]

#### 55 4.12.10.8 **Definitions of federal citizenship terms**

56 We'd like to clarify one more *very important point* about the meaning of the term "citizen of the United States" based on the  
 57 definition of "naturalization" offered earlier. Because "naturalization" is defined statutorily in [8 U.S.C. §1101\(a\)\(23\)](#) as the  
 58 process of conferring "**nationality**" rather than "federal U.S. citizen" status, then some people believe that the "citizen of the

United States” that section 1 of the Fourteenth is referring to must actually be that of a “national” rather than “U.S. citizen”. We agree wholeheartedly with this conclusion. Government has deliberately confused definitions to deceive you.

There is additional evidence found earlier in section 4.5 which corroborates the view that a “citizen of the United States” mentioned repeatedly by the Supreme Court is actually a “national” as defined in 8 U.S.C. §1101(a)(21). In that section, we quoted the Black’s Law Dictionary Fourth Edition definition of “National Government” as well as the Supreme Court case of *Chisholm v. Georgia*, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793) to conclusively show that the “United States” is not a “nation”, but a “federation” of sovereign states. Now if the “United States” is defined as a “federation” and not a “nation”, then what exactly does it mean to say that a person is a “national”? What “nation” are they a “citizen” of under such a circumstance if it isn’t the “United States”? Well, 8 U.S.C. §1101(a)(21) answers this question authoritatively:

[TITLE 8 > CHAPTER 12 > SUBCHAPTER 1 > Sec. 1101.](#)  
[Sec. 1101. - Definitions](#)

(a)(21) The term “national” means a person owing permanent allegiance to a state.

It’s important to realize that federal statutes and most “acts of Congress” are simply municipal legislation that only have force and effect over the federal zone in most cases. The term “state” in the context of federal statutes, since it is not capitalized, means a foreign state, which can either be a foreign country or a state of the Union. So it is therefore reasonable to conclude that a “national” can only mean a person born in a state of the Union or a foreign country to parents who were also “nationals” and who owes allegiance to the federation of states called the “United States”.

If you were born in a state of the Union, you are a “national” under 8 U.S.C. §1101(a)(21), and this is so because of section 1 of the Fourteenth Amendment and state law, and not because of any federal statute. The courts of your state, in fact, have the authority under the Law of Nations to declare your “citizen of the United States” status under the Fourteenth Amendment based on your birth certificate. Remember always that Congress wears two hats:

1. The equivalent of a state government over the federal zone.
2. An independent contractor for the states of the union that handles external affairs for the entire country only.

The laws that Congress writes pertain to one of these two political jurisdictions, and it is often difficult to tell which of these two that a specific federal law applies to. The only thing that federal statutes pertain to in most cases are statutory federal “U.S. citizens” or “citizens and nationals of the United States” as defined under 8 U.S.C. §1401, which are people who are born anywhere in the country but domiciled on federal property that is within the federal zone, because Congress is the municipal “city hall” for the federal zone. The “States” they legislate for in this capacity are federal “States”, which are in fact territories and possessions of the United States such as Guam and Puerto Rico. Federal statutes and the U.S. Codes do not and cannot address what happens to people who are born in a state of the Union because Congress has no police power or legislative jurisdiction over states of the Union for the vast majority of subject matters. All legislation and statutes of the states, including the power of taxation of internal commerce, are “plenary” and exclusive within their own respective territorial jurisdictions. Therefore, don’t go looking for a federal statute that confers citizenship upon you as someone who was born in a state of the Union, because there isn’t one! No government is authorized to write legislation that operates outside its territory, which is called “extraterritorial legislation”.

*“The Constitution of the United States [before the Fourteenth Amendment] does not declare who are and who are not its citizens, nor does it attempt to describe the constituent elements of citizenship; it leaves that quality where it found it, resting upon the fact of home birth and upon the laws of the several states.”*  
 [8 U.S.C. §1401, Notes]

A “citizen” in the context of most federal statutes is someone who is either born or naturalized in federal territory within the federal “United States” (federal zone). A “national”, however, is someone who was born anywhere within the country called the “United States”. A “citizen” in state statutes and regulations usually refers to someone who is a state citizen, and not necessarily a federal citizen. These points are very important to remember as you read through this book.

So how do we conclusively relate what a “citizen of the United States” is under the Fourteenth Amendment to a specific citizenship status found in federal statutes? We have to look at Title 8, Aliens and Nationality and compare the terms they use to describe each and reach our own conclusions, because the government gives us absolutely no help doing this. Does it surprise you that the Master doesn’t want to educate the slaves how to take off their chains by eliminating their captivity to “words of art”? Title 8 of the U.S. Code does not even define “U.S. citizen” and only defines the term “citizens and nationals

1 of the United States” in 8 U.S.C. §1401 or “nationals but not citizens of the United States *at birth*” in 8 U.S.C. §1408. Upon  
2 trying to resolve the distinctions between these two terms and how they relate to the term “citizen of the United States” used  
3 in section 1 of the Fourteenth Amendment, we searched diligently for authorities and found no authority or cite in federal  
4 statutes that makes the term “citizens and nationals of the United States” used in 8 U.S.C. §1401 equivalent to the term  
5 “citizen of the United States” used in section 1 of the Fourteenth Amendment or the term “citizen” used in the 26 C.F.R.  
6 §1.1-1.

7 Both the IRC in Subtitle A of Title 26 and Title 8 of the U.S.C. use equivalent definitions for “United States” (see 26 U.S.C.  
8 §7701(a)(9) and (a)(10), 8 U.S.C. §1101(a)(38), and 8 C.F.R. §215.1(f)), and all three mean the federal zone only. The  
9 “citizen” appearing in 26 C.F.R. §1.1-1, is a *federal* “U.S. citizen” *only*, which is defined in 26 C.F.R. §31.3121(e)-1 as a  
10 person born in Puerto Rico, Virgin Islands, Guam, or American Samoa, which are all territories or possessions of the United  
11 States. The “citizens and nationals of the United States” appearing in the 8 U.S.C. §1401 are the same *federal* “U.S.\*\*  
12 citizens” as that appearing in Title 26 and are equivalent. If you are a “national” or “state national” born in a state of the  
13 Union, you should *never* admit to being a “U.S. citizen” or a “citizen of the United States” under federal statutes or the  
14 Internal Revenue Code because people born in states of the Union are the equivalent of a “National” under federal statutes or  
15 “citizens of the United States” under the Fourteenth Amendment.

16 We believe the confusion the government has created by mixing up the meanings of “citizenship” and “nationality” in federal  
17 statutes and cases construing them is deliberate, and is meant to help induce ignorant Americans everywhere into falsely  
18 claiming they are “U.S. citizens” on their tax returns and voter registration, which is defined as an entirely *different* type of  
19 citizenship under Title 26 than the one referred to in either the Fourteenth Amendment as “citizens of the United States” or  
20 the cases construing it that we mention in this section. We will now summarize our findings and research in graphical form  
21 to make the definitions and distinctions we have just made crystal clear:  
22

Table 4-35: Summary of findings on meaning of citizenship

Term	U.S. Supreme Court	Title 8: Aliens and Nationality	Title 26: Internal Revenue Code
“U.S. national”	Not defined	Defined in 8 U.S.C. §1101(a)(22) and 8 U.S.C. §1408.	Not defined in Title 26 but is equivalent to: 1. “nonresident alien” as defined in 26 U.S.C. §7701(b)(1)(B) for those engaged in a public office. 2. “non-resident non-person” for those not engaged in a public office and therefore private.
“national”	Not defined	Defined in 8 U.S.C. §1101(a)(22) and 8 U.S.C. §1101(a)(21).	Not defined in Title 26 but is equivalent to “nonresident alien” as defined in 26 U.S.C. §7701(b)(1)(B).
“citizen”	Not explicitly defined by the Supreme Court.	Not defined in Title 8.	Defined in 26 C.F.R. §1.1-1(c).
“citizen of the United States***”	Means a “national” under 8 U.S.C. §1101(a)(21) but <i>not</i> a statutory “U.S. citizen” in the Internal Revenue Code, which is defined in 26 U.S.C. §3121(e) See: 1. Slaughter-House Cases, 83 U.S. 36 (1873) 2. U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)	Not defined separately in Title 8. 8 U.S.C. §1401 defines “nationals and citizens of the United States** at birth” but this type of citizen is a <i>federal zone</i> citizen <i>ONLY</i> . This is because federal statutes only apply to federal territory. This is NOT the same as a “citizen of the United States” defined by the Supreme Court.	Not defined in Title 26.
“nationals and citizens of the United States at birth”	Not explicitly defined by the Supreme Court.	Defined in 8 U.S.C. §1401. NOT the same as Section 1 of Fourteenth Amendment.	Not defined in Title 26.

Based on the above, there is no legal basis to conclude that a “citizen of the United States\*\*” under the tax code at 26 C.F.R. §31.3121(e)-1 and a “citizen of the United States\*\*\*” as used by the Supreme Court or the Fourteenth Amendment, are equivalent because nowhere in the law are they made equivalent, and each depends on a *different* definition of “United States”. However, if you read through court cases on citizenship, you will find that the federal courts like to create a false “presumption” that they are equivalent in order to help expand federal jurisdiction. If you want to understand the meanings of the terms provided above, you will therefore have to read through all of the authorities cited above and convince yourself of the validity of the table.

If you look closely at 26 C.F.R. §1.1-1(c) where income taxes are “imposed”, you will find that it does *not* use or define “U.S. citizen” but does refer to “citizens”. Remember that under 26 U.S.C. §7806(b), the title of a section or subsection in the Internal Revenue Code has no legal significance. Since that regulation implements 26 U.S.C. §1, which imposes the tax on “individuals”, one can “presume” but not conclusively prove that the regulation is describing what a “U.S. citizen” is under 8 U.S.C. §1401. Keep in mind, however, that the term “citizen” refers to the *federal* United States\*\* in the Internal Revenue Code because of the definition it depends on in [26 U.S.C. §7701\(a\)\(9\)](#) and [\(a\)\(10\)](#). Nowhere in Titles 8 or 26, however, are the terms “U.S. citizen” and “citizen of the United States” ever correlated or identified as being equivalent, but we must conclude that they are the same because the definition of “United States” found in 26 U.S.C. §7701(a)(9) and 8 U.S.C. §1101(a)(38) are equivalent and include only the District of Columbia and the territories and possessions of the United States.

#### 4.12.10.9 Further Study

If you want to know who the Social Security Administration thinks is a “U.S. citizen”, refer to the link below, which is a section from the SSA’s Program Operation Manual System (POMS). Note that all the references in the POMS manual we are about to cite below use the term “State” and “United States” as meaning *federal* States and the *federal* United States\*\* only. The link below from POMS is entitled “Who is a U.S. citizen”:

<https://secure.ssa.gov/apps10/poms.nsf/lnx/0200303120>

Another useful link in the SSA’s POMS manual is the section entitled “GN 00303.100 United States (U.S.) Citizenship”:

<https://secure.ssa.gov/apps10/poms.nsf/lnx/0200303100>

And finally, another useful section from the POMS manual on the SSA website is entitled “GN 00303.001 Requirement of U.S. Citizenship or Appropriate Alien Status” at:

<https://secure.ssa.gov/apps10/poms.nsf/lnx/0200303001>

In conclusion, we need not be afraid because we are not legally obligated to be federal statutory citizens or “U.S.\*\* citizens” and can choose to be a constitutional “citizen of the United States\*\*\*” (or natural born Sovereign). State Citizens are also called “non-residents” in federal statutes. Our right of choosing our statutory federal citizenship is absolute and cannot be abridged. One can become a “national of the United States\*\*\*” (a state only citizen) without being a statutory “citizen of the United States\*\*” (a federal statutory citizen). That is why we repeatedly advise expatriating from federal United States\*\* citizenship in section 4.5.3.13 of the *Sovereignty Forms and Instructions Manual*, Form #10.005.

**WARNING:** The feds apparently are so sure that you will be angry and violent after finding out the devious scam they played with “U.S. citizenship” that they made it illegal to be a gun dealer if you were once a U.S. citizen and renounced your statutory “U.S. citizen” status under 8 U.S.C. §1401 to become a “national” under 8 U.S.C. §1101(a)(21)! Take a look at [18 U.S.C. §922\(g\)\(7\)](#) to see for yourself at:

<https://www.law.cornell.edu/uscode/text/18/922>

Note that because Constitutional rights only apply in the sovereign 50 Union states, this statute can only apply inside the federal zone.

For further detailed information on federal citizenship, we refer you to section 3.8.10 on the Fourteenth Amendment.

#### **4.12.11 Citizenship and all political rights are INVOLUNTARILY exercised and therefore CANNOT be taxable and cannot be called “privileges”**

Earlier in section 4.12.8 on Federal (U.S.) citizens, we quoted the U.S. Supreme Court as saying that federal and state citizenship were “voluntary”. Here is the quote:

**“The citizen cannot complain, because he has voluntarily submitted himself to such a form of government. He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws. In return, he can demand protection from each within its own jurisdiction.”**  
*[United States v. Cruikshank, 92 U.S. 542 (1875) [emphasis added]]*

And here is another similar quote by the same U.S. Supreme Court:

**“A State does not owe its origin to the Government of the United States, in the highest or in any of its branches. It was in existence before it. It derives its authority from the same pure and sacred source as itself: The voluntary and deliberate choice of the people...A State is altogether exempt from the jurisdiction of the Courts of the United States, or from any other exterior authority, unless in the special instances when the general Government has power derived from the Constitution itself.”**  
*[Chisholm v. Georgia, 2 Dall. (U.S.) 419 (Dall.) (1793)]*

This section will examine this rather flawed premise of the U.S. Supreme Court in extreme detail to very clearly prove beyond any doubt not only that citizenship is *not* and *cannot* be “voluntary” or “consensual”, but also that all the “political rights” that circumscribe how we exercise our citizenship are in fact compelled and *involuntary*. By proving this flawed premise of the U.S. Supreme Court incorrect, we open up the following intriguing possibilities:

1. Contrary to what the U.S. Supreme Court said above, those misguided individuals who do choose to become second class “U.S. citizens” *do* have a right to complain because their participation is coerced and involuntary.
2. We have a right to avoid government compulsion and compulsion from our fellow citizens by refusing to be “citizens” and refusing to exercise our civic duties.
3. If we choose to *not* participate as citizens in society, then the reward is not being subject to the laws of the government, which in most cases are dishonest and corrupt and covetous anyway. We are citizens of Heaven and not of Earth anyway (see Phil. 3:20). Once we are not subject to the laws of a society, it no longer matters what our

fellow citizens do to the law to corrupt it for their own personal benefit, because we are sovereigns who are immune from government regulation for the most part. If we aren't paying taxes and the government can't do anything to control or regulate us, does it matter whether we have "taxation without representation"?

What is a "political right"? Below is the definition of that term from Black's Law Dictionary:

**Political rights.** *Those which may be exercised in the formation or administration of the government. Rights of citizens established or recognized by constitutions which give them the power to participate directly or indirectly in the establishment or administration of the government.*  
[Black's Law Dictionary, Sixth Edition, p. 1159]

Political rights include such things as:

**Table 4-36: Political rights**

<b>Political right</b>	<b>Category</b>
Voting	Representation
Jury service	Representation
Serving in or running for political office	Representation
Paying taxes	Taxation

The concept of political rights and citizenship are tied together, and the reason they are tied together is that taxation and representation must be tied together in order to have a stable government. When taxation and representation are not tied together, governments become unstable and the people will eventually revolt. We therefore show in the above table the correlation between political rights on the left, and *taxation* and *representation* on the right. Remember that one of the main reasons for the American Revolution was to protest "taxation without representation". The British colonies that comprised America at the time were paying taxes but had no say in their government in how those taxes were spent, and they didn't like it so they started a revolution against Britain: the American Revolution! The representation part of political rights comes from voting, jury service, and serving in political office. The definition of "citizen" from the legal dictionary confirms the linkage between political rights and citizenship:

**citizen.** *One who, under the [Constitution](#) and laws of the [United States](#), or of a particular state, is a **member of the political community, owing allegiance and being entitled to the enjoyment of full civil rights**. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. [U.S. Const., 14th Amend.](#) See [Citizenship](#).*

*"Citizens" are members of a political community who, in their associated capacity, have established or **submitted themselves to the dominion of a government for the promotion of their general welfare and the protection of their individual as well as collective rights***. *Herriott v. City of Seattle*, 81 Wash.2d. 48, 500 P.2d. 101, 109.

*The term may include or apply to children of alien parents from in United States, [Von Schwerdmer v. Piper](#), D.C.Md., 23 F.2d. 862, 863; [U.S. v. Minoru Yasui](#), D.C.Or., 48 F.Supp. 40, 54; children of American citizens born outside United States, [Haaland v. Attorney General of United States](#), D.C.Md., 42 F.Supp. 13, 22; [Indians, United States v. Hester](#), C.C.A.Okla., 137 F.2d. 145, 147; [National Banks, American Surety Co. v. Bank of California](#), C.C.A.Or., 133 F.2d. 160, 162; nonresident who has qualified as administratrix of estate of deceased resident, [Hunt v. Noll](#), C.C.A.Tenn., 112 F.2d. 288, 289. However, neither the United States nor a state is a citizen for purposes of diversity jurisdiction. [Jizemerjian v. Dept of Air Force](#), 457 F.Supp. 820. On the other hand, municipalities and other local governments are deemed to be citizens. [Rieser v. District of Columbia](#), 563 F.2d. 462. A corporation is not a citizen for purposes of privileges and immunities clause of the Fourteenth Amendment. [D.D.B. Realty Corp. v. Merrill](#), 232 F.Supp. 629, 637.*

*Under diversity statute [[28 U.S.C. §1332](#)], which mirrors [U.S. Const. Article III](#)'s diversity clause, a person is a "citizen of a state" if he or she is a citizen of the United States and a domiciliary of a state of the United States. [Gibbons v. Udaras na Gaeltachta](#), D.C.N.Y., 549 F.Supp. 1094, 1116. [Black's Law Dictionary, Sixth Edition, p. 244]*

Note from above definition of "citizen" that *when you become a citizen, you choose to subject yourself to the laws of the political community or jurisdiction of which you are part*. This is very important. We speculate that the reasoning behind this requirement is that you can't have the protection of laws that you yourself refuse to obey, because this would be hypocritical. In the case of federal statutes and "legislative jurisdiction" and "Acts of Congress", of which the Internal Revenue Code is a part, however, you don't need to be subject to them because for the most part, they only apply inside the federal zone anyway, and most Americans don't live in the federal zone.



1 The other thing that the above definition of “citizen” helps us to understand is that our government has defined citizenship  
 2 such that *political rights depend on our citizenship status*, while the rest of our rights depend on *where* we reside. Look at  
 3 these excerpts from the definition of “citizen” again:

4 “...owing allegiance and being entitled to the enjoyment of full civil rights...”

5 “Citizens’ are members of a political community who... submitted themselves to the dominion of a government  
 6 for the promotion of their general welfare and the protection of their individual as well as collective rights.  
 7 Herriott v. City of Seattle, 81 Wash.2d. 48, 500 P.2d. 101, 109.”

8 The implication of the above definition of “citizen” is that *unless we are citizens, we do not have full civil rights*. Based on  
 9 the logic above, if we are *not* citizens, our *civil rights* are protected by (but we are not “subject to” or “subservient to”) the  
 10 Bill of Rights and the rest of the Constitution, but *we can only get political rights by becoming citizens*, based on the  
 11 government’s definition of “citizen” and “political rights”. There is a paradox here folks. Can you see it? We should *always*  
 12 be looking for paradoxes and “cognitive dissonance” of this kind in order to properly challenge jurisdiction. Remember once  
 13 again:

14 *“If it doesn’t make sense, it’s probably because politics is involved.”*

15 Here is “the rest of the story”, as Paul Harvey liked to say, that the government won’t tell you. Remember that from earlier  
 16 discussions in sections 4.2 through 4.3.4, a right is *not* something the government can interfere with or take away or regulate  
 17 or revoke or that is subject to their discretion or any aspect of our voluntary behavior. *If the existence of our rights is*  
 18 *conditional or based on any aspect of government discretion, then they aren’t rights, but privileges disguised as rights!*  
 19 The government can lawfully interfere with and regulate the exercise of *privileges*, but not with *rights*. Consequently, what  
 20 our deceitful government calls “political rights” in the definition above really aren’t “rights” at all, but “privileges” which  
 21 depend on the *voluntary* decision to accept statutory citizenship (which is a *behavior*) and the privileges that go with statutory  
 22 citizenship. Consequently, our government has made both citizenship and political participation in the affairs of government  
 23 into a statutory *privilege* and not a *right*.

24 The most important thing that we should have learned from this chapter is that whenever we receive a government privilege  
 25 there will be strings attached that will destroy our rights. In this case, receipt of the “citizenship” privilege makes us subject  
 26 to taxation and regulation and jurisdiction by the federal government, none of which we need or want, nor will such status  
 27 protect or enhance our rights or liberties, but rather destroy them. We repeat the quote from the beginning of section 4.4.12  
 28 to make this point crystal clear:

29 *“In the matter of taxation, every privilege is an injustice.”*  
 30 *[Voltaire ]*

31 Your covetous politicians are trying to fool you into thinking that it wasn’t a “privilege” you accepted by calling it “political  
 32 rights”, but we have already established that *it cannot be a right if it is conditioned on anything* or on any aspect of your  
 33 voluntary behavior, including the choice to become a “citizen”. Once again, our deceitful government has entrapped us with  
 34 word games. If they are going to call it a “political right”, then they better treat it as right and remove the requirement to be  
 35 a citizen in order to exercise that right, so that we really do have “rights” instead of “privileges” masquerading as “counterfeit  
 36 rights”. As I like to say:

37 *If you want people to swallow a piece of shit, you have to wrap it in a pretty package by coating it in chocolate*  
 38 *and calling it a “Babe Ruth” candy bar.*

39 In this case, the “chocolate coating” for the “shit” you don’t want to swallow called “citizenship” is the word “right” in  
 40 “political rights”! Please pardon our language, but we just couldn’t resist this very appropriate metaphor!

41 One of our readers, after reading the foregoing analysis of “citizenship” and “political rights”, responded by saying:

42 *“But how are you going to keep foreigners from voting so they don’t commit treason and trash the country?”*

43 The answer is that so long as people are born in United States\*\*\* of America, not United States\*\* the *federal zone*, and as  
 44 long as they have allegiance to the United States\*\*\* of America, rather than the federal corporation called the United States\*\*,  
 45 then they should be able to vote because they have the best interests of the *country* in mind when they have allegiance to it.  
 46 The status of being *both* born in the United States\*\*\* of America and having allegiance to it, collectively, is called “U.S.

nationality”, and *not* “U.S. citizenship”, and you will find out later in section 4.12.12 what being a “national” means, why that is the status you want to have, and why you don’t have to pay taxes or be in receipt of government privileges to have that status. You will also find out in that section that most states have colluded to deprive you of your rights by passing laws to force you to become a “U.S. citizen” in order to exercise political rights such as voting or serving on jury duty. The federal government has added to this injury by messing with the passport application forms to make it look like you have to be a privileged “U.S. citizen” in order to get a U.S. passport, but this also is not a lawful requirement. The states and the federal government have conspired against your rights in this fashion because they want to:

1. Force you to lie to them in saying that you are a “U.S. citizen”, in direct violation of the ten commandments, which says in Exodus 20:16 that we shall not bear false witness. Remember our analysis in section 4.12.10.1: to be a “U.S. citizen”, you must be born in the *federal* United States (federal zone) in an area subject to the *sovereignty* of the United States Government under Article 1, Section 8, Clause 17 of the Constitution. Most Americans are *not* born there and more properly are classified as “nationals” born *outside* the *federal* United States\*\*.
2. Break down the separation of powers between the federal and state governments, and force you to serve *two* masters instead of one, in direct violation of the bible, Luke 16:13 (“...no man can serve two masters..”). The lie you committed by simultaneously declaring yourself to be both a U.S. and a state citizen also violates the rulings of the Supreme Court in *U.S. v. Lopez*, 514 U.S. 549 (1995) and the intent of the constitution, which says:

*We start with first principles. The Constitution creates a Federal Government of enumerated powers. See U.S. Const., Art. I, § 8. As James Madison wrote, “[t]he powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite.” The Federalist No. 45, pp. 292-293 (C. Rossiter ed. 1961).* **This constitutionally mandated division of authority "was adopted by the Framers to ensure protection of our fundamental liberties."** *Gregory v. Ashcroft*, 501 U.S. 452, 458 (1991) (internal quotation marks omitted). **"Just as the separation and independence of the coordinate branches of the Federal Government serves to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front."** *Ibid.*

Remember that by default, all federal legislation and “Acts of Congress” only apply *inside* the federal zone, and we will explain this matter in great detail in section 5.2 and subsections. But if the thieves and robbers who are our elected leaders can make you a “citizen” in receipt of “privileges”, then they can make you subject to their laws even if you don’t live on their property. By doing so, they can make you into property and a franchise of the United States government and treat you as though you occupy the federal zone anyway. Sneaky, huh? At that point, these covetous and arrogant thugs and murderers have succeeded in breaking down the wall of separation between the state and federal jurisdictions at great injury to your liberties. They have then forced you to serve *two* masters in direct violation of the bible in Luke 16:13. Ultimately, this leads to socialism, tyranny, and an oppression of and conspiracy against your constitutional rights, as we explain throughout this book.

3. Once the government “thugs”, murderers, and thieves coax you into the federal zone, they can then legally deprive you of your constitutional rights and make you a slave of income taxes and not be held accountable by the courts or the law for their actions of trespass on your person, property, and liberty. The constitution and bill of rights, remember, do *not* apply in the federal zone. That is why we call the federal zone the “plunder and fraud” zone.

Justice Harlan of the Supreme Court warned us that this was going to happen in his dissenting opinion found in *Downes v. Bidwell*, 182 U.S. 244 (1901):

*"The idea prevails with some, indeed it has found expression in arguments at the bar, that we have in this country substantially two national governments; one to be maintained under the Constitution, with all of its restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising such powers [of absolutism] as other nations of the earth are accustomed to.. **I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism.. It will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution.**"*  
[Downes v. Bidwell, 182 U.S. 244 (1901)]

1 When are people going to wake up? We believe the foregoing analysis also explains why there is a long term trend toward  
 2 reduced participation of the people in the political process. Most states require you to be a “U.S. citizens” to vote and they  
 3 do it so they can use voting as a way to get jurisdiction to impose income taxes. If corrupt politicians and lawyers writing  
 4 our state laws have forced the people to give up their constitutional rights and their sovereignty and be subject to unwanted  
 5 socialist federal jurisdiction in order to participate in the political process and have “political rights”, is it any wonder that  
 6 they no longer wish to participate? If our state governments sincerely want to fix the problem of low voter turnout and people  
 7 being unwilling to serve on jury duty, then what they need to do is:

- 8 1. Admit in their election literature that most people are “nationals” and not “U.S. citizens”.
- 9 2. Remove the legal requirement to be a “U.S. citizen” in order to vote or serve on jury duty. Instead, make the requirement  
 10 that they must be “nationals” instead, under 8 U.S.C. §1101(a)(21).
- 11 3. Tell people that by serving on jury duty and participating in elections, they are defending their liberty and that if they  
 12 don’t, the government and the laws will become corrupted. The state should remind people that keeping our government  
 13 and the state laws honest and limited in power is everyone’s job.

14 Of course, if the states did this, most of them would lose their jurisdiction to impose state income taxes. Don’t hold your  
 15 breath waiting for them to do the honorable thing documented above, because you will die of suffocation!

16 *“The love of money is the root of all evil.”*  
 17 *[1 Tim. 6:10, Bible, NKJV]*

18 In satisfying the goals of this section on the subject of political rights, we rely mainly upon the writings of Lysander Spooner  
 19 and his brilliant essay entitled *No Treason: The Constitution of No Authority*, *Lysander Spooner* available on our website at:

20 <http://famguardian.org/PublishedAuthors/Indiv/SpoonerLysander/NoTreason.htm>

21 In the above essay, Lysander Spooner uses reason and common sense alone to examine the two most important aspects of  
 22 citizenship, that of voting and paying taxes, and concludes that the only reason people do these things is for selfish reasons  
 23 and in defense of their personal liberties from what he aptly calls “bands of robbers, tyrants, and murderers” who he says  
 24 inhabit “the government”. His analysis is so compelling and indisputable that we repeat it here for your benefit and  
 25 edification. His essay is also so irreverent towards the government and public “servants” (tyrants) that it is funny!

26 What Lysander does is simply prove that the exercise of civic responsibility in the form of voting and payment of taxes are  
 27 done under compulsion from the government and under the implied influence and duress and coercion by other of his fellow  
 28 citizens within a competitive and dog-eat-dog, democracy, who will trample his natural rights if he isn’t politically involved  
 29 and doesn’t defend those rights by vigilantly exercising all of his civic responsibilities.

30 We’ll start off the analysis in subsequent sections with a legal definition of the word “voluntary”:

31 *“voluntary. Unconstrained by interference; unimpelled by another’s influence; spontaneous; acting of oneself.*  
 32 *Coker v. State, 199 Ga. 20, 33 S.E.2d. 171, 174. Done by design or intention. Proceeding from the free and*  
 33 *unrestrained will of the person. Produced in or by an act of choice. Resulting from free choice, without*  
 34 *compulsion or solicitation. The word, especially in statutes, often implies knowledge of essential facts. Without*  
 35 *valuable consideration; gratuitous, as a voluntary conveyance. Also, having a merely nominal consideration;*  
 36 *as, a voluntary deed.”*  
 37 *[Black’s Law Dictionary, Sixth Edition, p. 1575]*

38 In the next few subsections, we’ll examine each aspect of political rights individually. However, before we start looking at  
 39 the trees, consider the forest and the bigger picture. For instance, have you ever considered that our life and our existence  
 40 itself is involuntary? We never asked to be here: our parents chose to put us here without our consent or involvement. Life  
 41 was an involuntary gift from our parents to us and we couldn’t choose whether we wanted it or not before we received it.  
 42 Our very existence is involuntary and nonconsensual! Everything we do after we are born and come into existence in order  
 43 to maintain and protect a life that we never asked for to begin with is involuntary, because our very life is involuntary. This  
 44 life, in fact, is a “death sentence” by God Himself for the original sin of Adam and Eve documented in the bible in the book  
 45 of Genesis in chapter 3. Because Adam and Eve sinned by disobeying God and eating the fruit, and because the “wages of  
 46 sin is death” (Romans 6:23), then His sentence was a death sentence. Before that sentence, Adam and Eve were immortal.  
 47 In that context, God was the “judge” who administered His righteous death sentence according to His Laws. Recall also that  
 48 the Fifth Amendment of our Constitution prohibits double jeopardy, which is two trials and two sentences for the same crime.

1 If God already sentenced us to death for our sin, then the Fifth amendment is violated if the government tries to punish us a  
2 second time with direct taxes in the process of toiling to sustain and support a life we never asked for to begin with.

3 Remember the definition of “voluntary” above: “Unconstrained by interference; unimpelled by another’s influence”. In this  
4 case, that unwanted influence came from a combination of our parents bringing us into existence, and God allowing them to  
5 do that. Every other argument about political rights derives from this higher argument and is a product of reason and common  
6 sense, which are rare entities indeed in today’s society and especially among democratic candidates. We have an article on  
7 our Life web page of our website from the French Supreme Court where one individual born with birth defects sued his doctor  
8 for the right to NOT be born because it was suffering for him! See the article for yourself:

9 <http://famguardian.org/Subjects/AbortionCloning/News/RightNotToBeBorn.htm>

10 Common sense also confirms the validity of this premise. For instance, many parents choose *not* to have children because  
11 they don’t want to force their children to undergo poverty or an unpleasant lifestyle in a corrupted or crowded society. Note  
12 that word “force”. That argument applies to the author, for instance. Why would I want to bring more willing federal slaves  
13 and serfs to an illegal income tax into the world to serve a corrupted government unless and until our tax system is reformed?

14 As yet another example of why life is involuntary, the rate of teen suicide in America today is the highest it has ever been.  
15 Those teens who choose suicide have chosen to give back a gift from their parents that they apparently don’t appreciate or  
16 want. We would argue that the reason these teens are committing suicide is because our public/government schools have  
17 become antiseptic prison houses devoid of God or any spiritual training. They have become training camps to brainwash  
18 gullible youth into becoming federal serfs. Our public schools are fool factories where psychologists are making children  
19 into drug addicts and forcing them in unprecedented numbers to take mind altering drugs to make them submissive to  
20 authority. Nonconformity and questioning of authority is punished, not encouraged or developed as the product of an  
21 inquisitive and sovereign mind and person.

22 If you would like to look at what the citizenship requirements for various political rights are within your state, we have  
23 compiled a listing by state at the web address below:

24 <http://famguardian.org/Subjects/LawAndGovt/Citizenship/PoliticalRightsvCitizenshipByState.htm>

#### 25 4.12.11.1 Voting<sup>209</sup>

26 All the voting that has ever taken place under the Constitution, has been of such a kind that it not only did not pledge the  
27 whole people to support the Constitution, but it did not even pledge any one of them to do so, as the following considerations  
28 show.

29 1. In the very nature of things, the act of voting could bind nobody but the actual voters. But owing to the property  
30 qualifications required, it is probable that, during the first twenty or thirty years under the Constitution, not more than one-  
31 tenth, fifteenth, or perhaps twentieth of the whole population (black and white, men, women, and minors) were permitted to  
32 vote. Consequently, so far as voting was concerned, not more than one-tenth, fifteenth, or twentieth of those then existing,  
33 could have incurred any obligation to support the Constitution.

34 At the present time [1869], it is probable that not more than one-sixth of the whole population are permitted to vote.  
35 Consequently, so far as voting is concerned, the other five-sixths can have given no pledge that they will support the  
36 Constitution.

37 2. Of the one-sixth that are permitted to vote, probably not more than two-thirds (about one-ninth of the whole population)  
38 have usually voted. Many never vote at all. Many vote only once in two, three, five, or ten years, in periods of great  
39 excitement.

40 No one, by voting, can be said to pledge himself for any longer period than that for which he votes. If, for example, I vote for  
41 an officer who is to hold his office for only a year, I cannot be said to have thereby pledged myself to support the government  
42 beyond that term. Therefore, on the ground of actual voting, it probably cannot be said that more than one-ninth or one-eighth,

<sup>209</sup> From an essay entitled *No Treason: The Constitution of No Authority*, by Lysander Spooner, part II.

1 of the whole population are usually under any pledge to support the Constitution. [In recent years, since 1940, the number of  
2 voters in elections has usually fluctuated between one-third and two-fifths of the populace.]

3 3. It cannot be said that, by voting, a man pledges himself to support the Constitution, unless the act of voting be a perfectly  
4 voluntary one on his part. Yet the act of voting cannot properly be called a voluntary one on the part of any very large number  
5 of those who do vote. It is rather a measure of necessity imposed upon them by others, than one of their own choice. On this  
6 point I repeat what was said in a former number, viz.:

7 *"In truth, in the case of individuals, their actual voting is not to be taken as proof of consent, even for the time  
8 being. On the contrary, it is to be considered that, without his consent having even been asked a man finds himself  
9 environed by a government that he cannot resist; a government that forces him to pay money, render service, and  
10 forego the exercise of many of his natural rights, under peril of weighty punishments. He sees, too, that other men  
11 practice this tyranny over him by the use of the ballot. He sees further, that, if he will but use the ballot himself,  
12 he has some chance of relieving himself from this tyranny of others, by subjecting them to his own. In short, he  
13 finds himself, without his consent, so situated that, if he use the ballot, he may become a master; if he does not  
14 use it, he must become a slave. And he has no other alternative than these two. In self- defence, he attempts the  
15 former. His case is analogous to that of a man who has been forced into battle, where he must either kill others,  
16 or be killed himself. Because, to save his own life in battle, a man takes the lives of his opponents, it is not to be  
17 inferred that the battle is one of his own choosing. Neither in contests with the ballot -- which is a mere substitute  
18 for a bullet -- because, as his only chance of self- preservation, a man uses a ballot, is it to be inferred that the  
19 contest is one into which he voluntarily entered; that he voluntarily set up all his own natural rights, as a stake  
20 against those of others, to be lost or won by the mere power of numbers. On the contrary, it is to be considered  
21 that, in an exigency into which he had been forced by others, and in which no other means of self-defense offered,  
22 he, as a matter of necessity, used the only one that was left to him.*

23 *"Doubtless the most miserable of men, under the most oppressive government in the world, if allowed the ballot,  
24 would use it, if they could see any chance of thereby meliorating their condition. But it would not, therefore, be a  
25 legitimate inference that the government itself, that crushes them, was one which they had voluntarily set up, or  
26 even consented to.*

27 *"Therefore, a man's voting under the Constitution of the United States, is not to be taken as evidence that he ever  
28 freely assented to the Constitution, even for the time being. Consequently we have no proof that any very large  
29 portion, even of the actual voters of the United States, ever really and voluntarily consented to the Constitution,  
30 EVEN FOR THE TIME BEING. Nor can we ever have such proof, until every man is left perfectly free to consent,  
31 or not, without thereby subjecting himself or his property to be disturbed or injured by others."*

32 As we can have no legal knowledge as to who votes from choice, and who from the necessity thus forced upon him, we can  
33 have no legal knowledge, as to any particular individual, that he voted from choice; or, consequently, that by voting, he  
34 consented, or pledged himself, to support the government. Legally speaking, therefore, the act of voting utterly fails to pledge  
35 ANY ONE to support the government. It utterly fails to prove that the government rests upon the voluntary support of  
36 anybody. On general principles of law and reason, it cannot be said that the government has any voluntary supporters at all,  
37 until it can be distinctly shown who its voluntary supporters are.

38 4. As taxation is made compulsory on all, whether they vote or not, a large proportion of those who vote, no doubt do so to  
39 prevent their own money being used against themselves; when, in fact, they would have gladly abstained from voting, if they  
40 could thereby have saved themselves from taxation alone, to say nothing of being saved from all the other usurpations and  
41 tyrannies of the government. To take a man's property without his consent, and then to infer his consent because he attempts,  
42 by voting, to prevent that property from being used to his injury, is a very insufficient proof of his consent to support the  
43 Constitution. It is, in fact, no proof at all. And as we can have no legal knowledge as to who the particular individuals are, if  
44 there are any, who are willing to be taxed for the sake of voting, we can have no legal knowledge that any particular individual  
45 consents to be taxed for the sake of voting; or, consequently, consents to support the Constitution.

46 5. At nearly all elections, votes are given for various candidates for the same office. Those who vote for the unsuccessful  
47 candidates cannot properly be said to have voted to sustain the Constitution. They may, with more reason, be supposed to  
48 have voted, not to support the Constitution, but specially to prevent the tyranny which they anticipate the successful candidate  
49 intends to practice upon them under color of the Constitution; and therefore may reasonably be supposed to have voted against  
50 the Constitution itself. This supposition is the more reasonable, inasmuch as such voting is the only mode allowed to them of  
51 expressing their dissent to the Constitution.

52 6. Many votes are usually given for candidates who have no prospect of success. Those who give such votes may reasonably  
53 be supposed to have voted as they did, with a special intention, not to support, but to obstruct the execution of, the  
54 Constitution; and, therefore, against the Constitution itself.

1 7. As all the different votes are given secretly (by secret ballot), there is no legal means of knowing, from the votes themselves,  
2 who votes for, and who votes against, the Constitution. Therefore, voting affords no legal evidence that any particular  
3 individual supports the Constitution. And where there can be no legal evidence that any particular individual supports the  
4 Constitution, it cannot legally be said that anybody supports it. It is clearly impossible to have any legal proof of the intentions  
5 of large numbers of men, where there can be no legal proof of the intentions of any particular one of them.

6 8. There being no legal proof of any man's intentions, in voting, we can only conjecture them. As a conjecture, it is probable,  
7 that a very large proportion of those who vote, do so on this principle, viz., that if, by voting, they could but get the government  
8 into their own hands (or that of their friends), and use its powers against their opponents, they would then willingly support  
9 the Constitution; but if their opponents are to have the power, and use it against them, then they would NOT willingly support  
10 the Constitution.

11 In short, men's voluntary support of the Constitution is doubtless, in most cases, wholly contingent upon the question whether,  
12 by means of the Constitution, they can make themselves masters, or are to be made slaves.

13 Such contingent consent as that is, in law and reason, no consent at all.

14 9. As everybody who supports the Constitution by voting (if there are any such) does so secretly (by secret ballot), and in a  
15 way to avoid all personal responsibility for the acts of his agents or representatives, it cannot legally or reasonably be said  
16 that anybody at all supports the Constitution by voting. No man can reasonably or legally be said to do such a thing as assent  
17 to, or support, the Constitution, unless he does it openly, and in a way to make himself personally responsible for the acts of  
18 his agents, so long as they act within the limits of the power he delegates to them.

19 10. As all voting is secret (by secret ballot), and as all secret governments are necessarily only secret bands of robbers, tyrants,  
20 and murderers, the general fact that our government is practically carried on by means of such voting, only proves that there  
21 is among us a secret band of robbers, tyrants, and murderers, whose purpose is to rob, enslave, and, so far as necessary to  
22 accomplish their purposes, murder, the rest of the people. The simple fact of the existence of such a band does nothing towards  
23 proving that "the people of the United States," or any one of them, voluntarily supports the Constitution.

24 For all the reasons that have now been given, voting furnishes no legal evidence as to who the particular individuals are (if  
25 there are any), who voluntarily support the Constitution. It therefore furnishes no legal evidence that anybody supports it  
26 voluntarily.

27 So far, therefore, as voting is concerned, the Constitution, legally speaking, has no supporters at all.

28 And, as a matter of fact, there is not the slightest probability that the Constitution has a single bona fide supporter in the  
29 country. That is to say, there is not the slightest probability that there is a single man in the country, who both understands  
30 what the Constitution really is, and sincerely supports it for what it really is.

31 The ostensible supporters of the Constitution, like the ostensible supporters of most other governments, are made up of three  
32 classes, viz.: 1. Knaves, a numerous and active class, who see in the government an instrument which they can use for their  
33 own aggrandizement or wealth. 2. Dupes -- a large class, no doubt -- each of whom, because he is allowed one voice out of  
34 millions in deciding what he may do with his own person and his own property, and because he is permitted to have the same  
35 voice in robbing, enslaving, and murdering others, that others have in robbing, enslaving, and murdering himself, is stupid  
36 enough to imagine that he is a "free man," a "sovereign"; that this is "a free government"; "a government of equal rights,"  
37 "the best government on earth,"<sup>210</sup> and such like absurdities. 3. A class who have some appreciation of the evils of government,  
38 but either do not see how to get rid of them, or do not choose to so far sacrifice their private interests as to give themselves  
39 seriously and earnestly to the work of making a change.

40 Lastly, the Fifteenth and the Nineteenth Amendments to the U.S. Constitution collectively make it a *right* for "citizens of the  
41 United States" to vote which cannot be abridged on the basis of race, color, previous servitude, or sex. Since the "citizen"  
42 they are talking about is in the Constitution and the "United States" in the Constitution means the states of the Union, then  
43 that means they are referring to people born in states of the Union. Based on the definition of "national" in [8 U.S.C.](#)  
44 [§1101](#)(a)(21), calling yourself a "national" under federal law is the equivalent of calling yourself a "citizen of the United  
45 States" in the Constitution. However, whenever you fill out any government form, if you are "citizen of the United States"

<sup>210</sup> Suppose it be "the best government on earth," does that prove its own goodness, or only the badness of all other governments?

1 under the Constitution, you should be careful to clarify that it means “national but not citizen of the United States” under [8](#)  
2 [U.S.C. §1101](#)(a)(21) in order to prevent confusion so they don’t misuse the form as evidence against you in court to suck you  
3 into their jurisdiction.

#### 4 **4.12.11.2 Paying taxes<sup>211</sup>**

5 The payment of taxes, being compulsory, of course furnishes no evidence that any one voluntarily supports the Constitution.

6 1. It is true that the THEORY of our Constitution is, that all taxes are paid voluntarily; that our government is a mutual  
7 insurance company, voluntarily entered into by the people with each other; that that each man makes a free and purely  
8 voluntary contract with all others who are parties to the Constitution, to pay so much money for so much protection, the same  
9 as he does with any other insurance company; and that he is just as free not to be protected, and not to pay tax, as he is to pay  
10 a tax, and be protected.

11 But this theory of our government is wholly different from the practical fact. The fact is that the government, like a  
12 highwayman, says to a man: "Your money, or your life." And many, if not most, taxes are paid under the compulsion of that  
13 threat.

14 The government does not, indeed, waylay a man in a lonely place, spring upon him from the roadside, and, holding a pistol  
15 to his head, proceed to rifle his pockets. But the robbery is none the less a robbery on that account; and it is far more dastardly  
16 and shameful.

17 The highwayman takes solely upon himself the responsibility, danger, and crime of his own act. He does not pretend that he  
18 has any rightful claim to your money, or that he intends to use it for your own benefit. He does not pretend to be anything but  
19 a robber. He has not acquired impudence enough to profess to be merely a "protector," and that he takes men's money against  
20 their will, merely to enable him to "protect" those infatuated travelers, who feel perfectly able to protect themselves, or do  
21 not appreciate his peculiar system of protection. He is too sensible a man to make such professions as these. Furthermore,  
22 having taken your money, he leaves you, as you wish him to do. He does not persist in following you on the road, against  
23 your will; assuming to be your rightful "sovereign," on account of the "protection" he affords you. He does not keep  
24 "protecting" you, by commanding you to bow down and serve him; by requiring you to do this, and forbidding you to do that;  
25 by robbing you of more money as often as he finds it for his interest or pleasure to do so; and by branding you as a rebel, a  
26 traitor, and an enemy to your country, and shooting you down without mercy, if you dispute his authority, or resist his  
27 demands. He is too much of a gentleman to be guilty of such impostures, and insults, and villainies as these. In short, he does  
28 not, in addition to robbing you, attempt to make you either his dupe or his slave.

29 The proceedings of those robbers and murderers, who call themselves "the government," are directly the opposite of these of  
30 the single highwayman.

31 In the first place, they do not, like him, make themselves individually known; or, consequently, take upon themselves  
32 personally the responsibility of their acts. On the contrary, they secretly (by secret ballot) designate some one of their number  
33 to commit the robbery in their behalf, while they keep themselves practically concealed. They say to the person thus  
34 designated:

35 Go to A\_\_\_\_\_ B\_\_\_\_\_, and say to him that "the government" has need of money to meet the expenses of protecting him and  
36 his property. If he presumes to say that he has never contracted with us to protect him, and that he wants none of our protection,  
37 say to him that that is our business, and not his; that we CHOOSE to protect him, whether he desires us to do so or not; and  
38 that we demand pay, too, for protecting him. If he dares to inquire who the individuals are, who have thus taken upon  
39 themselves the title of "the government," and who assume to protect him, and demand payment of him, without his having  
40 ever made any contract with them, say to him that that, too, is our business, and not his; that we do not CHOOSE to make  
41 ourselves INDIVIDUALLY known to him; that we have secretly (by secret ballot) appointed you our agent to give him notice  
42 of our demands, and, if he complies with them, to give him, in our name, a receipt that will protect him against any similar  
43 demand for the present year. If he refuses to comply, seize and sell enough of his property to pay not only our demands, but  
44 all your own expenses and trouble beside. If he resists the seizure of his property, call upon the bystanders to help you  
45 (doubtless some of them will prove to be members of our band.) If, in defending his property, he should kill any of our band  
46 who are assisting you, capture him at all hazards; charge him (in one of our courts) with murder; convict him, and hang him.

<sup>211</sup> From an essay entitled *No Treason: The Constitution of No Authority*, by Lysander Spooner, part III.

1 If he should call upon his neighbors, or any others who, like him, may be disposed to resist our demands, and they should  
 2 come in large numbers to his assistance, cry out that they are all rebels and traitors; that "our country" is in danger; call upon  
 3 the commander of our hired murderers; tell him to quell the rebellion and "save the country," cost what it may. Tell him to  
 4 kill all who resist, though they should be hundreds of thousands; and thus strike terror into all others similarly disposed. See  
 5 that the work of murder is thoroughly done; that we may have no further trouble of this kind hereafter. When these traitors  
 6 shall have thus been taught our strength and our determination, they will be good loyal citizens for many years, and pay their  
 7 taxes without a why or a wherefore.

8 It is under such compulsion as this that taxes, so called, are paid. And how much proof the payment of taxes affords, that the  
 9 people consent to "support the government," it needs no further argument to show.

10 2. Still another reason why the payment of taxes implies no consent, or pledge, to support the government, is that the taxpayer  
 11 does not know, and has no means of knowing, who the particular individuals are who compose "the government." To him  
 12 "the government" is a myth, an abstraction, an incorporeality, with which he can make no contract, and to which he can give  
 13 no consent, and make no pledge. He knows it only through its pretended agents. "The government" itself he never sees. He  
 14 knows indeed, by common report, that certain persons, of a certain age, are permitted to vote; and thus to make themselves  
 15 parts of, or (if they choose) opponents of, the government, for the time being. But who of them do thus vote, and especially  
 16 how each one votes (whether so as to aid or oppose the government), he does not know; the voting being all done secretly  
 17 (by secret ballot). Who, therefore, practically compose "the government," for the time being, he has no means of knowing.  
 18 Of course he can make no contract with them, give them no consent, and make them no pledge. Of necessity, therefore, his  
 19 paying taxes to them implies, on his part, no contract, consent, or pledge to support them -- that is, to support "the  
 20 government," or the Constitution.

21 3. Not knowing who the particular individuals are, who call themselves "the government," the taxpayer does not know whom  
 22 he pays his taxes to. All he knows is that a man comes to him, representing himself to be the agent of "the government" --  
 23 that is, the agent of a secret band of robbers and murderers, who have taken to themselves the title of "the government," and  
 24 have determined to kill everybody who refuses to give them whatever money they demand. To save his life, he gives up his  
 25 money to this agent. But as this agent does not make his principals individually known to the taxpayer, the latter, after he has  
 26 given up his money, knows no more who are "the government" -- that is, who were the robbers -- than he did before. To say,  
 27 therefore, that by giving up his money to their agent, he entered into a voluntary contract with them, that he pledges himself  
 28 to obey them, to support them, and to give them whatever money they should demand of him in the future, is simply ridiculous.

29 4. All political power, so called, rests practically upon this matter of money. Any number of scoundrels, having money enough  
 30 to start with, can establish themselves as a "government"; because, with money, they can hire soldiers, and with soldiers  
 31 extort more money; and also compel general obedience to their will. It is with government, as Caesar said it was in war, that  
 32 money and soldiers mutually supported each other; that with money he could hire soldiers, and with soldiers extort money.  
 33 So these villains, who call themselves governments, well understand that their power rests primarily upon money. With  
 34 money they can hire soldiers, and with soldiers extort money. And, when their authority is denied, the first use they always  
 35 make of money, is to hire soldiers to kill or subdue all who refuse them more money.

36 For this reason, whoever desires liberty, should understand these vital facts, viz.: 1. That every man who puts money into the  
 37 hands of a "government" (so called), puts into its hands a sword which will be used against him, to extort more money from  
 38 him, and also to keep him in subjection to its arbitrary will. 2. That those who will take his money, without his consent, in  
 39 the first place, will use it for his further robbery and enslavement, if he presumes to resist their demands in the future. 3. That  
 40 it is a perfect absurdity to suppose that anybody of men would ever take a man's money without his consent, for any such  
 41 object as they profess to take it for, viz., that of protecting him; for why should they wish to protect him, if he does not wish  
 42 them to do so? To suppose that they would do so, is just as absurd as it would be to suppose that they would take his money  
 43 without his consent, for the purpose of buying food or clothing for him, when he did not want it. 4. If a man wants "protection,"  
 44 he is competent to make his own bargains for it; and nobody has any occasion to rob him, in order to "protect" him against  
 45 his will. 5. That the only security men can have for their political liberty, consists in their keeping their money in their own  
 46 pockets, until they have assurances, perfectly satisfactory to themselves, that it will be used as they wish it to be used, for  
 47 their benefit, and not for their injury. 6. That no government, so called, can reasonably be trusted for a moment, or reasonably  
 48 be supposed to have honest purposes in view, any longer than it depends wholly upon voluntary support.

49 These facts are all so vital and so self-evident, that it cannot reasonably be supposed that any one will voluntarily pay money  
 50 to a "government," for the purpose of securing its protection, unless he first make an explicit and purely voluntary contract  
 51 with it for that purpose.



1 It is perfectly evident, therefore, that neither such voting, nor such payment of taxes, as actually takes place, proves anybody's  
 2 consent, or obligation, to support the Constitution. Consequently we have no evidence at all that the Constitution is binding  
 3 upon anybody, or that anybody is under any contract or obligation whatever to support it. And nobody is under any obligation  
 4 to support it.

#### 5 4.12.11.3 Jury Service

6 Jury service is similar to voting and is based on voting, so all the arguments used earlier by Spooner about voting apply  
 7 equally to jury service. People involve themselves in jury service for the very same reasons as voting, which is to defend  
 8 their liberties against encroachment by:

- 9 • The “band of tyrants, robbers, and murderers” in “the government”
- 10 • Fellow citizens who would want to violate the liberties and rights of others by using the government as their agent.  
 11 For instance, they might abuse their elective franchise or voting power to influence or authorize the state or  
 12 government to plunder the property of others in order to guarantee their economic security and income.

13 Even before government existed, all men had a natural and God-given right to defend their person, their family, their liberty,  
 14 and their property against encroachment by others, and they did so through force and using violence if necessary. Book I of  
 15 The Law of Nations by Vattel, which our founding fathers used to write our Constitution and which appears on our website  
 16 at:

The Law of Nations, Vattel  
[http://famguardian.org/Publications/LawOfNations/vattel\\_01.htm](http://famguardian.org/Publications/LawOfNations/vattel_01.htm).

17 also confirms the existence of this God-given right of self-defense:

18 *[§ 18. A nation has a right to every thing necessary for its preservation.](#)*

19 *Since then a nation is obliged to preserve itself, it has a right to every thing necessary for its preservation. For*  
 20 *the Law of Nature gives us a right to every thing without which we cannot fulfil our obligation; otherwise it would*  
 21 *oblige us to do impossibilities, or rather would contradict itself in prescribing us a duty, and at the same time*  
 22 *debarring us of the only means of fulfilling it. It will doubtless be here understood, that those means ought not to*  
 23 *be unjust in themselves, or such as are absolutely forbidden by the Law of Nature.*

24 *As it is impossible that it should ever permit the use of such means, — if on a particular occasion no other present*  
 25 *themselves for fulfilling a general obligation, the obligation must, in that particular instance, be looked on as*  
 26 *impossible, and consequently void.*

27 [The Law of Nations, Vattel, Section 18; SOURCE:  
 28 <https://famguardian.org/Publications/LawOfNations/vattel.htm>]

29 Even the Supreme Court agrees with the existence of the natural rights of self-protection:

30 *“The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business*  
 31 *in his own way. His power to contract is unlimited. He owes no duty to the state or to his neighbors to divulge his*  
 32 *business, or to open his doors to an investigation, so far as it may tend to criminate him. He owes no such duty*  
 33 *to the state, since he receives nothing therefrom, beyond the protection of his life and property. **His rights are***  
 34 ***such as existed by the law of the land long antecedent to the organization of the state,** and can only be taken*  
 35 *from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to*  
 36 *incriminate himself, and the immunity of himself and his property from arrest or seizure except under a warrant*  
 37 *of the law. He owes nothing to the public so long as he does not trespass upon their rights.”*  
 38 [*Hale v. Henkel, 201 U.S. 43 (1906)*]

39 Within the early family unit, this role of defending one’s rights usually fell on the man. As mankind civilized, the function  
 40 of defending personal liberty and property were delegated to the government, but the sovereignty remained with the people.  
 41 At first, the role of the government in defending its citizens was defined verbally, but mankind soon discovered that human  
 42 nature being dishonest and covetous and untrustworthy, the people working for government became corrupted and abused  
 43 their power for personal benefit. Consequently, the people then chose to correct this problem by defining the role of the  
 44 government formally in writing using written constitutions, from which the government was authorized by the constitution  
 45 to write statutes and regulations to carry out the sovereign powers delegated to them by the people. The constitution was like  
 46 a written contract that could then be enforced in court against government agents who were charged with carrying it out. But  
 47 once again, human depravity entered into the picture and the greedy lawyers and politicians writing the statutes and

1 regulations devised a way to obfuscate and distort the law for their personal gain, and illegally expand their delegated  
 2 authority by dolus. Hence, the jury was invented as a check and balance so that bad laws could be nullified by the sovereign  
 3 people and so that this conflict of interest by the government could then be eliminated. The people then separated the Judiciary  
 4 from the Executive branch of the government in order that this conflict of interest might be minimized and to make the judges  
 5 controlling the trials more objective and less biased, but even that solution had defects. The judges became corrupted because  
 6 they got their pay and benefits from the tax monies that were illegally collected by the Executive branch, and the Executive  
 7 branch used their tax collecting power to threaten, harass, and intimidate the judges into illegally enforcing the Internal  
 8 Revenue Code. This made juries all the more important because they were there not only to nullify bad laws, but to counteract  
 9 subtle and often hidden biases on the part of the judge. We talked about many of these biases and prejudices earlier in section  
 10 2.8.13. Thomas Jefferson hinted at these biases when he said:

11 *"It is left... to the juries, if they think the permanent judges are under any bias whatever in any cause, to take on*  
 12 *themselves to judge the law as well as the fact. They never exercise this power but when they suspect partiality in*  
 13 *the judges; and by the exercise of this power they have been the firmest bulwarks of English liberty."*  
 14 *[Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283]*

15 The purpose of juries is therefore to protect us from corrupted and covetous government politicians and judges and to nullify  
 16 bad laws that conflict with God's laws. But the definition of "voluntary" at the beginning of this subsection said that  
 17 "voluntary" meant:

18 *"voluntary. Unconstrained by interference; unimpelled by another's influence; spontaneous; acting of oneself.*  
 19 *Coker v. State, 199 Ga. 20, 33 S.E.2d. 171, 174. Done by design or intention. Proceeding from the free and*  
 20 *unrestrained will of the person. Produced in or by an act of choice. Resulting from free choice, without*  
 21 *compulsion or solicitation. The word, especially in statutes, often implies knowledge of essential facts. Without*  
 22 *valuable consideration; gratuitous, as a voluntary conveyance. Also, having a merely nominal consideration;*  
 23 *as, a voluntary deed."*  
 24 *[Black's Law Dictionary, Sixth Edition, p. 1575]*

25 Certainly, jury service cannot be said to be "unimpelled by another's influence" because the very reason we do it is because  
 26 of the fear of specific bad people in government and the bad laws they write. Nothing that is done out of fear of a person or  
 27 a bad law can be said to be "voluntary". Here is a confirmation of that conclusion found in the definition of "consent" in  
 28 Black's Law Dictionary:

29 *"Consent. A concurrence of wills. Voluntarily yielding the will to the proposition of another; acquiescence or*  
 30 *compliance therewith. Agreement; approval; permission; the act or result of coming into harmony or accord.*  
 31 *Consent is an act of reason, accompanied with deliberation, the mind weighing as in a balance the good or evil*  
 32 *on each side. It means voluntary agreement by a person in the possession and exercise of sufficient mental*  
 33 *capacity to make an intelligent choice to do something proposed by another. It supposes a physical power to act,*  
 34 *a moral power of acting, and a serious, determined, and free use of these powers. Consent is implied in every*  
 35 *agreement. It is an act unclouded by fraud, duress, or sometimes even mistake.*

36 *"Willingness in fact that an act or an invasion of an interest shall take place. Restatement, Second, Torts §10A.*

37 **As used in the law of rape 'consent' means consent of the will,**  
 38 **and submission under the influence of fear or terror cannot**  
 39 **amount to real consent.** *There must be an exercise of intelligence based on knowledge of its*

40 *significance and moral quality and there must be a choice between resistance and assent. And if a woman resists*  
 41 *to the point where further resistance would be useless or until her resistance is overcome by force or violence,*  
 42 *submission thereafter is not 'consent'."*

43 *[Black's Law Dictionary, Sixth Edition, p. 305, emphasis added]*

44 Self-defense cannot be voluntary unless we consented or volunteered to put ourselves into harm's way to begin with, which  
 45 no sane man would consider in the first place. Like voting, if we don't serve on jury duty, then corrupted people in  
 46 government will eventually write the laws in such a way as to make us into complete and total slaves. Here is how Thomas  
 47 Jefferson describes this situation in the Declaration of Independence and what we should do about it:

48 *"But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce*  
 49 *them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide*  
 50 *new Guards for their future security."*  
 51 *[Declaration of Independence]*

Jury service, like voting and the exercise of all other political rights, is defensive and done as a safeguard for our future security. The exercise of rights cannot be turned into taxable government privileges. Anything that is defensive is done for selfish and not altruistic or voluntary reasons. One could then say that by exercising our right to serve on jury duty (and voting in the process), we are in receipt of “consideration”, which is a fancy legal word for a “benefit”. That benefit is the absence of threats or coercion or corruption in our government. By exercising our right (not our privilege, but our right) to act as jurors, we are ensuring a peaceful, orderly society free of corruption and evil, which is probably the most important aspect of quality of life that we can personally experience in our lifetime. Consequently, the reason we serve on jury duty is to remain free of government compulsion and to protect our liberties, and for no other reason, and we do so for selfish reasons and not the magnanimous good of mankind. You could then say we are “compelled to avoid future compulsion and government corruption”.

It would be the grossest distortion for any government servant or judge to then commit fraud by saying that jury service is “voluntary”, and if it isn’t “voluntary” and “consensual”, then it can’t be a “privilege”. Here is what Black’s Law Dictionary, Sixth Edition, p. 1198 says about “privilege” on p. 1197-1198:

*“privilege. A particular and peculiar benefit or advantage enjoyed by a person, company, or class, beyond the common advantages of other citizens. An exceptional or extraordinary power or exemption. A peculiar right, advantage, exemption, power, franchise, or immunity held by a person or class, not generally possessed by others.*

[...]

*“A privilege may be based upon: (a) the consent of the other affected by the actor’s conduct, or (b) the fact that its exercise is necessary for the protection of some interest of the actor or of the public which is of such importance as to justify the harm caused or threatened by its exercise, or (c) the fact that the actor is performing a function for the proper performance of which freedom of action is essential. Restatement, Second, Torts, §10.*

*Privileges may be divided into two general categories: (1) consent, and (2) privileges created by law irrespective of consent. In general, the latter arise where there is some important and overriding social value in sanctioning defendant’s conduct, despite the fact that it causes plaintiff harm.*  
[Black’s Law Dictionary, Sixth Edition, p. 1198]

From the above, we must conclude that unless receipt of a “privilege” is consensual, then it cannot be a privilege. And something cannot be consensual unless it is “voluntary” and done “without valuable consideration” or personal benefit.

*“consent. A concurrence of wills. Voluntarily yielding the will to the proposition of another; acquiescence or compliance therewith. Agreement; approval; permission; the act or result of coming into harmony or accord. Consent is an act of reason, accompanied with deliberation, the mind weighing as in a balance the good or evil on each side. It means voluntary agreement by a person in the possession and exercise of sufficient mental capacity to make an intelligent choice to do something proposed by another. It supposes a physical power to act, a moral power of acting, and a serious, determined, and free use of these powers. Consent is implied in every agreement. It is an act unclouded by fraud, duress, or sometimes even mistake.”*

So any way you want to look at it, jury service is a compelled necessity of the society we live in and it is involuntary and nonconsensual. It is a necessary evil at best because of the evil nature of mankind when serving in public office and in positions of power.

*“Society in every state is a blessing, but government [or its trappings such as voting and jury service], even in its best state is but a necessary evil; in its worst state, an intolerable one.”*  
[Thomas Paine (1737-1809)]

#### 4.12.11.4 Citizenship

We have already established that the main and most important function of government is public protection, which is accomplished by preventing and punishing injustice. We established this fact in section 3.3, where we talked about the Purpose of Law. People in the government will tell you that the reason for becoming a citizen is to qualify for receipt of that public protection and to pay one’s fair share of the costs of supporting it. However, we established earlier in section 4.12.8 on Federal Citizenship that you do not have to be a “citizen” to have civil rights. The purpose of law is to protect rights and liberties. Therefore, one need not become a citizen to benefit from the protection afforded by government or the laws that it enacts. Compliance with all law must therefore be voluntary because citizenship itself ideally should be but seldom is voluntary. Here is an example court cite illustrating our point:

1 *"When a change of government takes place, from a monarchial to a republican government, the old form is*  
 2 *dissolved. Those who lived under it, and did not choose to become members of the new, had a right to refuse their*  
 3 *allegiance to it, and to retire elsewhere. By being a part of the society subject to the old government, they had not*  
 4 *entered into any engagement to become subject to any new form the majority might think proper to adopt. That*  
 5 *the majority shall prevail is a rule posterior to the formation of government, and results from it. It is not a rule*  
 6 *upon mankind in their natural state. There, every man is independent of all laws, except those prescribed by*  
 7 *nature. He is not bound by any institutions formed by his fellowmen without his consent"*  
 8 *[Cruden v. Neale, 2 N.C., 2 S.E. 70 (1796)]*

9 As we stated at the beginning of this chapter and in section 4.5.3, your civil rights derive *not* from your citizenship status, but  
 10 from where you were born and where you live. Furthermore, most of us will pay our fair share of the costs of supporting  
 11 government *without* being citizens. In fact, very few taxes one might pay are dependent on their status as citizens.  
 12 Furthermore, there are very few things we can do, citizen or not, that *don't* compel us to pay some kind of tax.

13 Why, then, do people become citizens? It defies us. In the next section on "nationals", you will learn that state governments  
 14 commonly will deprive "nationals" the right to vote and serve on jury duty unless and until they become "U.S. citizens" under  
 15 8 U.S.C. §1401, but we established in that section and earlier in section 4.12.11 that these are *rights* and not *privileges*. This  
 16 is so because in our civil society, these mechanisms are the *only* means available for us to defend our rights, liberties, and  
 17 property *without* resorting to violence and without being compelled to rely on a corrupt politician to do it for us. Being able  
 18 to defend oneself from harm is a natural right that *cannot* be turned into a privilege that can then be taxed or regulated.

19 *"A right common in every citizen such as the right to own property or to engage in business of a character not*  
 20 *requiring regulation CANNOT, however, be taxed as a special franchise by first prohibiting its exercise and*  
 21 *then permitting its enjoyment upon the payment of a certain sum of money." [Stevens v. State, 2 Ark. 291, 35 Am.*  
 22 *Dec. 72, Spring Val. Water Works v. Barber, 99 Cal. 36, 33 Pac. 735, 21 L.R.A. 416. Note 57 L.R.A. 416]*

23 *"The individual, unlike the corporation, cannot be taxed for the mere privilege of existing. The corporation is*  
 24 *an artificial entity which owes its existence and charter power to the State, but the individual's right to live and*  
 25 *own property are natural rights for the enjoyment of which an excise cannot be imposed."*  
 26 *[Redfield v. Fisher, 292 Oregon 814, 817]*

27 The reason the individual can't be taxed for the privilege of existing is because all privileges must be *voluntarily* accepted,  
 28 and we never made the choice to exist. Life was a gift from God, not a choice or a government "privilege". Why, then, do  
 29 governments make voting and serving on jury duty (which incidentally are defensive rather than voluntary actions) into a  
 30 "privilege" by forcing you to become a "U.S. citizen" subject to their corrupt jurisdiction? The reason, quite frankly, is  
 31 because they want to pull you into the "federal zone" so they can tax you and subject you to their jurisdiction! They do this  
 32 because they want to pick your pocket and make you into a feudal government serf, and for no other reason. The federal  
 33 statutory "U.S. citizen" status under 8 U.S.C. §1401 is simply a legal tool that they use to expand their authority and political  
 34 power and jurisdiction over you. The government then adds insult to this injury by saying that receipt of "U.S. citizenship"  
 35 is a "privilege" and is done "voluntarily". Look again at Section 1 of the Fourteenth Amendment:

36 *Section 1. All persons born or naturalized in the [federal] United States, and subject to the jurisdiction thereof,*  
 37 *are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law*  
 38 *which shall abridge the **privileges or immunities of citizens of the United States**;*  
 39 *nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any*  
 40 *person within its jurisdiction the equal protection of the laws.*

41 We ask you now:

42 *"How can the exercise of a natural right as basic as self defense and the pursuit of self protection be turned into*  
 43 *a privilege? How can the government force you to surrender your rights by becoming a second class 'U.S. citizen'*  
 44 *in order to acquire the ability to defend those rights as a jurist or a voter?"*

45 The answer is, they can't, but they do it anyway, because the "sheeple", I mean people, don't complain. Are you a sheep?  
 46 Furthermore, can the acquisition of citizenship under such circumstances rightfully be called "voluntary" or "consensual"?  
 47 Let's look at the definition again:

48 *"voluntary. Unconstrained by interference; unimpelled by another's influence; spontaneous; acting of oneself.*  
 49 *Coker v. State, 199 Ga. 20, 33 S.E.2d. 171, 174. Done by design or intention. Proceeding from the free and*  
 50 *unrestrained will of the person. Produced in or by an act of choice. Resulting from free choice, without*  
 51 *compulsion or solicitation. The word, especially in statutes, often implies knowledge of essential facts. Without*  
 52 *valuable consideration; gratuitous, as a voluntary conveyance. Also, having a merely nominal consideration;*  
 53 *as, a voluntary deed."*

[Black's Law Dictionary, Sixth Edition, p. 1575]

And here is the definition of "consent" from Black's Law Dictionary, Sixth Edition:

**"consent.** A concurrence of wills. Voluntarily yielding the will to the proposition of another; acquiescence or compliance therewith. Agreement; approval; permission; the act or result of coming into harmony or accord. Consent is an act of reason, accompanied with deliberation, the mind weighing as in a balance the good or evil on each side. It means voluntary agreement by a person in the possession and exercise of sufficient mental capacity to make an intelligent choice to do something proposed by another. It supposes a physical power to act, a moral power of acting, and a serious, determined, and free use of these powers. Consent is implied in every agreement. It is an act unclouded by fraud, duress, or sometimes even mistake."  
[Black's Law Dictionary, Sixth Edition, p. 305]

If the government has applied duress in forcing you to become a statutory "U.S. citizen" under 8 U.S.C. §1401 in order so you could have the opportunity to protect your God-given rights, which by the way is itself an involuntary function, and at the same time, has committed fraud by fooling or deceiving you into claiming an incorrect and mistaken status as a "U.S. citizen", then clearly, based on the definition of "consensual" above, one cannot claim to have become a citizen by the requisite consent from a legal perspective.

The answer, then, to our previous question of whether the government can force you to become a statutory federal "U.S. citizen" is a resounding NO, because the government interfered and constrained and threatened the exercise of your natural, God-given rights if you didn't provide your fully-informed consent to become a citizen. You were "under the influence" of government coercion and therefore were acting "involuntarily". You became a citizen for selfish reasons and the "consideration" you received in exchange for your consent was government protection of your God-given rights that they couldn't lawfully deny you to begin with. Ironically, the government coerced you into paying for something you didn't need and that which you already had as a gift from God and nature rather than from your magistrate or Congressman. Once again, here is how Thomas Jefferson, author of our Declaration of Independence, describes it:

*"A free people [claim] their rights as derived from the laws of nature, and not as the gift of their chief magistrate."*  
[Thomas Jefferson: Rights of British America, 1774. ME 1:209, Papers 1:134; SOURCE:  
<https://famguardian.org/Subjects/Politics/ThomasJefferson/jeffcont.htm> ]

In effect, by exchanging your God-give "rights" for taxable government "privileges", you sold your soul to Satan and a corrupted government because you didn't trust God to protect you and wanted to put an end to government harassment and discrimination directed at you for not "volunteering" to become a "U.S. citizen".

*"But he who doubts [God's protection?] is condemned if he eats, because he does not eat from faith: **for whatever is not from faith [trust in God rather than government] is sin.**"*  
[Rom. 14:23, Bible, NKJV]

At the point when you became a "U.S. citizen" under federal law found in 8 U.S.C. §1401, you sinned and fell from grace like Satan did and went to the bottom of the hierarchy of sovereignty that we explained at the beginning of this chapter in section 4.1. You sinned by volunteering to serve more than one master (the federal and the state governments and God) in violation of Jesus' words in Luke 16:13. You became unequally yoked with Babylon, the Great Harlot, described in the book of Revelation. You sold out your soul and the Truth to Satan for 20 pieces of silver, like Judas did to Jesus. You also lied to the government about your true and legal citizenship status as a "national" because you ignorantly coveted government privileges and benefits and "protection" in violation of Exodus 20:16. The price for these sins, it turns out, is perpetual slavery to a corrupt government "god", who you must then worship and pay homage and tribute to for the rest of your natural life, not out of choice or consent, but out of fear. Becoming a "U.S. citizen" demoted you from being a sovereign to a government whore and you had better bend over whenever the IRS comes knocking! Once you admitted you were a "U.S. citizen" and a government harlot, the burden of proving that you aren't a prostitute fell on you, and any good lawyer knows that proving a negative is an impossibility, so you have to wear the "taxpayer" sign on you back for as long as you are a "U.S. citizen". As long as you are wearing that sign, you may as well be standing on a street corner half-naked begging every government "John" who drives by to pick you up for free and enjoy your company all night, and it's perfectly legal, because the "Johns" write the laws!

*"For our citizenship is in heaven [not earth or "U.S. citizenship"], from which we also eagerly wait for the Savior, the Lord Jesus Christ"*  
[Philippians 3:20]

*"Protection draws subjection."*

1 [Steven Miller]

2 "Stand fast therefore in the liberty wherewith Christ hath made us free, and be not entangled again with the  
3 yoke of bondage [to the government or the income tax]."  
4 [Galatians 5:1, Bible, NKJV]

5 "Now, therefore, you are no longer strangers and foreigners, but fellow citizens with the saints and members  
6 of the household of God."  
7 [Ephesians 2:19, Bible, NKJV]

8 "These all died in faith, not having received the promises, but having seen them afar off were assured of them,  
9 embraced them and confessed that they were strangers and pilgrims on the earth."  
10 [Hebrews 11:13]

11 "Beloved, I beg you as sojourners and pilgrims, abstain from fleshly lusts which war against the soul..."  
12 [1 Peter 2:1]

#### 13 **4.12.12 STATUTORY "Nationals" v. STATUTORY "U.S.\*\* Nationals"**

14 An important and often overlooked condition of "nationals" of the US\*\*\* is that today all "state nationals" are "USA  
15 nationals", but "USA nationals" who do not reside/domicile in a state of the Union are not "state nationals".

16 A STATUTORY "U.S.\*\* national" is a person born in the outlying possessions of the Unites States\*\*. These types of people  
17 are referred to with any of the following synonymous names:

- 18 1. "nationals but not citizens of the United States\*\* at birth" under [8 U.S.C. §1408](#), and 8 U.S.C. §1452.
- 19 2. "a person who, though not a citizen of the United States\*\*, owes permanent allegiance to the United States\*\*" under 8  
20 U.S.C. §1101(a)(22)(B).
- 21 3. "nationals, but not citizens, of the United States\*\*" under 8 U.S.C. §1452.
- 22 4. "Nonresident aliens INDIVIDUALS" (under the Internal Revenue Code, as defined in [26 U.S.C. §7701](#)(b)(1)(B)), if  
23 lawfully engaged in a public office in the national government.
- 24 5. "Non-resident non-persons" if not lawfully engaged in a public office. See:

[Non-Resident Non-Person Position](#), Form #05.020  
<https://sedm.org/Forms/FormIndex.htm>

25 Statutory "U.S.\*\* nationals" are defined under 8 U.S.C. §1408 and 8 U.S.C. §1452. "nationals" are defined under 8 U.S.C.  
26 §1101(a)(21). Both statutory "nationals" and statutory "U.S.\*\* nationals" existed under The Law of Nations and international  
27 law since long before the passage of the 14<sup>th</sup> Amendment to the U.S. Constitution in 1868. There are two types of "nationals"  
28 or "U.S.\*\* nationals" under federal law, as we revealed earlier in section 4.12.10.1:

Table 4-37: Types of “nationals” under federal law

#	Legal name	Where born	Defined in	Common name	Description
1	“nationals but not citizens of the United States <i>at birth</i> ”	3. American Samoa 4. Swains Island	<a href="#">8 U.S.C. §1408</a> ; <a href="#">8 U.S.C. §1101(a)(22)(B)</a> ; <a href="#">8 U.S.C. §1452</a>	“U.S. national”	The U.S. Supreme Court and the Constitution call these people “citizens of the United States”. See section 4.12.10.8 later for details. Used on the 1040NR form to describe people who file that form. Does not describe people who are not born in the federal United States.
2	“U.S.A.*** national” or “state national” or “Constitutional but not statutory U.S.*** citizen”	states of the Union	<a href="#">8 U.S.C. §1101(a)(21)</a> ; Fourteenth Amendment, Section 1	“national” or “state national” or “USA national”	The “national” or “state national” is not necessarily the same as the “U.S. national” above, because it includes people who born in states of the Union. Notice that this term does not mention 8 U.S.C. §1408 citizenship nor confine itself only to citizenship by birth in the federal zone. Therefore, it also includes people born in states of the Union.

A “state national” or simply “national” is one who derives his nationality and allegiance to the confederation of states of the Union called the “United States\*\*\* of America” by virtue of being born in a state of the Union and domiciled there. To avoid false presumption, these people should carefully avoid associating their citizenship status with the term “United States” or “U.S.”, which means the federal zone within Acts of Congress. Therefore, instead of calling themselves “U.S. nationals”, they call themselves either “state nationals” or “USA nationals”. In terms of protection of our rights, being a “state national” or a “U.S. national” are roughly equivalent. The “U.S. national” status, however, has several advantages that the “state national” status does *not* enjoy, as we explained earlier in section 4.11.4 of the [Great IRS Hoax](#) book:

1. May NOT collect any Social Security benefits, because the Social Security Program Operations Manual System (POMS), Section [GN 00303.001](#) states that only “U.S.\*\* citizens” and “U.S.\*\* nationals” can collect benefits. State nationals are NOT “U.S.\*\* nationals”.
2. May hold a U.S. security clearance, unlike “non-citizen nationals of the United States\*\*\*”. See SECNAVINST 5510.30A, Appendix I.
3. May work for the federal government as a civil servant. See [5 C.F.R. §338.101](#).

The key difference between a “state national” and a “U.S.\*\* national” is the citizenship status of your parents. Below is a table that summarizes the distinctions using all possible permutations of “state national” and “U.S. national” status for both you and your parents:

Table 4-38: Becoming a “national of the United States\*\*” under 8 U.S.C. §1101(a)(22) by birth

#	Reference	Parent's citizenship status	Your birthplace	Your status
1	<a href="#">8 U.S.C. §1452</a> ; <a href="#">8 U.S.C. §1101(a)(22)(B)</a>	Either parent born in a federal possession	Federal possession	“U.S.** national”
2	<a href="#">8 U.S.C. §1408(1)</a>	Irrelevant	In an outlying possession on or after the date of formal acquisition of such possession	“U.S.** national”
3	<a href="#">8 U.S.C. §1408(2)</a>	“U.S. nationals” but not “U.S. citizens” who have resided anywhere in the federal United States prior to your birth	Outside the federal “United States”	“U.S.** national”
4	<a href="#">8 U.S.C. §1408(3)</a>	A person of unknown parentage found in an outlying possession of the United States while under the age of five years, until shown, prior to his attaining the age of twenty-one years, not to have been born in such outlying possession	NA	“U.S.** national”
5	<a href="#">8 U.S.C. §1408(4)</a>	One parent is a “U.S. national” but not “U.S. citizen” and the other is an “alien”. The “U.S. national” parent has resided somewhere in the federal United States prior to your birth	Outside the federal “United States”	“U.S.** national”
6	<a href="#">Law of Nations</a> , Book I, §212; Fourteenth Amendment; <a href="#">8 U.S.C. §1101(a)(22)(B)</a>	Both parents are “state nationals” and not STATUTORY “U.S. citizens” or STATUTORY “U.S. nationals”. Neither were either born in the federal zone nor did they reside there during their lifetime.	Inside a state of the union and not on federal property	“state national”
7	<a href="#">Law of Nations</a> , Book I, §215	Both parents are STATUTORY “U.S. nationals””. Neither were either born in the federal zone nor did they reside there during their lifetimes.	Outside the “United States” the country	“U.S.** national”
8	<a href="#">Law of Nations</a> , Book I, §215	Both parents are “state nationals”. Neither were either born in the federal zone nor did they reside there during their lifetimes.	Outside the “United States” the country	STATUTORY “U.S. citizen” per 8 U.S.C. §1401. <sup>212</sup>
9	<a href="#">Law of Nations</a> , Book I, §62 <a href="#">8 U.S.C. §1481</a>	You started out as a STATUTORY “U.S. citizen” under 8 U.S.C. §1401 and decided to abandon the “citizen” part and retain the “national part”, properly noticed the Secretary of State of your intentions, and obtained a revised passport reflecting your new status.	NA	“U.S.** national”

Very significant is the fact that [8 U.S.C. §1408](#), confines itself exclusively to citizenship *by birth* inside the federal zone and does *not* define *all* possible scenarios whereby a person may be a “U.S. national”. For instance, it does *not* define the condition where both parents are “U.S. nationals”, the birth occurred *outside* of the *federal* United States, and neither parent ever physically maintained a domicile inside the *federal* United States. Under item 7 above, *The Law of Nations, Book I, Section 215, Vattel*, says this condition always results in the child having the same citizenship as his/her father. The *Law of Nations* was one of the organic documents that the founding fathers used to write our original Constitution and Article 1, Section 8, Clause 10 of that Constitution MANDATES that it be obeyed.

“Article 1, Section 8, Clause 10

“The Congress shall have Power...

“To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;”

As you read this section below from *The Law of Nations*, Vattel that proves item 7 in the above table, keep in mind that states of the Union are considered “foreign countries” with respect to the federal government legislative jurisdiction and police powers (see <http://famguardian.org/Publications/LawOfNations/vattel.htm>).

§ 215. Children of citizens born in a foreign country.

<sup>212</sup> U.S. Supreme Court declared that an 8 U.S.C. §1401 “national and citizen of the United States at birth” is NOT a Fourteenth Amendment citizen. See *Rogers v. Bellei*, 401 U.S. 815 (1971) and section 4.12.4.1 earlier.



1 It is asked whether the children born of citizens in a foreign country are citizens? The laws have decided this  
 2 question in several countries, and their regulations must be followed.(59) **By the law of nature alone, children**  
 3 **follow the condition of their fathers, and enter into all their rights (§ 212); the place of birth produces no**  
 4 **change in this particular, and cannot, of itself, furnish any reason for taking from a child what nature has**  
 5 **given him; I say "of itself," for, civil or political laws may, for particular reasons, ordain otherwise. But I suppose**  
 6 **that the father has not entirely quitted his country in order to settle elsewhere. If he has fixed his abode in a**  
 7 **foreign country, he is become a member of another society, at least as a perpetual inhabitant; and his children**  
 8 **will be members of it also.**

9 [The Law of Nations, Book I, Section 215, Vattel]

10 Here's a U.S. Supreme Court ruling confirming these conclusions:

11 "Under statute, child born outside United States is not entitled to citizenship unless father has resided in United  
 12 States before its birth."

13 [Weedin v. Chin Bow, 274 U.S. 657, 47 S.Ct. 772 (1927)]

14 There are very good legal reasons why 8 U.S.C. §1408 doesn't mention this case or condition. There is also a reason why  
 15 there is no federal statute anywhere that directly prescribes the citizenship status of persons based on birth within states of  
 16 the Union. The reasons are because lawyers in Congress:

- 17 1. Know that this is the criteria that most Americans born inside states of the Union will meet.
- 18 2. Know that these people are "sovereign". Even the U.S. Supreme Court said so:

19 "The words 'people of the United States' and 'citizens,' are synonymous terms, and mean the same thing. They  
 20 **both describe the political body who, according to our republican institutions, form the sovereignty, and who**  
 21 **hold the power** and conduct [run] the government through their representatives [servants]. They are what we  
 22 familiarly call the **'sovereign people,'** and every citizen is one of this people, and a constituent member of this  
 23 sovereignty. ..."

24 [Boyd v. State of Nebraska, 143 U.S. 135 (1892)]

- 25 3. Know that a "sovereign" is not and cannot be the subject of any law, and therefore cannot be mentioned in the law.

26 "...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but  
 27 they are sovereigns without subjects...with none to govern but themselves; the citizens of America are equal as  
 28 fellow citizens, and as joint tenants in the sovereignty."

29 [Chisholm v. Georgia, 2 Dall. (U.S.) 419, 454, 1 L.Ed. 440, 455 @DALL 1793 pp. 471-472]

30 "Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while  
 31 sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by  
 32 whom and for whom all government exists and acts."

33 [Yick Wo v. Hopkins, 118 U.S. 356, 6 S.Ct. 1064 (1886)]

34 "In common usage, the term 'person' does not include the sovereign, and statutes employing the word are  
 35 ordinarily construed to exclude it."

36 [Wilson v. Omaha Indian Tribe, 442 U.S. 653, 667 (1979)]

37 "Since in common usage the term 'person' does not include the sovereign, statutes employing that term are  
 38 ordinarily construed to exclude it."

39 [U.S. v. Cooper, 312 U.S. 600, 604, 61 S.Ct. 742 (1941)]

40 "In common usage, the term 'person' does not include the sovereign and statutes employing it will ordinarily not  
 41 be construed to do so."

42 [U.S. v. United Mine Workers of America, 330 U.S. 258, 67 S.Ct. 677 (1947)]

- 43 4. Know that they cannot write a federal statute or act of Congress that prescribes any criteria for becoming a "national"  
 44 based on birth and perpetual residence outside of federal legislative jurisdiction and within a state of the Union.  
 45 That is why the circuit court said the following with respect to "U.S. nationals":

46 "Marquez-Almanzar seeks to avoid removal by arguing that he 3 can demonstrate that he owes "permanent  
 47 allegiance" to the United States and thus qualify as a U.S. national under section 101(a)(22)(B) of the  
 48 Immigration and Nationality Act ("INA"), 8 U.S.C. §1101(a)(22)(B). That provision defines "national of the  
 49 United States" as "a person who, though not a citizen of the United States, owes permanent allegiance to the  
 50 United States." **We hold that § 1101(a)(22)(B) itself does not provide a means by which an individual can**  
 51 **become a U.S. national, and deny Marquez-Almanzar's petition accordingly."**

[Jose Napoleon Marquez-Almanzar v. Immigration and Naturalization Service, Docket # 03-4395, 03-40027, 03-40497, August 8, 2005, <http://famguardian.org/TaxFreedom/CitesByTopic/USNational-034395p.pdf>]

5. Want to deceive most Americans to falsely believe or presume that they are “U.S. citizens” who are “subject to” federal statutes and jurisdiction, so they interfere in the determination of their true status as “nationals” and “state nationals”.

8 U.S.C. §1452 is the authority for getting your status of being a “non-citizen national of the United States\*\*” under 8 U.S.C. §1408 formally recognized by the national government as a person born in a U.S. possession or unincorporated territory.

How can you be sure you are a “national” or “state national” if the authority for being so isn’t found in federal statutes? There are lots of ways, but the easiest way is to consider that you as a person who was born in a state of the Union and outside the federal “United States” can legally “expatriate” your citizenship. All you need in order to do so is your original birth certificate and to follow the procedures prescribed in federal law. What exactly are you “expatriating”? The definition of expatriation clarifies this:

*“Expatriation is the voluntary renunciation or abandonment of nationality and allegiance.”*  
[Perkins v. Elg, [307 U.S. 325](#); 59 S.Ct. 884; 83 L.Ed. 1320 (1939)]

**“expatriation.** *The voluntary act of abandoning or renouncing one’s country, [nation] and becoming the citizen or subject of another.*  
[Black’s Law Dictionary, Sixth Edition, p. 576]

You can’t abandon your “nationality” unless you had it in the first place, so you must be a “national” or a “state national”! Here is the clincher:

8 U.S.C. §1101: Definitions

(a)(21) The term “national” means a person owing permanent allegiance to a state.

The term “state” above can mean a state of the Union or it can mean a confederation of states called the “United States”. Sneaky, huh? You’ll never hear especially a federal lawyer agree with you on this because it destroys their jurisdiction to impose an income tax on you, but it’s true!

The rulings of the U.S. Supreme Court also reveal that “citizen of the United States” and “nationality” are equivalent in the context of the Constitution. Look at the ruling below and notice how they use “nationality” and “citizen of the United States” interchangeably:

*“Whether it was also the rule at common law that the children of British subjects born abroad were themselves British subjects-**nationality being attributed to parentage instead of locality**-has been variously determined. If this were so, of course the statute of Edw. III. was declaratory, as was the subsequent legislation. But if not, then such children were aliens, and the statute of 7 Anne and subsequent statutes must be regarded as in some sort acts of naturalization. On the other hand, it seems to me that the rule, ‘Partus sequitur patrem,’ has always applied to children of our citizens born abroad, and that the acts of congress on this subject are clearly declaratory, passed out of abundant caution, to obviate misunderstandings which might arise from the prevalence of the contrary rule elsewhere.*

**“Section 1993 of the Revised Statutes provides that children so born ‘are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States.’** Thus a limitation is prescribed on the passage of citizenship by descent beyond the second generation if then surrendered by permanent nonresidence, and this limitation was contained in all the acts from 1790 down. Section 2172 provides that such children shall ‘be considered as citizens thereof.’ “  
[U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]

If after examining the chart above, you find that your present citizenship status does not meet your needs, you are perfectly entitled to change it and the government can’t stop you. You can abandon any type of citizenship you may find undesirable in order to have the combination of rights and “privileges” that suit your fancy. If you are currently a “state-only” citizen but want to become a “national” or a “state national” so that you can qualify for Socialist Security Benefits or a military security clearance, then in most cases, the federal government is more than willing to cooperate with you in becoming one under 8 U.S.C. §1101.

In the following subsections we have an outline of the legal constraints applying to persons who are “nationals” or “state nationals” and who do not claim the status of “U.S. citizens” under federal statutes. The analysis that follows establishes that for “state nationals”, such persons may in some cases not be allowed to vote in elections without special efforts on their part to maintain their status. They are also not allowed to serve on jury duty without special efforts on their part to maintain their status. These special efforts involve clarifying our citizenship on any government forms we sign to describe ourselves as:

1. “nationals” or “state nationals” but not statutory “citizens of the United States” as defined in and [8 U.S.C. §1101](#)(a)(21).
2. **Nationals** of the “United States *of America*” (just like our passport says) but *not* citizens of the *federal* “United States”

#### 4.12.12.1 Legal Foundations of STATUTORY “national” Status

We said in the previous section that all people born in states of the Union are technically “nationals” or “state nationals” or “U.S.\*\*\* nationals”, that is: “nationals of the United States *of America*”. One of the two types of “nationals” is defined in [8 U.S.C. §1408](#) and depends a different definition of “U.S.” that means the federal zone instead of the “United States\*\*\* of America”. We don’t cite all of the components of the definition for this type of “national” below, but only that part that describes Americans born inside the 50 Union states on nonfederal land to parents who resided inside the federal zone prior to the birth of the child:

8 U.S.C. Sec. 1408. - Nationals but not citizens of the United States at birth

*Unless otherwise provided in section 1401 of this title, the following shall be nationals, but not citizens, of the United States at birth:*

...

*(2) A person born outside the United States and its outlying possessions of parents both of whom are nationals, but not citizens, of the United States, and have had a residence in the United States, or one of its outlying possessions prior to the birth of such person;*

The key word above is the term “United States”. This term is defined in 8 U.S.C. §1101(a)(38) as follows:

[TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)  
[Sec. 1101. - Definitions](#)

*(a) As used in this chapter—*

*(38) The term "United States", except as otherwise specifically herein provided, **when used in a geographical sense**, means the **continental United States**, Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands of the United States.*

First of all, this definition leaves much to be desired, because it:

1. Doesn’t tell us whether this is the only definition of “United States” that is applicable.
2. Gives us no clue as to how to determine whether the term “United States” is being used in a “geographical sense” as described above or in some other undefined sense. The OTHER most frequent undefined sense, in fact, is the “United States” as a legal person rather than a geographical area.

The definition also doesn’t tell us which of the three definitions of “United States” is being referred to as defined by the Supreme Court in *Hooven and Allison v. Evatt*, 324 U.S. 652 (1945) and as explained earlier in section 4.5. Since we have to guess which one they mean, then the law is already vague and confusing, and possibly even “void for vagueness” as we will explain later in section 5.10. However, in the absence of a clear and unambiguous definition, we must assume that because this is a federal statute, then by default that the definition used implies *only* the property of the federal government situated within the federal zone as we explain later in section 5.2.2 and as the Supreme Court revealed in *U.S. v. Spelar*, 338 U.S. 217 at 222 (1949).

The legal encyclopedia American Jurisprudence helps us define what is meant by “United States” in the context of citizenship under *federal* (not state) law:

*3C American Jurisprudence 2d, Aliens and Citizens, §2689 (1999), Who is born in United States and subject to United States jurisdiction*

"A person is born subject to the jurisdiction of the United States, for purposes of acquiring citizenship at birth, if his or her birth occurs in territory over which the United States is sovereign, even though another country provides all governmental services within the territory, and the territory is subsequently ceded to the other country."

The key word in the above definition is "territory" in relationship to the sovereignty word. The only places which are "territories" of the United States government are listed in [Title 48 of the U.S. Code](#). The states of the union are NOT territories!

**"Territory:** A part of a country separated from the rest, and subject to a particular jurisdiction. Geographical area under the jurisdiction of another country or sovereign power.

*A portion of the United States not within the limits of any state, which has not yet been admitted as a state of the Union, but is organized with a separate legislature, and with executive and judicial powers appointed by the President."*

[Black's Law Dictionary, Sixth Edition, p. 1473]

And the rulings of the Supreme Court confirm the above:

**"A State does not owe its origin to the Government of the United States, in the highest or in any of its branches. It was in existence before it. It derives its authority from the same pure and sacred source as itself: The voluntary and deliberate choice of the people...A State is altogether exempt from the jurisdiction of the Courts of the United States, or from any other exterior authority, unless in the special instances when the general Government has power derived from the Constitution itself."**

[Chisholm v. Georgia, [2 Dall. \(U.S.\) 419](#) (Dall.) (1793)]

**"There is no such thing as a power of inherent sovereignty in the government of the United States .... In this country sovereignty resides in the people [living in the states of the Union, since the states created the United States government and they came before it], and Congress can exercise no power which they have not, by their Constitution entrusted to it: All else is withheld."**

[Juilliard v. Greenman: [110 U.S. 421](#) (1884)]

So what is really meant by "United States" for the three types of citizens found in federal statutes such as 8 U.S.C. §1401 and 8 U.S.C. §1408 and 8 U.S.C. §1452 is the "sovereignty of the United States", which exists in its fullest, most exclusive, and most "general" form inside its "territories", and in federal enclaves within the states, or more generally in what we call the "federal zone" in this book. The ONLY place where the exclusive sovereignty of the United States exists in the context of its "territories" is under Article 1, Section 8, Clause 17 of the Constitution on federal land. In the legal field, by the way, this type of exclusive jurisdiction is described as "plenary power". Very few of us are born on federal land under such circumstances, and therefore very few of us technically qualify as "citizens of the United States". By the way, the federal government does have a very limited sovereignty or "authority" inside the states of the union, but it does not exceed that of the states, nor is it absolute or unrestrained or exclusive like it is inside the "territories" of the United States listed in [Title 48 of the U.S. Code](#).

Let's now see if we can confirm the above conclusions with the weasel words that the lawyers in Congress wrote into the statutes with the willful intent to deceive common people like you. The key phrase in 8 U.S.C. §1101(a)(38) above is "*the continental United States*". The definition of this term is hidden in the regulations as follows:

[Code of Federal Regulations]

[Title 8, Volume 1]

[Revised as of January 1, 2002]

From the U.S. Government Printing Office via GPO Access

[CITE: 8CFR215]

TITLE 8--ALIENS AND NATIONALITY CHAPTER I--IMMIGRATION AND NATURALIZATION SERVICE,

DEPARTMENT OF JUSTICE

PART 215--CONTROLS OF ALIENS DEPARTING FROM THE UNITED STATES

[Section 215.1: Definitions](#)

(f) The term continental United States means the District of Columbia and the several [States](#), except Alaska and Hawaii.

1 The term “States”, which is suspiciously capitalized and is then also defined elsewhere in Title 8 as follows:

2 [8 U.S.C. §1101 Definitions](#)

3 (a) As used in this chapter—

4 (36) State [naturalization]

5 The term "State" includes the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United  
6 States[\*\*].

7 Do you see the sovereign Union states in the above definition? They aren't there. Note that there are several entities listed  
8 in the above definition of “State”, which collectively are called “several States”. But when Congress really wants to clearly  
9 state the 50 Union states that are “foreign states” relative to them, they have no trouble at all, because here is another definition  
10 of “State” found under an older version of Title 40 of the U.S. Code prior to 2005 which refers to easements on Union state  
11 property by the federal government:

12 [TITLE 40 > CHAPTER 4 > Sec. 319c.](#)  
13 [Sec. 319c.](#) - Definitions for easement provisions

14 As used in sections [319](#) to [319c](#) of this title -

15 (a) The term "State" **means** the States of the Union, the District of Columbia, the Commonwealth of Puerto Rico,  
16 and the possessions of the United States[\*\*].

17 The above section, after we found it in 2002 and documented it here, was REWRITTEN in 2005 and REMOVED from title  
18 40 of the U.S. Code in order to cover up the distinctions we are trying to make here. Does that surprise you? In fact, this  
19 kind of “wordsmithing” by covetous lawyers is at the heart of how the separation of powers between the state and federal  
20 governments is being systematically destroyed, as documented below:

[Government Conspiracy to Destroy the Separation of Powers](#), Form #05.023  
<http://sedm.org/Forms/FormIndex.htm>

21 Did you notice in the now repealed 40 U.S.C. §319c that they used the term “means” instead of “includes” and that they said  
22 “States of the Union” instead of “several States”? You can tell they are playing word games and trying to hide their limited  
23 jurisdiction whenever they throw in the word “includes” and do not use the word “Union” in their definition of “State”. As  
24 a matter of fact, section 5.6.15 of the [Great IRS Hoax](#) reveals that there is a big scandal surrounding the use of the word  
25 “includes”. That word is abused as a way to illegally expand the jurisdiction of the federal government beyond its clear  
26 Constitutional limits. The memorandum of law below thoroughly rebuts any lies or deception the government is likely to  
27 throw at you regarding the word “includes” and you might want to read it:

[Legal Deception, Propaganda, and Fraud](#), Form #05.014  
<http://sedm.org/Forms/FormIndex.htm>

28 Moving on, if we then substitute the definition of the term “State” from 8 U.S.C. §1101(a)(36) into the definition of  
29 “continental United States” in 8 C.F.R. §215.1, we get:

30 8 C.F.R. §215.1

31 The term continental United States means the District of Columbia, Puerto Rico, Guam, and the Virgin Islands  
32 of the United States, except Alaska and Hawaii.  
33

34 We must then conclude that the “continental United States” means essentially the federal areas within the real (not legally  
35 defined) continental United States. We must also conclude based on the above analysis that:

- 36 1. The term “continental United States” is redundant and unnecessary within the definition of “United States” found in 8  
37 U.S.C. §1101(a)(38).
- 38 2. The use of the term “continental United States\*\*” is introduced mainly to deceive and confuse the average American  
39 about his true citizenship status as a “national” or a “state national” and not a “U.S. national”.

The above analysis also leaves us with one last nagging question: why do Alaska and Hawaii appear in the definition of “United States” in 8 U.S.C. §1101(a)(38), since we showed that the *other* “States” mentioned as part of this “United States” are federal “States”? If our hypothesis is correct that the “United States” means “the federal zone” within federal statutes and regulations and “the states of the Union” collectively within the Constitution, then the definition from the regulation above can’t include any part of a Union state that is not a federal enclave. In the case of Alaska and Hawaii, they were only recently admitted as Union states (1950’s). The legislative notes for Title 8 of the U.S. Code (entitled “Aliens and Nationality”) reveal that the title is primarily derived from the Immigration and Nationality Act of 1940, which was written BEFORE Alaska and Hawaii joined the Union. Before that, they were referred to as the Territories of Alaska and Hawaii, which belonged to the “United States”. Note that 8 U.S.C. §1101(a)(38) adds the phrase “*of* the United States” after the names of these two former territories and groups them *together* with other federal territories, which to us implies that they are referring to Alaska and Hawaii *when they were territories* rather than Union states. At the time they were federal territories, then they were federal “States”. These conclusions are confirmed by a rule of statutory construction known as “*ejusdem generis*”, which basically says that items of the same class or general type must be grouped together. The other items that Alaska and Hawaii are grouped with are federal territories in the list of enumerated items:

*“Ejusdem generis. Of the same kind, class, or nature. In the construction of laws, wills, and other instruments, the “ejusdem generis rule” is, that where general words follow an enumeration of persons or things, by words of a particular and specific meaning, such general words are not to be construed in their widest extent, but are to be held as applying only to persons or things of the same general kind or class as those specifically mentioned. U.S. v. LaBrecque, D.C. N.J., 419 F.Supp. 430, 432. The rule, however, does not necessarily require that the general provision be limited in its scope to the identical things specifically named. Nor does it apply when the context manifests a contrary intention.*

*Under “ejusdem generis” canon of statutory construction, where general words follow the enumeration of particular classes of things, the general words will be construed as applying only to things of the same general class as those enumerated. Campbell v. Board of Dental Examiners, 53 Cal.App.3d. 283, 125 Cal.Rptr. 694, 696.”*  
[Black’s Law Dictionary, Sixth Edition, p. 517]

Many freedom lovers allow themselves to be confused by the content of the Fourteenth Amendment so that they do not believe the distinctions we are trying to make here about the differences in meaning of the term “United States” between the Constitution and federal statutes. Here is what section 1 of that Amendment says:

*United States Constitution  
Fourteenth Amendment*

*“Section 1. All persons born or naturalized in the United States and subject to **the** jurisdiction thereof, are citizens of the United States and of the State wherein they reside.”*

The Supreme Court clarifies exactly what the phrase “subject to **the** jurisdiction” above means. It means the “political jurisdiction” of the United States and NOT the “legislative jurisdiction”(!):

*“This section contemplates two sources of citizenship, and two sources only, birth and naturalization. The persons declared to be citizens are ‘all persons born or naturalized in the United States, and **subject to the jurisdiction thereof.**’ The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their [plural, not singular, meaning states of the Union] **political jurisdiction**, and owing them [the state of the Union] direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired.”*  
[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]

“Political jurisdiction” is NOT the same as “legislative jurisdiction”. “Political jurisdiction” was defined by the Supreme Court in *Minor v. Happersett*:

*“There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association. **He owes it allegiance and is entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance.***

1           *“For convenience it has been found necessary to give a name to this membership. The object is to designate by a*  
 2 *title the person and the relation he bears to the nation. For this purpose the words 'subject,' 'inhabitant,' and*  
 3 *'citizen' have been used, and the choice between them is sometimes made to depend upon the form of the*  
 4 *government. Citizen is now more commonly employed, however, and as it has been considered better suited to*  
 5 *the description of one living under a republican government, it was adopted by nearly all of the States upon*  
 6 *their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the*  
 7 *Constitution of the United States. When used in this sense it [the word*  
 8 *“citizen”] is understood as conveying the idea of membership*  
 9 *of a nation, and nothing more.”*

10           *“To determine, then, who were citizens of the United States before the adoption of the amendment it is*  
 11 *necessary to ascertain what persons originally associated themselves together to form the nation, and what*  
 12 *were afterwards admitted to membership.”*  
 13 *[Minor v. Happersett, 88 U.S. 162 (1874)]*

14 Notice how the Supreme court used the phrase “and nothing more”, as if to emphasize that citizenship doesn’t imply  
 15 legislative jurisdiction, but simply political membership. We described in detail the two political jurisdictions within our  
 16 country earlier in section 4.7. “Political jurisdiction” implies only the following:

- 17 1. Membership in a political community (see *Minor v. Happersett*, 88 U.S. 162 (1874))
- 18 2. Right to vote.
- 19 3. Right to serve on jury duty.

20 “Legislative jurisdiction”, on the other hand, implies being “completely subject” and subservient to federal laws and all “Acts  
 21 of Congress”, which only people in the District of Columbia and the territories and possessions of the United States can be.  
 22 You can be “completely subject to the political jurisdiction” of the United States\*\*\* without being subject in any degree to  
 23 a specific “Act of Congress” or the Internal Revenue Code, for instance. The final nail is put in the coffin on the subject of  
 24 what “subject to the jurisdiction” means in the Fourteenth Amendment, when the Supreme Court further said in the above  
 25 case:

26           *“It is impossible to construe the words 'subject to the jurisdiction thereof,' in the opening sentence, as less*  
 27 *comprehensive than the words 'within its jurisdiction,' in the concluding sentence of the same section; or to hold*  
 28 *that persons 'within the jurisdiction' of one of the states of the Union are not 'subject to the jurisdiction of the*  
 29 *United States.’”*  
 30 *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898), emphasis added]*

31 So “subject to the jurisdiction” means “subject to the [political] jurisdiction” of the United States\*\*\*, and the Fourteenth  
 32 Amendment definitely describes only those people born in states of the Union. Another very interesting conclusion reveals  
 33 itself from reading the following excerpt from the above case:

34           *And Mr. Justice Miller, delivering the opinion of the court [legislating from the bench, in this case], in analyzing*  
 35 *the first clause, observed that “the phrase 'subject to the jurisdiction thereof' was intended to exclude from its*  
 36 *operation children of ministers, consuls, and citizens or subjects of foreign states, born within the United States.*  
 37 *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898)]*

38 When we first read that, an intriguing question popped into our head:

39           *Is “Heaven” a “foreign state” with respect to the United States government and are we God’s “ambassadors”*  
 40 *and “ministers” of the Sovereign (“God”) in that “foreign state”?*

41 Based on the way our deceitful and wicked public servants have been acting lately, we think so and here are the scriptures to  
 42 back it up!

43           *“For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ”*  
 44 *[Philippians 3:20]*

45           *“Now, therefore, you are no longer strangers and foreigners, but fellow citizens with the saints and members of*  
 46 *the household of God.”*  
 47 *[Ephesians 2:19, Bible, NKJV]*

1 "These all died in faith, not having received the promises, but having seen them afar off were assured of them,  
2 embraced them **and confessed that they were strangers and pilgrims on the earth.**"  
3 [Hebrews 11:13]

4 "Beloved, I beg you **as sojourners and pilgrims**, abstain from fleshly lusts which war against the soul..."  
5 [1 Peter 2:1]

6 Furthermore, if you read section 5.2.13 found later, you will *also* find that the 50 Union states are considered "foreign states"  
7 and "foreign countries" with respect to the U.S. government as far as Subtitle A income taxes are concerned:

8 **Foreign government:** "The government of the United States of America, as distinguished from the government  
9 of the several states."  
10 [Black's Law Dictionary, 5<sup>th</sup> Edition]

11 **Foreign laws:** "The laws of a foreign country or sister state."  
12 [Black's Law Dictionary, Sixth Edition, p. 647]

13 **Foreign states:** "Nations outside of the United States...Term may also refer to another state; i.e. a sister state.  
14 The term 'foreign nations', ...should be construed to mean all nations and states other than that in which the  
15 action is brought; and hence, one state of the Union is foreign to another, in that sense."  
16 [Black's Law Dictionary, Sixth Edition, p. 648]

17 Another place you can look to find confirmation of our conclusions is the Department of State Foreign Affairs Manual,  
18 Section [7 Foreign Affairs Manual \(F.A.M.\) 1116.1-1](#), available on our website at:

19 <http://famguardian.org/TaxFreedom/Evidence/Citizenship/7FAM1100,1110,1111-DeptOfState.pdf>

20 and also available on the Department of State website at:

21 <https://fam.state.gov/>

22 which says in pertinent part:

23 "**d. Prior to January 13, 1941, there was no statutory definition of "the United States" for citizenship purposes.**  
24 **Thus there were varying interpretations. Guidance should be sought from the Department (CA/OCS) when such**  
25 **issues arise.**" [emphasis added]

26 If our own government hadn't defined the meaning of the term "United States" up until 1941, then do you think there might  
27 have been some confusion over this and that this confusion might be viewed by a reasonable person as deliberate? Can you  
28 also see how the ruling in Wong Kim Ark might have been somewhat ambiguous to the average American without a statutory  
29 (legal) reference for the terms it was using? Once again, our government likes to confuse people about its jurisdiction in  
30 order to grab more of it. Here is how Thomas Jefferson explained it:

31 "Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before them,  
32 to throw an anchor ahead and grapple further hold for future advances of power. **They are then in fact the corps**  
33 **of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate**  
34 **all power in the hands of that government in which they have so important a freehold estate.**"  
35 [Thomas Jefferson: Autobiography, 1821. ME 1:121]

36 "We all know that permanent judges acquire an esprit de corps; that, being known, **they are liable to be tempted**  
37 **by bribery; that they are misled by favor, by relationship, by a spirit of party, by a devotion to the executive or**  
38 **legislative;** that it is better to leave a cause to the decision of cross and pile than to that of a judge biased to one  
39 side; and that the opinion of twelve honest jurymen gives still a better hope of right than cross and pile does."  
40 [Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283 ]

41 "**It is not enough that honest men are appointed judges. All know the influence of interest on the mind of man,**  
42 **and how unconsciously his judgment is warped by that influence. To this bias add that of the esprit de corps,**  
43 **of their peculiar maxim and creed that 'it is the office of a good judge to enlarge his jurisdiction,' and the**  
44 **absence of responsibility, and how can we expect impartial decision between the General government, of which**  
45 **they are themselves so eminent a part, and an individual state from which they have nothing to hope or fear?"**  
46 [Thomas Jefferson: Autobiography, 1821. ME 1:121 ]



1 "At the establishment of our Constitutions, the judiciary bodies were supposed to be the most helpless and  
 2 harmless members of the government. Experience, however, soon showed in what way they were to become the  
 3 most dangerous; that the insufficiency of the means provided for their removal gave them a freehold and  
 4 irresponsibility in office; that their decisions, seeming to concern individual suitors only, pass silent and  
 5 unheeded by the public at large; that these decisions nevertheless become law by precedent, sapping by little and  
 6 little the foundations of the Constitution and working its change by construction before any one has perceived  
 7 that that invisible and helpless worm has been busily employed in consuming its substance. In truth, man is not  
 8 made to be trusted for life if secured against all liability to account."  
 9 [Thomas Jefferson to A. Coray, 1823. ME 15:486 ]

10 "I do not charge the judges with wilful and ill-intentioned error; but honest error must be arrested where its  
 11 toleration leads to public ruin. As for the safety of society, we commit honest maniacs to Bedlam; so judges  
 12 should be withdrawn from their bench whose erroneous biases are leading us to dissolution. It may, indeed,  
 13 injure them in fame or in fortune; but it saves the republic, which is the first and supreme law."  
 14 [Thomas Jefferson: Autobiography, 1821. ME 1:122 ]

15 "The original error [was in] establishing a judiciary independent of the nation, and which, from the citadel of  
 16 the law, can turn its guns on those they were meant to defend, and control and fashion their proceedings to its  
 17 own will."  
 18 [Thomas Jefferson to John Wayles Eppes, 1807. FE 9:68 ]

19 "It is a misnomer to call a government republican in which a branch of the supreme power [the Federal  
 20 Judiciary] is independent of the nation."  
 21 [Thomas Jefferson to James Pleasants, 1821. FE 10:198 ]

22 "It is left... to the juries, if they think the permanent judges are under any bias whatever in any cause, to take  
 23 on themselves to judge the law as well as the fact. They never exercise this power but when they suspect  
 24 partiality in the judges; and by the exercise of this power they have been the firmest bulwarks of English  
 25 liberty."  
 26 [Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283 ]

27 With respect to that last remark, keep in mind that NONE of the U.S. Supreme Court cases like Wong Kim Ark have juries,  
 28 so what do you think the judges are going to try to do?.. expand their power, duhhhh! Another portion of that same document  
 29 found in [7 Foreign Affairs Manual \(F.A.M.\), Section 1116.2-1](#) says:

30 "a. Simply stated, "subject to the jurisdiction" of the United States means subject to the laws of the United  
 31 States." [emphasis added]

32 So what does "subject to the laws of the United States" mean? It means subject to the exclusive legislative jurisdiction of the  
 33 federal government under Article 1, Section 8, Clause 17 of the Constitution, which only occurs within the federal zone. It  
 34 means subject to the U.S. Constitution but not most federal statutes or the Internal Revenue Code. We covered this earlier in  
 35 section 4.5.3 and again later throughout chapter 5. Here is how we explain the confusion created by 7 Foreign Affairs Manual  
 36 (F.A.M.) 1116.2-1 above in the note we attached to it inside the Acrobat file of it on our website:

37 This is a distortion. Wong Kim Ark also says: "To be 'completely subject' to the political jurisdiction of the United  
 38 States is to be in no respect or degree subject to the political jurisdiction of any other government."

39 If you are subject to a Union state government, then you CANNOT meet the criteria above. That is why a  
 40 "national" is defined in 8 U.S.C. §1101(a)(21) as "a person owing permanent allegiance to a [Union] state" and  
 41 why most natural persons are "nationals of the United States\*\*\*" rather than "U.S. \*\* citizens"

42 Let's now further explore what [7 Foreign Affairs Manual \(F.A.M.\) 1116.2-1](#) means when it says "subject to the laws of the  
 43 United States". In doing so, we will draw on a very interesting article on our website entitled Authorities on Jurisdiction of  
 44 Federal Courts found on our website at:

45 <http://famguardian.org/Subjects/LawAndGovt/ChallJurisdiction/AuthoritiesArticle/AuthOnJurisdiction.htm>

46 We start with a cite from Title 18 that helps explain the jurisdiction of "the laws of the United States":

47 [TITLE 18 > PART III > CHAPTER 301 > Sec. 4001.](#)  
 48 [Sec. 4001. - Limitation on detention; control of prisons](#)

49 (a) No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of  
 50 Congress.

Building on this theme, we now add a corroborating citation from the [Federal Rules of Criminal Procedure, Rule 26, Notes of Advisory Committee on Rules, paragraph 2](#), in the middle,

*"On the other hand since all Federal crimes are statutory [ see [United States v. Hudson, 11 U.S. 32, 3 L.ed. 259 \(1812\)](#)] and all criminal prosecutions in the Federal courts are based on acts of Congress, . . ." [emphasis added]*

We emphasize the phrase "**Acts of Congress**" above. In order to define the jurisdiction of the Federal courts to conduct criminal prosecutions and how they might apply "the laws of the United States" in any given situation, one would have to find out what the specific definition of "Act of Congress," is. We find such a definition in [Rule 54\(c\) of the Federal Rules of Criminal Procedure](#) prior to Dec. 2002, wherein "Act of Congress" is defined. Rule 54(c) states:

*"Act of Congress" includes any act of Congress locally applicable to and in force in the District of Columbia, in Puerto Rico, in a territory or in an insular possession."*

If you want to examine this rule for yourself, here is the link, which subsequently moved to Rule 1:

[https://www.law.cornell.edu/rules/frcrmp/rule\\_1](https://www.law.cornell.edu/rules/frcrmp/rule_1)

The §64 question is:

*"ON WHICH OF THE FOUR LOCATIONS NAMED IN RULE 54(c) IS THE UNITED STATES DISTRICT COURT ASSERTING JURISDICTION WHEN THE U.S. ATTORNEY HAULS YOUR ASS INTO COURT ON AN INCOME TAX CRIME?"*

**Hint:** everyone knows what and where the District of Columbia is, and everyone knows where Puerto Rico is, and territories and insular possessions are defined in [Title 48 United States Code](#), happy hunting!

The Supreme Court says the same thing about this situation as well:

*"It is no longer open to question that the general government, unlike the states, [Hammer v. Dagenhart, 247 U.S. 251, 275, 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724](#), possesses no inherent power in respect of the internal affairs of the states; and emphatically not with regard to legislation."*  
[*Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)*]

Keep in mind that Title 8 of the U.S. Code, which establishes citizenship under federal law is federal "legislation". I guess that means there is *nothing* in that title that can define or circumscribe our rights as people born within and living within a state of the Union, which is foreign to the federal government for the purposes of legislative jurisdiction. In fact, that is exactly our status as a "national" defined in 8 U.S.C. §1101(a)(21). The term "national" is defined in the title but the rights of such a person are not limited or circumscribed there because they can't be under the Constitution. This, folks, is the essence of what it means to be truly "sovereign" with respect to the federal government, which is that you aren't the subject of any federal law. Laws limit rights and take them away. Rights don't come from laws, they come from God! America is "The land of the Kings". Every one of you is a king or ruler over your public servants, and THEY, not you, should be "rendering to Caesar", just as the Bible says in Matt. 22:15:22:

*"The people of the state [not the federal government, but the state: IMPORTANT!], as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the king by his own prerogative."*  
[*Lansing v. Smith, (1829) 4 Wendell 9, (NY)*]

*"It will be admitted on all hands that with the exception of the powers granted to the states and the federal government, through the Constitutions, the people of the several states are unconditionally sovereign within their respective states."*  
[*Ohio L. Ins. & T. Co. v. Debolt, 16 How. 416, 14 L.Ed. 997* ]

*"Sovereignty [that's you!] itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts."*  
[*Yick Wo v. Hopkins, 118 U.S. 356, 6 S.Ct. 1064 (1886)*]

"nationals" and "state nationals" are also further defined in [8 U.S.C. §1101](#) as follows:

[TITLE 8](#) > [CHAPTER 12](#) > [SUBCHAPTER I](#) > § 1101  
[§ 1101. Definitions](#)

(a) As used in this chapter—

(21) The term "national" means a person owing permanent allegiance to a state.

(22) The term "national of the United States" means:

(A) a citizen of the United States, or

(B) a person who, though not a citizen of the United States, owes permanent allegiance to the United States.

Note the suspect word “permanent” in the above definition. Below is the definition of “permanent” from the same title found in [8 U.S.C. §1101\(a\)\(31\)](#):

(a) As used in this chapter—

(31) The term "permanent" means a relationship of continuing or lasting nature, as distinguished from temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the instance either of the United States or of the individual, in accordance with law.

For those of you who are Christians, you realize that this life is very temporary and that nothing on this earth can be permanent, and especially your life. The bible says that “the wages of sin is death” (Rom. 6:23), and so there is nothing more certain than death, which means there can be nothing physical that is permanent on earth including our very short lives. The only thing permanent is our spirit and not our physical body, which will certainly deteriorate and die. Therefore, there can be no such thing as “permanent allegiance” on our part to anything but God for Christians.

When we bring up the above kinds of issues, some of our readers have said that they don’t even like being called “nationals” as they are defined above, and we agree with them. However, it is a practical reality that you cannot get a passport within our society without being either a “U.S. citizen” or a “national”, because state governments simply won’t issue passports to those who are state nationals, which is what most of us are. That was not always true, but it is true now. The compromise we make in this sort of dilemma is to clarify on our passport application that the term “U.S.” as used on our passport application means the “United States of America” and not the federal United States or the federal corporation called the United States government.

Now we ask our esteemed readers:

*“After all the crazy circuitous logic and wild goose chasing that results from listening to the propaganda of the government from its various branches on the definitions of ‘U.S. citizenship’ v. ‘U.S. nationality’, what should a reasonable man conclude about the meanings of these terms? We only have two choices:*

1. ‘United States’ as used in [8 U.S.C. §1101\(a\)\(38\)](#) means the federal zone and ‘U.S. citizens’ are born in the federal zone under all federal statutes and “acts of Congress”. This implies that most Americans can only be ‘U.S. nationals’
2. ‘United States’ as used in [8 U.S.C. §1101\(a\)\(38\)](#) means the entire country and political jurisdictions that are foreign to that of the federal government which are found in the states. This implies that most Americans can only be ‘U.S. citizens’.”

We believe the answer is that our system of jurisprudence is based on “innocence until proven guilty”. In this case, the fact in question is: “Are you a U.S. citizen”, and being “not guilty” and having our rights and sovereignty respected by our deceitful government under these circumstances implies being a “national” or a “state national”. Therefore, at best, we should conclude that the above analysis is correct and clearly explains the foundations of what it means to be a “national” or a “state national” and why most Americans fit that description. At the very worst, our analysis clearly establishes that federal statutory and case law, at least insofar as “U.S. citizenship” is very vague and very ambiguous and needs further definition. The supreme Court has said that when laws are vague, then they are “void for vagueness”, null, and unenforceable. See the following cases for confirmation of this fact:

**"A statute which either forbids or requires the doing of an act in terms so vague that men and women of common intelligence must necessarily guess at its meaning and differ as to its application, violates the first essential of due process of law."**

*[Connally vs. General Construction Co., 269 U.S. 385 (1926)]*

**"It is a basic principle of due process that an enactment [435 U.S. 982 , 986] is void for vagueness if its prohibitions are not clearly defined. Vague laws offend several important values. First, because we assume that man is free to steer between lawful and unlawful conduct, we insist that laws give the person of ordinary intelligence a reasonable opportunity to know what is prohibited, so that he may act accordingly. Vague laws may trap the innocent by not providing fair warning. Second, if arbitrary and discriminatory enforcement is to be prevented, laws must provide explicit standards for those who apply them. A vague law impermissibly delegates basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis, with the attendant dangers of arbitrary and discriminatory application."**

*[Grayned v. City of Rockford, 408 U.S. 104, 108 (1972), emphasis added]*

We refer you to the following additional rulings of the U.S. Supreme Court on "void for vagueness" as additional authorities:

1. *Papachristou v. City of Jacksonville*, [405 U.S. 156](#) (1972)
2. *Cline v. Frink Dairy Co.*, [274 U.S. 445](#), [47 S. Ct. 681](#) (1927)
3. *Sewell v. Georgia*, [435 U.S. 982](#) (1978)

Here is the way one of our readers describes the irrational propaganda and laws the government writes:

*"If it doesn't make sense, it's probably because politics is involved!"*

Our conclusions then to the matters at our disposal are the following based on the above reasonable analysis:

1. The "United States" defined in Section 1 of the Fourteenth Amendment means the states of the Union while the "United States" appearing in federal statutes in most cases, means the federal zone. For instance, the definition of "United States" relating to citizenship and found in 8 U.S.C. §1101(a)(38) means the federal zone, as we prove in questions 77 through 82 of the following:

[Tax Deposition Questions](#), Family Guardian Fellowship

<http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section 14.htm>

2. Most Americans are "nationals" or "state nationals" rather than "U.S. citizens" or "U.S. nationals" under all "acts of Congress" and federal statutes. The Internal Revenue code is an "act of Congress" and a federal statute.
3. Our government has deliberately tried to confuse and obfuscate the laws on citizenship to fool the average American into incorrectly declaring that they are "U.S. citizens" in order to be subject to their laws and come under their jurisdiction.
4. The courts have not lived up to their role in challenging unconstitutional exercises of power by the other branches of government or in protecting our Constitutional rights. They are on the take like everyone else who works in the federal government and have conspired with the other branches of government in illegally expanding federal jurisdiction.
5. Once the feds used this ruse with words to get Americans under their corrupted jurisdiction as "U.S. citizens" and presumed "taxpayers", our federal "servants" have then made themselves into the "masters" by subjecting sovereign Americans to their corrupted laws within the federal zone that can disregard the Constitution because the Constitution doesn't apply in these areas. By so doing, they can illegally enforce the Internal Revenue Code and abuse their powers to plunder the assets, property, labor, and lives of most Americans in the covetous pursuit of money that the law and the Constitution did not otherwise entitle them to. This act to subvert the operation of the Constitution amounts to an act of war and treason on the sovereignty of Americans and the sovereign states that they live in, punishable under Article III, Clause 3 of the U.S. Constitution with death by execution.

Old (and bad) habits die hard. Even if you don't want to believe any of the foregoing analysis or conclusions and you consequently still stubbornly cling to the false notion that you are a statutory "citizen of the United States\*\*" instead of a "national" or "state national", the fact remains that all "nationals and citizens of the United States" are also defined in [8 U.S.C. §1401](#) to include "national" status. That means that being a privileged statutory "citizen of the United States\*\*" under federal law is a *dual* citizenship status while being a statutory "national" is only a single status (U.S. nationality derived from state birth and citizenship):

[TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part I > Sec. 1401.](#)

Sec. 1401. - Nationals and citizens of United States[\*\*] at birth

**The following shall be nationals and citizens of the United States at birth:**

(a) a person born in the United States, and subject to the jurisdiction thereof;

[...]

This type of dual status is described in Black's Law Dictionary as follows:

**Dual citizenship.** *Citizenship in two different **countries**. Status of citizens of United States who reside within a state; i.e., person who are born or naturalized in the U.S. are citizens of the U.S. and the state wherein they reside.*  
[Black's Law Dictionary, Sixth Edition, p. 498]

The term "citizenship" as used by the courts means "nationality", so dual citizenship means "dual nationality and allegiance".<sup>213</sup> You see, even the law dictionary says your state is a "country", which means you are a national of that country according to 8 U.S.C. §1101(a)(21).

What can we do to correct our citizenship status and protect our liberties? Well, since you are already a "national" as a dual national called a "citizen of the United States", you can abandon half of your dual citizenship and we will show you how and why you should do this in section 4.12.17. The door is still therefore wide open for you to correct your status and liberate yourself from the government's chains of slavery, and the law authorizes you to do this. The government also can't stop you from doing this, because here is how one court explained legislation passed by Congress authorizing expatriation only days before the Fourteenth Amendment was ratified and which is still in force (stare decisis) today:

*"Almost a century ago, Congress declared that "the right of expatriation [including expatriation from the District of Columbia or "U.S. Inc", the corporation] is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness," and decreed that "any declaration, instruction, opinion, order, or decision of any officers of this government which denies, restricts, impairs, or questions the right of expatriation, is hereby declared inconsistent with the fundamental principles of this government." 15 Stat. 223-224 (1868), R.S. §1999, 8 U.S.C. § 800 (1940).<sup>214</sup> Although designed to apply especially to the rights of immigrants to shed their foreign nationalities, that Act of Congress "is also broad enough to cover, and does cover, the corresponding natural and inherent right of American citizens to expatriate themselves." Savorgnan v. United States, 1950, 338 U.S. 491, 498 note 11, 70 S.Ct. 292, 296, 94 L.Ed. 287.<sup>215</sup> The Supreme Court has held that the Citizenship Act of 1907 and the Nationality Act of 1940 "are to be read in the light of the declaration of policy favoring freedom of expatriation which stands unrepealed." Id., 338 U.S. at pages 498-499, 70 S.Ct. at page 296. That same light, I think, illuminates 22 U.S.C.A. § 211a and 8 U.S.C.A. § 1185."*  
[Walter Briehl v. John Foster Dulles, 248 F.2d. 561, 583 (1957)]

You see, our politicians know that citizenship in any political jurisdiction can be regarded as an assault on our liberties, and that sometimes we have to renounce it in order to protect those liberties, so they provided a lawful way to do exactly that. Another reason they have to allow expatriation of any or all aspects of one's citizenship is that if they didn't, they could no longer call citizenship "voluntary", now could they? And if it isn't voluntary, then the whole country becomes one big DESPOTIC TOTALITARIAN SLAVE CAMP and the Declaration of Independence goes into the toilet! Remember what that Declaration said?

**That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,** --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness." [emphasis added]

<sup>213</sup> See also *Perkins v. Elg*, 307 U.S. 325 (1939), which defines "expatriation" as the process of abandoning "nationality and allegiance", not citizenship.

<sup>214</sup> See Carrington, Political Questions: The Judicial Check on the Executive, 42 Va.L.Rev. 175 (1956).

<sup>215</sup> 9 Pet. 692, 34 U.S. 692, 699, 9 L.Ed. 276.

1 How can you be “independent” and “sovereign” if you can’t even declare or determine your own citizenship status?  
 2 Citizenship must therefore be *voluntary* and *consensual* or the enforcement of all laws based on it becomes *unjust*, and we  
 3 made that point very clear earlier in section 4.12.11 when we talked about federal citizenship. If you are a “U.S. citizen” and  
 4 you have a *dual citizenship* as we just defined earlier using [8 U.S.C. §1401](#) above, then we will clearly establish later in  
 5 4.12.17 that the government *cannot* unilaterally sever *any* aspect of your *dual* citizenship and that it is a *permanent contract*  
 6 which *only you* [not the government] can revoke any aspect of either by dying or by voluntary choice in a process initiated  
 7 by you. Every aspect of your citizenship status *must be voluntary* or it is *unjust* and if you want to eliminate or revoke the  
 8 federal portion of your citizenship status *only* and retain the “national” or “state citizen” status that you *already have* as a  
 9 “U.S. citizen”, then the government cannot lawfully stop you, and if they try to, your citizenship is no longer voluntary but  
 10 *compelled*. Once it is compelled, your compliance with federal laws based on citizenship as a SOVERIEGN is no longer  
 11 *voluntary or consensual*, but is based on duress, fraud, extortion, and amounts to slavery in violation of the Thirteenth  
 12 Amendment to the U.S Constitution! What are you waiting for and why haven’t you corrected your citizenship status yet?

#### 13 4.12.12.2 Voting as a STATUTORY “national” or “state national”

14 The point of reference in the example given below is the California Republic (notice we didn’t say “State of California”,  
 15 because that term means federal areas inside California!). The cite below doesn’t define “United States citizen” but it’s safe  
 16 to conclude that it means a “national of the United States\*\*\*”, and you should specify this on your voter registration document  
 17 to remove any possibility for false presumption.

18 CALIFORNIA CONSTITUTION  
 19 ARTICLE 2 VOTING, INITIATIVE AND REFERENDUM, AND RECALL

20 SEC. 2. A United States citizen 18 years of age and resident in this State may vote.

21 The situation may be different for other states. If you live in a state other than California, you will need to check the laws of  
 22 your specific home state in order to determine whether the prohibition against voting applies to “nationals” or “state nationals”  
 23 in your state. If authorities give you a bad time about trying to register to vote without being a *federal* “U.S. citizen”, then  
 24 show them the Declaration of Independence, which says:

25 “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their  
 26 Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—

27 [Declaration of Independence]

28 Emphasize that it doesn’t say “*endowed by their government*” or “*endowed by their federal citizenship*” or “*endowed by their*  
 29 *registrar of voters*”, but instead “*endowed by their CREATOR*”. The rights to life, liberty, and the pursuit of happiness  
 30 certainly include suffrage and the right to own property. Suffrage is necessary in turn to protect personal property from  
 31 encroachment by the government and socialistic fellow citizens. These are not “privileges” that result from *federal*  
 32 *citizenship*. They are rights that result from *birth!* Thomas Jefferson said so:

33 “A free people [claim] their rights as derived from the laws of nature, and not as the gift of their chief magistrate.”  
 34 [Thomas Jefferson: Rights of British America, 1774. ME 1:209, Papers 1:134]

35 “Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the  
 36 minds of the people that these liberties are of the gift of God? That they are not to be violated but with His wrath?”  
 37 [Thomas Jefferson: Notes on Virginia Q.XVIII, 1782. ME 2:227 ]

38 Below is a summary of our research relating to the right to vote as a “ national” or “state national”:

- 39 1. Some states require that an elector be a "citizen of the United States" or “United States citizen”
  - 40 1.1. See voter registration form, available at Post Office
  - 41 1.2. This qualification can interfere with the right to vote by a U.S. national .
    - 42 1.2.1. Voter registration form exhibits a formal affidavit, signed under penalties of perjury, that voter is a “U.S.  
 43 citizen”
      - 44 1.2.1.1. Such an affidavit is admissible evidence in any state or federal court
      - 45 1.2.1.2. Federal courts use this affidavit to establish court jurisdiction or “U.S. citizen” status.
    - 46 1.2.2. Perjury is punishable by 2 or 3 years in state prison (see warnings on registration form)

- 1.2.3. Warnings are in CONSPICUOUS text, which prevents signer from saying he didn't see it
- 1.3. To avoid establishing a false presumption that you are a "citizens of the United States" under federal statutes, you must clarify the status of your citizenship on their voter registration in order to perfect and maintain their sovereign status.
- 1.3.1. Most registration forms were signed in ignorance of the 2 classes of citizenship in America
- 1.3.2. We must claim to be a "national of the United States\*\*\* OF AMERICA". Refer to 8 U.S.C. §1101(a)(21), 8 U.S.C. §1101(a)(22), and 8 U.S.C. §1408 for a description of the different types of STATUTORY "nationals".
- 1.3.3. With this knowledge, "nationals" and "state nationals" elect "to be treated" as "U.S. citizens" under the internal revenue code by ignorantly and incorrectly claiming their citizenship. To avoid this trap, they should clarify their citizenship on their voter registration as outlined in section 5.6.6 of the Sovereignty Forms and Instructions Manual, Form #10.005 entitled "Voter Registration Affidavit Attachment".
2. Registering to vote produces material evidence that one is a "U.S. citizen" under federal statutes who is, by definition, in receipt of federal privileges, whereas State Citizens are not.
- 2.1. State Citizens are protected by constitutional limits against direct taxation
- 2.2. Direct taxes must be apportioned per Article 1, Section 9, Clause 4 and Article 1, Section 2, Clause 3
- 2.3. Federal citizens are not protected by these same constitutional limits
3. If you are a "national" and you live in a state that won't allow you to register to vote without clarifying your status as a "national" on the application form, then you should take the following measures in order to avoid jeopardizing their Natural Born state Citizenship status:
- 3.1. Cancel your voter registration to perfect and maintain your sovereign status under the Law.
- 3.2. Litigate to regain your right to vote as a "national" rather than a "U.S. citizen".
4. The Fifteenth and the Nineteenth Amendments to the U.S. Constitution only protect the right to vote for those who are "citizens of the United States". They do NOT protect the right to vote for those persons who are "U.S. nationals".

#### 4.12.12.3 Serving on Jury Duty as a STATUTORY "national" or "state national"

Serving on jury service is not necessarily or exclusively a privilege arising from being a "citizen". Your state may apply additional criteria to the qualifications.

*"To remove the cause of them; to obviate objections to the validity of legislation similar to that contained in the first section of the Civil Rights Act; to prevent the possibility of hostile and discriminating legislation in future by a State against any citizen of the United States, and the enforcement of any such legislation already had; and to [100 U.S. 339, 365] secure to all persons within the jurisdiction of the States the equal protection of the laws, - the first section of the Fourteenth Amendment was adopted. Its first clause declared who are citizens of the United States and of the States. It thus removed from discussion the question, which had previously been debated, and though decided, not settled, by the judgment in the Dred Scott Case, whether descendants of persons brought to this country and sold as slaves were citizens, within the meaning of the Constitution. It also recognized, if it did not create, a national citizenship, as contradistinguished from that of the States. But the privilege or the duty, whichever it may be called, of acting as a juror in the courts of the country, is not an incident of citizenship. Women are citizens; so are the aged above sixty, and children in their minority; yet they are not allowed in Virginia to act as jurors. Though some of these are in all respects qualified for such service, no one will pretend that their exclusion by law from the jury list impairs their rights as citizens."*

[Ex Parte State of Virginia, 100 U.S. 339 (1879)]

Below is a summary of our research relating to the right to serve on a jury as a "U.S. national":

1. Some states and the federal government require that a person who wishes to serve on jury duty must be a "citizen of the United States". This is especially true in federal courts.
- 1.1. The jury duty disqualification form says that you are disqualified if you are not a "citizen of the United States". Since state statutes don't define the meaning of the term "citizen of the United States" or "U.S. citizen", you can just say that you are and then simply define what you mean on the form itself.
- 1.2. The only way to overcome the built-in presumption that we are "citizens of the United States" on the jury summons is to file an affidavit in response to the summons claiming to be a "national of the United States\*\*\* of America" but not a STATUTORY "citizen of the United States" (refer to 8 U.S.C. §1101(a)(21) through 8 U.S.C. §1101(a)(22) and 8 U.S.C. §1408). See:
- Jury Summons Response Attachment, Form #06.015  
<https://sedm.org/Forms/FormIndex.htm>
2. Serving on jury duty produces material evidence useful to the state or federal government that one is a federal citizen who is in receipt of government privileges, whereas State Citizens are not in receipt of such privileges.

3. If you are a Natural Born state Citizens and you live in a state that whose laws won't allow you to serve on jury duty without committing fraud on the jury summons by claiming that you are a "U.S. citizen", you should take the following measures in order to avoid jeopardizing your Natural Born state Citizenship status:
- 3.1. Cancel your jury summons to perfect and maintain your sovereign status under the Law.
  - 3.2. Litigate to regain your right to serve on a jury without being a "U.S. citizen" and instead being a "U.S. national".

#### 4.12.12.4 Summary of Constraints applying to STATUTORY "national" status

##### 1. Right to vote:

- 1.1. "Nationals" and "state nationals" can *register to vote* under laws in most states but must be careful how they describe their status on the voter registration application.
- 1.2. Some state voter registration forms have a formal affidavit by which signer swears, under penalties of perjury, that s/he is a "citizen of the United States" or a "U.S. citizen".
- 1.3. Such completed affidavits become admissible evidence and conclusive proof that signer is a "citizen of the United States" under federal statutes, which is not the same thing as a "national" or "state national".

##### 2. Right to serve on jury duty:

- 2.1. "nationals" or "state nationals" can *serve on jury duty* under most state laws. If your state gives you trouble by not allowing you to serve on jury duty as a "national" or "state national", you are admonished to litigate to regain their voting rights and change state law.
- 2.2. Some state jury summons forms have a section that allows persons to disqualify themselves from serving on jury duty if they do not claim to be "citizens of the United States". We should return the summons form with an affidavit claiming that we want to serve on jury duty and are "nationals" rather than "citizens" of the United States. If they then disqualify us from serving on jury duty, we should litigate to regain our right to serve on juries.
3. The exercise of federal citizenship, including voting and serving on jury duty, is a statutory privilege which can be created, taxed, regulated and even revoked by Congress! In effect, the government, through operation of law, has transformed a right into a taxable privilege, .
4. The exercise of "national" citizenship is an unalienable Right which Congress cannot tax, regulate or revoke under any circumstances.
5. Such a Right is guaranteed by the U.S. Constitution, which Congress cannot amend without the consent of three-fourths of the Union States.

#### 4.12.13 How Did We Lose Our Sovereignty and Become STATUTORY "U.S. citizens"?

If every American in the original colonies became a sovereign, how could they lose their sovereignty? The Citizens of each of the several states in the Union were sovereigns. But the people in a federal territory or in the District of Columbia were not sovereigns because the territories and the District of Columbia were not in the Union.

*"The 1<sup>st</sup> section of the 14<sup>th</sup> article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States, but citizenship of the states. No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the public journals. It had been said my eminent judges that no man was a citizen of the United States[\*] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[\*], were not citizens. Whether this proposition was sound or not had never been judicially decided."*

*[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]*

Congress had/has exclusive legislative control over these areas under Article 1, Section 8, Clause 17 of the U.S. Constitution. The states were governed by a "constitutional republic" while the territories were ruled by a "legislative democracy". In a legislative democracy, the inhabitants have no rights except what Congress gives them because the Bill of Rights do not apply. As a matter of fact, within the federal zone, they have a statutory Bill of Rights instead of Constitutional rights. See [48 U.S.C. §1421b](#). In the constitutional republics of the states, the Citizens have rights given to them by their Creator and Congress is the Citizens servant. This is why Citizens, having left a state to buy or conquer land from the native Americans that was located in federal territories, would apply for statehood as soon as possible.

How is it that someone who was born in and has lived in a state on nonfederal land all his/her life can be treated like a citizen of the District of Columbia? There has been a series of steps that Congress has made to convert the state Citizens into statutory "U.S. citizens" under 8 U.S.C. §1401. Over the years, our laws have deliberately been made incomprehensible by



1 the average American in order to put most Americans at the mercy of the legal profession. The Federal Reserve Act of 1913  
 2 turned over our money to a private banking cartel. Social Security created Social Security Districts (or territories) in which  
 3 people with SSN's lived. The Buck Act created federal areas inside the states. Then the states rewrote their income tax  
 4 statutes to pretend like everyone was a "U.S. citizen" who lived in these federal areas. They could legally impose direct taxes  
 5 in these areas because those domiciled in the federal zone have no Constitutional rights!

6 In order for the federal government to tax a Citizen of one of the several Union states, it had to create some sort of contractual  
 7 nexus. This contractual nexus is the Social Security Number (SSN) and the status of being statutory "citizens of the United  
 8 States" 8 U.S.C. §1401. Prior to the 14<sup>th</sup> Amendment, everyone who was born in any one of the 50 Union states was a  
 9 "national of the United States" under the Law of Nations and their citizenship status was nowhere defined in the Constitution.  
 10 Following the passage of the 14<sup>th</sup> Amendment in 1868, these people were called "citizens of the United States", where "United  
 11 States" in the context of the Constitution meant the collective states of the Union and excluded the federal zone. Here is the  
 12 pertinent part of the Fourteenth Amendment that accomplished this:

13 *Section 1: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are*  
 14 *citizens of the United States and of the state wherein they reside.*

15 Notice the term "citizens of the United States" above, which looks confusingly similar to the same term "citizen of the United  
 16 States" used in 8 U.S.C. §1401. The trick is that the term "United States" in federal statutes means the federal zone while in  
 17 the Constitution, it means the collective states of the Union. The common man didn't understand this distinction and the  
 18 legal profession has, since the passage of the Fourteenth Amendment, done everything in its power to expand this jurisdiction  
 19 by, for instance, removing the definition of the term "United States" from legal dictionaries. This scandal is described later  
 20 in section 6.10.1. Lawyers and scumbags in our courts and Congress, following the passage of the Fourteenth Amendment,  
 21 therefore decided to try to illegally expand their jurisdiction by using this confusion to trick the people in the states of the  
 22 Union by making them believe that they were statutory "citizens of the United States" under 8 U.S.C. §1401.

23 After the 14<sup>th</sup> Amendment was passed, the scumbag Congress gradually changed the immigration and naturalization laws and  
 24 especially the government forms that implemented them to expand and enlarge this confusion and deception about citizenship.  
 25 When the government naturalized people to become Americans, it still made people "nationals" but not "citizens" (see 8  
 26 U.S.C. §1101(a)(23)) but wrote the forms in such a way that they were deceived into believing that they became statutory  
 27 federal "U.S. citizens" under 8 U.S.C. §1401. When people asked what they meant by the term "U.S. citizen" on immigration  
 28 and other government forms, their questions were deliberately ignored or they were given confusing explanations that didn't  
 29 clarify these important distinctions and perpetuated false assumptions and presumptions by the average American. The  
 30 government did this because they naturally wanted all of the immigrants to unwittingly but incorrectly believe they were  
 31 "U.S. citizens" and "taxpayers" who were the subject to the tax imposed in 26 U.S.C. §1 and who were completely subject  
 32 to the legislative jurisdiction of the federal government in a way that they wouldn't be if they were only "nationals" under 8  
 33 U.S.C. §1101(a)(21) but not "citizens" under 8 U.S.C. §1401. Most naturalized persons were not smart enough to figure out  
 34 this legal ruse or that what they really were as a result of naturalization were "nationals" and not "U.S. citizens". After they  
 35 were fooled into believing they were "U.S. citizens" upon naturalization, they would subsequently fill out all kinds of  
 36 government forms that misrepresented their status and created this same false presumption in the minds of federal judges and  
 37 other misinformed fellow citizens serving in federal courtrooms everywhere. If these duped Americans then subsequently  
 38 figured out the ruse (like we did in the process of writing this book), they would need to go back and renounce their privileged  
 39 "U.S. citizen" status under 8 U.S.C. §1401 and correct all the forms they mistakenly filled out to completely escape the  
 40 jurisdiction of the U.S. government and regain their sovereign status.

41 There is a lot of confusion about the meaning of the Fourteenth Amendment in the freedom community. The key thing to  
 42 notice about Section 1 of the 14<sup>th</sup> Amendment quoted above is the phrase "and subject to the jurisdiction thereof". Many  
 43 people look at that sentence and wrongfully conclude that "subject to the jurisdiction" means the legislative jurisdiction of  
 44 the federal government under "acts of Congress" and the U.S. codes. In fact, it does NOT mean this, as the supreme court  
 45 has confirmed.

46 "The persons declared to be citizens are ALL PERSONS BORN OR NATURALIZED IN THE UNITED  
 47 STATES AND SUBJECT TO THE JURISDICTION THEREOF. The evident meaning of these last words is, not  
 48 merely subject in some respect or degree to the jurisdiction of the United States, but completely subject  
 49 to their political jurisdiction, and owing them direct and immediate  
 50 allegiance. And the words relate to the time of birth in the one case, as they do to the time of naturalization  
 51 in the other."  
 52 [Elk v. Wilkins, 112 U.S. 94 (1884)]

1 “Allegiance” is what makes a person born in a state of the Union “subject to **the** political jurisdiction”, and this allegiance is  
 2 a characteristic of being a “national of the United States” under 8 U.S.C. §1408 or a “national” under 8 U.S.C. §1101(a)(21).  
 3 Therefore the phrase “subject to **the** jurisdiction” in the Fourteenth Amendment simply means the “political jurisdiction” and  
 4 not the “legislative jurisdiction”. “Political jurisdiction” means only voting and jury service and does not include “legislative  
 5 jurisdiction”. Legislative jurisdiction is defined by where you are domiciled and not by your citizenship status. You can be  
 6 “completely subject” to the “political jurisdiction” by voting and serving on jury duty in a federal trial *without* being subject  
 7 to federal legislative jurisdiction described in “acts of Congress” or the U.S. codes. See the following free pamphlet for  
 8 further details about “political jurisdiction” as distinguished from “legislative jurisdiction”:

9 <http://sedm.org/Forms/05-MemLaw/PoliticalJurisdiction.pdf>

10 The legal encyclopedia American Jurisprudence tries to confuse this issue by echoing the words found in the Fourteenth  
 11 Amendment “subject to the jurisdiction”, and using them in describing federal statutory “citizens of the United States” under  
 12 8 U.S.C. §1401. They do this in order to try to create a false presumption that this inferior statutory citizenship is equivalent  
 13 to Fourteenth Amendment “citizen of the United States” status, when in fact it is **not**. The means the scumbag Pharisees use  
 14 to deceive us is simply to refuse to define or state which of the three definitions or “contexts” of “United States” they are  
 15 using in their definitions. Below is the definition of “citizen of the United States” from the American Jurisprudence legal  
 16 encyclopedia to help illustrate this frequent form of deception and confusion within the teachings and doctrine of the  
 17 Pharisees:

18 *3C American Jurisprudence 2d, Aliens and Citizens, §2689 (1999), Who is born in United States and subject to*  
 19 *United States jurisdiction*

20 *"A person is born subject to the jurisdiction of the United States, for purposes of acquiring citizenship at birth, if*  
 21 *his or her birth occurs in territory over which the United States is sovereign, even though another country*  
 22 *provides all governmental services within the territory, and the territory is subsequently ceded to the other*  
 23 *country."*

24 Endless but needless arguments over citizenship within the freedom community result from a fundamental misunderstanding  
 25 of the observations and conclusions in this section. This contention is fostered by the kind of deliberate deception found in  
 26 legal reference works such as the above. The above confusion is also propagated by other means. For instance, the 1040  
 27 form propagates it by requiring you to identify your children as “U.S. citizens” on your tax return in order to claim them as  
 28 deductions while not defining or clarifying which of the two “citizens of the United States” that they are. People also  
 29 unwittingly contribute to this confusion by creating a false presumption that they are a “U.S. citizen” under the income tax  
 30 code simply by saying that they are on their tax forms, and both the state and federal government are more than happy to take  
 31 your word for it, even if you are wrong, because that is how they manufacture “taxpayers” and illegally expand their  
 32 jurisdiction!

33 If people understood the simple distinctions between “political jurisdiction” and “legislative jurisdiction”, the arguments and  
 34 confusion relating to citizenship within the freedom community would cease instantly. If they understood the following, then  
 35 we could end these foolish arguments and get on with more important issues like prosecuting IRS fraud:

- 36 • The term “United States” in the Constitution does not have the same meaning as the term “United States” in federal  
 37 statutes. In the Constitution, “United States” means states of the Union while in federal statutes relating to  
 38 citizenship, it means the District of Columbia and territories of the United States.
- 39 • Being a Fourteenth Amendment “citizen of the United States” is NOT equivalent to being a “citizen and national of  
 40 the United States” under 8 U.S.C. §1401.
- 41 • Fourteenth Amendment citizenship is equivalent to being a “national” under 8 U.S.C. §1101(a)(21).
- 42 • There is nothing wrong or injurious about being a Fourteenth Amendment “citizen of the United States” and that  
 43 status doesn’t make you subject to the “legislative jurisdiction” of Congress.

44 Let’s go back to the *Elk v. Wilkins* case mentioned above for a moment to illustrate the points we are making here. Here is  
 45 what the Supreme Court said again:

46 *"The persons declared to be citizens are ALL PERSONS BORN OR NATURALIZED IN THE UNITED STATES*  
 47 *AND SUBJECT TO THE JURISDICTION THEREOF. The evident meaning of these last words is, not merely*  
 48 *subject in some respect or degree to the jurisdiction of the United States, but COMPLETELY SUBJECT to their*  
 49 *political jurisdiction, and owing them direct and immediate allegiance. And the words relate to the time of birth*  
 50 *in the one case, as they do to the time of naturalization in the other. **Persons not thus subject to the jurisdiction***

1 of the United States at the time of birth cannot become so afterwards, except by being naturalized, either  
 2 individually, as by proceedings under the naturalization acts; or collectively, as by the force of a treaty by which  
 3 foreign territory is acquired. Indians born within the territorial limits of the United States, members of, and owing  
 4 immediate allegiance to, one of the Indiana tribes, (an alien though dependent power,) although in a geographical  
 5 sense born in the United States, are no more 'born in the United States and subject to the jurisdiction thereof,'  
 6 within the meaning of the first section of the fourteenth amendment, than the children of subjects of any foreign  
 7 government born within the domain of that government, or the children born within the United States, of  
 8 ambassadors or other public ministers of foreign nations. ."  
 9 [Elk v. Wilkins, 112 U.S. 94 (1884)]

10 The above case was about an Indian who was born on a reservation and left the reservation and lived in the surrounding state  
 11 community to try to become a "citizen of the United States\*\*\*". Indian reservations are considered to be part of the federal  
 12 zone and are under trusteeship of the federal government, but at the same time they do not participate in the "political  
 13 jurisdiction" that includes states of the Union. Indians cannot vote in national elections and they can't serve on a federal jury.  
 14 The Indian in the above case was deprived of the right to vote right after the passage of the 14<sup>th</sup> Amendment in 1868 by the  
 15 registrar of voters in his state, who claimed he wasn't a "citizen of the United States\*\*\*", even though he in all other respects  
 16 met the criteria for being a state citizen, had allegiance to the United States\*\*\*, and admitted he was "completely subject" to  
 17 the [political] jurisdiction of the U.S.\*\*\* in all respects. The U.S. Supreme Court ruled that Indian reservations are considered  
 18 foreign territories not part of the United States\*\*\* and akin to foreign governments, and Indians born on these reservations  
 19 are not "citizens of the United States\*\*\*" under the Fourteenth Amendment by virtue of being born on an Indian Reservation.  
 20 In effect, they were saying that Indian reservations are not part of the Union of states and are completely separate. Recall  
 21 that Indian reservations have their own private and sovereign tribal governments and are not subject to any federal law or  
 22 state law in most cases. The court in *Elk* said that Indians born on reservations can only become citizens by naturalization  
 23 and with the consent of the federal government. Naturalization, by the way, is statutorily defined as the process of conferring  
 24 "nationality" and of becoming a "national" under either 8 U.S.C. §1101(a)(21) or 8 U.S.C. §1101(a)(22)(B). In the case of  
 25 the plaintiff/appellant, an Indian who never explicitly naturalized, the court ruled that he had been deprived of no right by  
 26 the state when he was denied the opportunity to vote by that state. Recall that the right to vote was covered by the 15<sup>th</sup>  
 27 Amendment, which depended on 14<sup>th</sup> Amendment citizenship. This case therefore helps to illustrate that the only context in  
 28 which "citizen of the United States\*\*\*" is meaningful as far as the federal government is concerned is in a political context  
 29 that relates to either voting or jury service.

30 Moving beyond the *Elk v. Wilkins* case in 1884, in 1935, the federal government instituted Social Security. The Social  
 31 Security Board then created 10 Social Security "Districts." The combination of these "Districts" resulted in a "Federal Area",  
 32 a fictional jurisdiction, which covered all of the several states like a clear plastic overlay.

33 In 1939, the federal government instituted the "Public Salary Tax Act of 1939." This Act is a municipal law of the District  
 34 of Columbia for taxing all federal government statutory "employees", public officers, and those domiciled who within and  
 35 working within any "Federal Area." Now the government knows it cannot tax those state Citizens who live and work outside  
 36 the territorial jurisdiction of Article 1, Section 8, Clause 2 in the Constitution for the United States of America; also known  
 37 as the ten square miles of the District of Columbia and territories and enclaves. So, in 1940, Congress passed the "Buck Act"  
 38 now found in 4 U.S.C. Sections 105-113. In Section 110(e), this Act authorized any department of the federal government to  
 39 create a "Federal Area" for imposition of the "Public Salary Tax Act of 1939." This tax is imposed at 4 U.S.C. §111. The rest  
 40 of the taxing law is found in the Internal Revenue Code. The Social Security Board had already created a "Federal Area"  
 41 overlay. U.S.C. Title 4 is as follows:

42 TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES  
 43 CHAPTER 4 - THE STATES  
 44 Sec. 110(d): The term "State" includes any territory or possession of the United States.

45 Sec. 110(e): The term "Federal Area" means any lands or premises held or acquired by or for the use of the  
 46 United states or any department, establishment, or agency of the United states; and any federal area, or any part  
 47 thereof, which is located within the exterior boundaries of any State, shall be deemed to be a federal area located  
 48 within such State.

49 Under the Provisions of Title 4, Section 105, the federal "State" (also known as, "The State of...") is imposing an excise tax.  
 50 That section states, in pertinent part:

51 TITLE 4 - FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES  
 52 CHAPTER 4 - THE STATES  
 53 Sec. 105: State, and so forth, taxation affecting Federal areas; sales or use tax.

(a) No person shall be relieved from the liability for payment of, collection of, or accounting for any sales or use tax levied by any State, or any duly constituted taxing authority therein, having jurisdiction to levy such tax, on the ground that the sales or use, with respect to which such tax is levied, occurred in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction to levy such a tax, by reason of his residing within a Federal area or receiving income from transactions occurring or services performed in such area; and such State or taxing authority shall have full jurisdiction and power to levy and collect such tax in any Federal area within such a State to the same extent and with the same effect as though such area was not a Federal area.

**NOTE:** Irrespective of what the tax is called, if its purpose is to produce revenue, it is an income tax or a receipts tax under the Buck Act [4 U.S.C. Secs. 105-110]. See *Humble Oil & Refining Co. v. Calvert*, 464 S.W.2d. 170 (1971), affd (Tex) 478 S.W.2d. 926, cert. den. 409 U.S. 967, 34 L.Ed.2d. 234, 93 S.Ct. 293.

For purposes of further explanation, a Federal area can include the Social Security areas designated by the Social Security Administration; any public housing that has federal funding; a home that has a federal (or Federal reserve) loan; a road that has federal funding; schools and colleges (public or private) that receive (direct or indirectly) federal funding, and virtually everything that the federal government touches through any type of direct or indirect aid. See *Springfield v. Kenny*, 104 N.E. 2d. 65 (1951 app.) This "Federal area" is attached to anyone who has a Social Security number or any personal contact with the federal or State government. (That is, of course, with the exception of those who have been defrauded through the tenets of an Unrevealed Contract to "accept" compelled benefits. Which includes me and perhaps you.) Through this mechanism, the federal government usurped the Sovereignty of the People, as well as the Sovereignty of the several states by creating "Federal areas" within the authority of Article IV, Section 3, Clause 2 in the Constitution for the United States of America which states:

*United States Constitution  
Article IV, Section 3, Clause 2*

*"The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States, and nothing in this Constitution shall be so construed as to prejudice any claims of the United states, or of any particular State."*

Therefore, all U.S. citizens [i.e. citizens of the District of Columbia] residing in one of the states of the Union, are classified as property and franchisees of the federal government, and as an "individual entity." See *Wheeling Steel Corp. v. Fox*, 298 U.S. 193, 80 L.Ed. 1143, 56 S.Ct. 773 (1936). Under the "Buck Act," 4 U.S.C Secs. 105-113, the federal government has created a "Federal area" within the boundaries of the several states. This area is similar to any territory that the federal government acquires through purchase, conquest or treaty, thereby imposing federal territorial law upon the people in this "Federal area." *Federal territorial law is evidenced by the Executive Branch's Admiralty flag (a federal flag with a gold or yellow fringe on it) flying in schools, offices and courtrooms.*

To enjoy the freedoms secured by the federal and state constitutions, you must live on the land in one of the states of the Union of several states, not in any "Federal area." Nor can you be involved in any activity that makes you subject to "federal laws." You cannot have a "resident" State driver's license, a motor vehicle registered in your name, a bank account in a federally insured bank, or any other known "contract implied in fact" that would place you in this "Federal area" and thus within the territorial jurisdiction of the municipal laws of Congress. We explain later in section 5.6.12.6 that you can have a Social Security Number and even contribute to and collect benefits as a "U.S. national" without being regarded as living in a federal area, but you need to be very careful to ensure that the Social Security Administration records properly reflect your status as a "U.S. national" rather than a "U.S. citizen" using the process we give in section 4.5.3.13 of the *Sovereignty Forms and Instructions Manual*, Form #10.005 by submitting a corrected SSA Form SS-5.

Remember, all acts of Congress are mainly territorial in nature and usually apply only within the territorial jurisdiction of Congress. See *American Banana Co. v. United Fruit Co.*, 213 U.S. 347, 356-357 (1909); *U.S. v. Spelar*, 338 U.S. 217, 222, 94 L.Ed. 3 (1949). The only exceptions to this general rule are the following:

1. Persons who claim a "domicile" within the exclusive jurisdiction of a government, even if they physically reside elsewhere, are subject to the civil legislative jurisdiction of that place. For instance, people "residing" (as aliens in a foreign country) living abroad who continue to claim a domicile in the "United States" (District of Columbia) can be taxed for their earnings because the benefits of citizenship exist with them no matter where they live. This is shown in 26 U.S.C. §911 and was also declared by the U.S. Supreme Court in *Cook v. Tait*, 265 U.S. 47 (1924). Persons with a

1 “domicile” in a place are called “citizens” or “residents”. People without such a domicile are called “non-resident non-  
2 persons” or “transient foreigners”.

- 3 2. Under Federal Rule of Civil Procedure 17(b), a person exercising agency on behalf of a corporation become subject to  
4 the laws of the place where the corporation was formed. This would be true in the case of persons who are exercising a  
5 “public office” in the employment of the U.S. government, which would include elected or appointed officials of the  
6 federal government, and federal statutory “employees”, for instance.

7 It’s not easy to survive without an SSN! Most banks are federally insured. It may be inconvenient to bank at an institution  
8 that is not federally insured. There are many things that become a little more difficult to do without a SSN, state driver's  
9 licenses, or a ZIP Code.

10 There has been created a fictional federal "State (of) within a state." See *Howard v. Sinking Fund of Louisville*, 344 U.S. 624,  
11 73 S.Ct. 465, 476, 97 L.Ed. 617 (1953); *Schwartz v. O'Hara TP School District*, 100 A.2d. 621, 625, 375, Pa. 440. This  
12 fictional "State" is identified by the use of two-letter abbreviations like "PA", "NJ", "AZ", and "DE", etc., as distinguished  
13 from the authorized abbreviations for the sovereign States: "Pa.", "N.J.", "Ariz.", and "Del." The fictional States also use ZIP  
14 Codes that are within the municipal, exclusive legislative jurisdiction of Congress. The Commonwealth of Pennsylvania  
15 Commonwealth is one of the several States. The Pennsylvania Commonwealth, also known as PA, is a subdivision of the  
16 District of Columbia. If you accept postal matter sent to PA, and/or with a ZIP Code, the Courts say that this is evidence that  
17 you are a federal citizen or a resident. Use of the Zip Code is voluntary. See Domestic Mail Manual, Section 102  
18 (<https://pe.usps.com/text/dmm300/102.htm>). The Postal service cannot discriminate against the non-use of the ZIP Code. See  
19 Postal Reorganization Act, Section 403, (Public Law 91-375). The IRS has adopted the ZIP Code areas as Internal Revenue  
20 Districts. See the Federal Register, Volume 51, Number 53, Wednesday March 19, 1986. The acceptance of mail with a ZIP  
21 Code is one of the requirements for the IRS to have jurisdiction to send you notices.

22 When you apply for a Social Security Number, you are telling the federal government that you are repudiating your state  
23 Citizenship in order to apply for the privileges and benefits of citizenship in the federal Nation. Granting a Social Security  
24 number is prima facie evidence that no matter what you were before, you have voluntarily entered into a voyage for profit or  
25 gain in negotiable instruments and maritime enterprise. This is the system that has been set up over the years to restrict,  
26 control, and destroy our personal and economic liberties. Our legal system is very complicated and you may not understand  
27 how it works. I believe that this is intentional.

28 You may also find it disturbing to know how an administrative procedure can remove your children from you. In 1921  
29 Congress passed the Sheppard-Towner Maternity Act that created the United States birth "registration" area (see Public Law  
30 97, 67th Congress, Session I, Chapter 135, 1921.) That act allows you to register your children when they are born. If you do  
31 so, you will get a copy of the birth certificate. By registering your children, which is voluntary, they become Federal Children.  
32 This does several things: Your children become subjects of Congress (they lose their state citizenship). A copy of the birth  
33 certificate is sent to the Department of Vital Statistics in the state in which they were born. The original birth certificate is  
34 sent to the Department of Commerce in the District of Columbia. It then gets forwarded to an International Monetary Fund  
35 (IMF) building in Europe. Your child's future labor and properties are put up as collateral for the public debt.

36 Once a child is registered, a constructive trust is formed. The parent(s) usually become the trustee (the person managing the  
37 assets of the trust), the child becomes an asset of the trust, and the state becomes the principal beneficiary of the trust. See  
38 The Uniform Trustees' Powers Act (ORS 128.005(1)). If the beneficiary does not believe the trustee is managing the assets  
39 of the trust optimally, the beneficiary can go through an administrative procedure to change trustees. This is the way that  
40 bureaucrats can take children away from their parents if the bureaucrat does not like the way the child is cared for. You may  
41 say that there is nothing wrong with this. If a parent is neglecting a child, then the state should remove the child from the  
42 parents' custody. Under common law a child can still be removed from the parent but it takes twelve jurors from that county  
43 to do so. Theoretically, a bureaucrat could remove your children from you, if you disagree with some unrelated administrative  
44 procedure, such as home schooling the child. This is another way the government can intimidate citizens who question its  
45 authority. With all this in mind, the statement that the President says every few months: "Our children are our most valuable  
46 asset." takes on a different meaning. That is - your children are their assets.

47 When the government communicates with corporations it spells the name of the corporation in all capital letters. If the  
48 government refers to you with your name in all capital letters, it actually means to treat you like a corporation. A corporation  
49 is a privileged status created by government. It has no rights. The government gives it privileges and the corporation must  
50 follow the rules of its creator. I am not a corporation! A state Citizen should challenge the government's assertion that he/she  
51 is a corporation. This applies to both postal matter and court documents.

1 We gave the federal government the right to regulate commerce. Since the government has started usurping our sovereignty,  
2 our language has been subtly modified to include commercial terms. Most people do not realize or care that they are using  
3 commercial terms but the courts do. If you describe your actions in commercial terms in a court, the judge will take silent  
4 notice of your status as being regulatable by the federal government. In the following examples, the commercial terms are all  
5 in upper case letters: instead of a birthing room, you are now born in a DELIVERY room. Instead of traveling in your car,  
6 you are DRIVING or OPERATING a MOTOR VEHICLE in TRAFFIC and you don't have guests in your car, you have  
7 PASSENGERS. Instead of a nativity you have a DATE OF BIRTH. You are not a worker but an "EMPLOYEE". You don't  
8 own a house but a piece of REAL ESTATE.

9 To summarize this section, we lose our sovereignty and create false "presumptions" that we are a statutory "U.S. citizen"  
10 under 8 U.S.C. §1401 and under the exclusive legislative jurisdiction of Congress in any one of the following ways:

1 Table 4-39 : Ways We Become a statutory “U.S.\*\* citizen” under 8 U.S.C. §1401

#	Factor that causes false presumption of 8 U.S.C. §1401 “U.S. citizen” status	Applicable law(s)	Place of birth	Parent 1	Parent 2	Law quoted
1	Requesting a Social Security Number and claiming on the SSA Form SS-5 that we are a statutory “U.S.** citizen instead of a Constitutional “citizen of the United States***”	26 C.F.R. §301.6109-1(g)	NA	NA	NA	(g) Special rules for taxpayer identifying numbers issued to foreign persons--(1) General rule--(i) Social security number. <u>A social security number is generally identified in the records and database of the Internal Revenue Service as a number belonging to a U.S. citizen or resident alien individual. A person may establish a different status for the number by providing proof of foreign status with the Internal Revenue Service</u> under such procedures as the Internal Revenue Service shall prescribe, including the use of a form as the Internal Revenue Service may specify. Upon accepting an individual as a nonresident alien individual, the Internal Revenue Service will assign this status to the individual's social security number.
2	Receiving a jury duty summons and not responding properly. In some states, one must claim to be a “citizen of the United States” in order to serve on jury duty. A proper response to a jury duty summons would contain an affidavit which clarifies that you are not a statutory “U.S.** citizen” pursuant to 8 U.S.C. §1401 but instead are a “14th Amendment citizen of the United States***, which is the equivalent of a statutory “national, but not a citizen” pursuant to 8 U.S.C. §1101(a)(21).	NA	NA	NA	NA	NA

#	Factor that causes false presumption of 8 U.S.C. §1401 “U.S. citizen” status	Applicable law(s)	Place of birth	Parent 1	Parent 2	Law quoted
3	Trying to get a Driver’s license, which requires that we have a valid Social Security Number in most states. The approach we take is to cancel but not “terminate” the driver’s license. Use of the public roads for non-commercial purposes is a right to all Constitutional citizens of the United States***. However, a driver’s license is required for statutory citizens of the United States** and for anyone using the public roads for commercial purposes. For opening bank accounts, an Amended W8BEN form should be used in lieu of a SSN.	NA	NA	NA	NA	NA
4	Registering to vote and claiming to be a “U.S. citizen” without clarifying that you are not a statutory “U.S.** citizen” pursuant to 8 U.S.C. §1401 but instead are a “14th Amendment citizen of the United States***, which is the equivalent of a statutory “national, but not a citizen” pursuant to 8 U.S.C. §1101(a)(21).	State law	NA	NA	NA	NA
5	Having your parents claim you as tax deductions on their tax return, which requires them to declare that you are a statutory “U.S.** citizen” in order to get the tax deduction	NA	NA	NA	NA	NA
6	Being born on other than federal land to parents who are statutory “U.S.** citizens”.	8 U.S.C. §1401 (c)	Nonfederal areas of 50 Union states or foreign countries.	U.S.** citizen	U.S.** citizen	(c) a person born outside of the United States and its outlying possessions of parents both of whom are citizens of the United States and one of whom has had a residence in the United States or one of its outlying possessions, prior to the birth of such person;
7	Being born on other than federal land and having one parent who is a statutory “U.S.** citizen” who was present in the U.S.** for one year prior to birth, and the other parent being a national of the U.S.** but not a citizen.	8 U.S.C. §1401 (d)	Nonfederal areas of 50 Union states or foreign countries.	U.S.** citizen present in U.S.** for one year prior to birth	National but not a citizen	(d) a person born outside of the United States and its outlying possessions of parents one of whom is a citizen of the United States who has been physically present in the United States or one of its outlying possessions for a continuous period of one year prior to the birth of such person, and the other of whom is a national, but not a citizen of the United States;



#	Factor that causes false presumption of 8 U.S.C. §1401 "U.S. citizen" status	Applicable law(s)	Place of birth	Parent 1	Parent 2	Law quoted
8	Being born in a possession of the U.S.** of parents, one of whom is a statutory "U.S.** citizen" present in the U.S.** or outlying possession for one year or more.	8 U.S.C. §1401 (e)	U.S.** possession	U.S.** citizen present in U.S.** for one year prior to birth		(e) a person born in an outlying possession of the United States of parents one of whom is a citizen of the United States who has been physically present in the United States or one of its outlying possessions for a continuous period of one year at any time prior to the birth of such person;
9	Being born of unknown parentage but found in the U.S.** while under five, until shown prior to 21 that is not born in the U.S.**.	8 U.S.C. §1401 (f)	Unknown	Unknown	Unknown	(f) a person of unknown parentage found in the United States while under the age of five years, until shown, prior to his attaining the age of twenty-one years, not to have been born in the United States;
10	Born on other than federal land with one alien parent	8 U.S.C. §1401 (g)	Foreign country.			(g) a person born outside the geographical limits of the United States and its outlying possessions of parents one of whom is an alien, and the other a citizen of the United States who, prior to the birth of such person, was physically present in the United States or its outlying possessions for a period or periods totaling not less than five years, at least two of which were after attaining the age of fourteen years
11	Born before May 24, 1935	8 U.S.C. §1401 (h)	Nonfederal areas of 50 Union states or foreign countries.	Alien father	U.S.** citizen who lived in U.S.*. prior to birth	(h) a person born before noon (Eastern Standard Time) May 24, 1934, outside the limits and jurisdiction of the United States of an alien father and a mother who is a citizen of the United States who, prior to the birth of such person, had resided in the United States.

1

#### **4.12.14 How You are Illegally Deceived or Compelled to Transition from Being a Constitutional Citizen/Resident to a Statutory Citizen/Resident: By Confusing the Two Contexts**

We state throughout this memorandum that the definitions of terms used are *extremely* important, and that when the government wants to usurp additional jurisdiction beyond what the Constitution authorizes, it starts by confusing and obfuscating the definition of key terms. The courts then use this confusion and uncertainty to stretch their interpretation of legislation in order to expand government jurisdiction, in what amounts to “judge-made law”. This in turn transforms a government of “laws” into a government of “men” in violation of the intent of the Constitution (see *Marbury v. Madison*, 5 U.S. 137 (1803)). You will see in this section how this very process has been accomplished with the citizenship issue. The purpose of this section is therefore to:

1. Provide definitions of the key and more common terms used both by the Federal judiciary courts and the Legislative branch in Title 8 so that you will no longer be deceived.
2. Show you how the government and the legal profession have obfuscated key citizenship terms over the years to expand their jurisdiction and control over Americans beyond what the Constitution authorizes.

The main prejudicial and usually invisible presumption that governments, courts and judges make which is most injurious to your rights is the association between the words “citizen” and “citizenship” with the term “domicile”. Whenever either you or the government uses the word “citizen”, they are making the following presumptions:

1. That you maintain a domicile within their civil legislative jurisdiction. This means that if you are in a federal court, for instance, that you have a legal domicile on federal territory and not within the exclusive jurisdiction of any state of the Union.
2. That you owe allegiance to them and are required as part of that allegiance to pay them “tribute” for the protection they afford.
3. That you are qualified to participate in the affairs of the government as a voter or jurist, even though you may in fact not participate at that time.

#### **4.12.14.1 Where the confusion over citizenship originates: Trying to make CONSTITUTIONAL and STATUTORY contexts equivalent**

The U.S. Supreme Court identified where all the current confusion over citizenship comes from. Here is their explanation:

*"Under our own systems of polity, the term 'citizen', implying the same or similar relations to the government and to society which appertain to the term, 'subject' in England, is familiar to all. Under either system, the term used is designed to apply to man in his individual character and to his natural capacities -- to a being or agent [PUBLIC OFFICER!] possessing social and political rights and sustaining social, political, and moral obligations. It is in this acceptation only, therefore, that the term 'citizen', in the article of the Constitution, can be received and understood. When distributing the judicial power, that article extends it to controversies between 'citizens' of different states. This must mean the natural physical beings composing those separate communities, and can by no violence of interpretation be made to signify artificial, incorporeal, theoretical, and invisible creations. A corporation, therefore, being not a natural person, but a mere creature of the mind, invisible and intangible, cannot be a citizen of a state, or of the United States, and cannot fall within the terms or the power of the above mentioned article, and can therefore neither plead nor be impleaded in the courts of the United States."*

*"Sir Edward Coke has declared, that a corporation cannot commit treason, felony, or other crime; neither is it capable of suffering a traitor's or felon's punishment, for it is not liable to corporeal penalties -- that it can perform no personal duties, for it cannot take an oath for the due execution of an office; neither can it be arrested or committed to prison, for its existence being ideal, no man can arrest it; neither can it be excommunicated, for it has no soul. But these doctrines of Lord Coke were founded upon an apprehension of the law now treated as antiquated and obsolete. His lordship did not anticipate an improvement by which a corporation could be transformed into a citizen, and by that transformation be given a physical existence, and endowed with soul and body too. The incongruities here attempted to be shown as necessarily deducible from the decisions of the cases of *Bank of the United States v. Deveaux* and of *Cincinnati & Louisville Railroad Company v. Letson* afford some illustration of the effects which must ever follow a departure from the settled principles of the law. These principles are always traceable to a wise and deeply founded experience; they are therefore ever consentaneous and in harmony with themselves and with reason, and whenever abandoned as*

**guides to the judicial course, the aberration must lead to bewildering uncertainty and confusion.”**

[Rundle v. Delaware & Raritan Canal Company, 55 U.S. 80, 99 (1852) from dissenting opinion by Justice Daniel]

The CONFUSION of the CONSTITUTIONAL and STATUTORY contexts is the origin of why we say that lawyers “speak with forked tongue” like a snake. Snakes have two forks on their tongue and they are the origin of the fall of Adam and Eve. One “fork” of the tongue is the CONSTITUTIONAL context and the other “fork” is the STATUTORY context. The purpose of confusing the two contexts is to “dissimulate” people and make them FALSELY look like public officers that the government has jurisdiction over.

*dis-sim-u-lat-ed | dis-sim-u-lat-ing*

*transitive verb*

*: to hide under a false appearance <smiled to dissimulate her urgency — Alice Glenday>*

[Merriam Webster Online Dictionary, 2/3/2014;

SOURCE: <http://www.merriam-webster.com/dictionary/dissimulated>]

For an example of how this “dissimulation” works, watch the following videos. These videos are from a now bankrupt company whose motto was “Don’t Judge Too Quickly”:

1. Hospital  
[http://sedm.org/LibertyU/Don\\_tjudgetooquickly1.mp4](http://sedm.org/LibertyU/Don_tjudgetooquickly1.mp4)
2. Airplane  
[http://sedm.org/LibertyU/Don\\_tjudgetooquickly2.mp4](http://sedm.org/LibertyU/Don_tjudgetooquickly2.mp4)
3. Home  
[http://sedm.org/LibertyU/Don\\_tjudgetooquickly3.mp4](http://sedm.org/LibertyU/Don_tjudgetooquickly3.mp4)
4. Dad in Car  
[http://sedm.org/LibertyU/Don\\_tjudgetooquickly4.mp4](http://sedm.org/LibertyU/Don_tjudgetooquickly4.mp4)
5. Park  
[http://sedm.org/LibertyU/Don\\_tjudgetooquickly5.mp4](http://sedm.org/LibertyU/Don_tjudgetooquickly5.mp4)

Dissimulating people in a LEGAL context requires the following on the part of the audience who are being deceived:

1. Legal ignorance.
2. Laziness or complacency that makes the observer NOT want to investigate the meaning of the terms used.
3. A willingness to engage in FALSE PRESUMPTIONS, all of which are a violation of due process of law if employed in a court of law. See:

*Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction*, Form #05.017  
<http://sedm.org/Forms/FormIndex.htm>

The above devious form of exploitation may be why the courts have said on this subject:

*“The chief enemies of republican freedom are [mental sloth](#), [conformity](#), [bigotry](#), [superstition](#), [credulity](#), [monopoly](#) in the market of ideas, and utter, benighted ignorance.”*  
[Adele v. State of Florida, 385 U.S. 39, 49 (1967)]

*“...[the greatest menace to freedom is an inert \[passive, ignorant, and uneducated\] people \[who refuse, as jurists and voters and active citizens, to expose and punish evil in our government\]](#).”*  
[Whitney v. California, 274 U.S. 357 (1927)]

What thieves in what Mark Twain calls “the District of Criminals” have done to perpetuate, expand, and commercialize the DELIBERATE confusion caused by trying to make CONSTITUTIONAL and STATUTORY citizens equal is to essentially:

1. Use the term “United States” in a GENERAL sense and NEVER distinguish WHICH of the FOUR United States they mean in every specific context. According to the following maxim of law, this amounts to constructive FRAUD:

*“Dolus versatur generalibus. [A deceiver deals in generals.](#) 2 Co. 34.”*

1 "Fraus latet in generalibus. Fraud lies hid in general expressions."

2 Generale nihil certum implicat. A general expression implies nothing certain. 2 Co. 34.

3 Ubi quid generaliter conceditur, in est haec exceptio, si non aliquid sit contra jus fasque. Where a thing is  
 4 concealed generally, this exception arises, that there shall be nothing contrary to law and right. 10 Co. 78.  
 5 [[Bouvier's Maxims of Law, 1856](#)]

6 2. On government forms:

7 2.1. Exploit the ignorance of the average American by telling them the "United States" they mean is states of the  
 8 Union, even though the OPPOSITE is technically true. For instance, tell them in untrustworthy publications or on  
 9 the phone support that it means the COUNTRY. The following proves that all government publications and even  
 10 phone support is UNTRUSTWORTHY according to the courts and even the agencies themselves. This lack of  
 11 accountability is a strong motivation to LIE with impunity to increase revenues from ILLEGAL revenue  
 12 collection:

Reasonable Belief About Income Tax Liability, Form #05.007  
<http://sedm.org/Forms/FormIndex.htm>

13 2.2. When the government receives your completed form or application, silently PRESUME the STATUTORY  
 14 meaning of United States, meaning the federal zone or United States\*\*, is used everywhere on the form.

15 2.3. Classify any and all documents and records that would allow people to distinguish the two above contexts,  
 16 INCLUDING especially the CSP code in your Social Security records. See section 4.12.14.13 later.

17 3. Create statutory franchises ("benefits") under which all STATUTORY "persons", "citizens", and "residents" are public  
 18 officers of the United States federal corporation. Those participating then take on the character of the corporation they  
 19 represent and are therefore indirectly federal corporations also. See:

Government Instituted Slavery Using Franchises, Form #05.030  
<http://sedm.org/Forms/FormIndex.htm>

20 4. Ensure the franchises limit themselves to federal territory in their geographical definitions (e.g. 26 U.S.C. §7701(a)(9)  
 21 and (a)(10), and 4 U.S.C. §110(d)) to keep them lawful and constitutional.

22 5. FRAUDULENTLY abuse the terms "includes" and "including" and lies in completely UNTRUSTWORTHY  
 23 government publications to illegally extend the reach of the franchises extraterritorially into CONSTITUTIONAL  
 24 states of the Union. The abuse of "includes" provides a defense of "plausible deniability" if the government is caught  
 25 in this SCAM. See:

Legal Deception, Propaganda, and Fraud, Form #05.014  
<http://sedm.org/Forms/FormIndex.htm>

26 6. In creating withholding or application forms for the illegally enforced franchise:

27 6.1. Ensure that there are no STATUS blocks for those who don't want to participate or are under criminal duress to  
 28 participate.

29 6.2. Refuse to clarify or distinguish CONSTITUTIONAL citizens for STATUTORY citizens on the status block and  
 30 only offer ONE option "U.S. citizen", which is then PRESUMED to be a STATUTORY and NOT  
 31 CONSTITUTIONAL citizen.

32 6.3. Offer no forms to QUIT the franchise, but FRAUDULENTLY call it "voluntary". It can't be voluntary unless  
 33 you have a way to QUIT.

34 6.4. Tell people who want to quit that the computer or the form won't allow you to quit, even though the regulations  
 35 or law REQUIRES them to offer you that option.

36 6.5. Illegally penalize or discriminate against people who fill the form out properly by indicating that they aren't  
 37 eligible, are under criminal duress, and are being tampered with as a federal witness to fill out the form in such a  
 38 way that it FRAUDULENTLY appears that they consent to the franchise and ARE eligible. For instance, if they  
 39 won't consent to be a PUBLIC OFFICER called a "Taxpayer" or "citizen", or "resident", tell them as a private  
 40 company that you can't or won't do business with them.

41 For details on the above criminal abuses of government forms to compel violation of the First Amendment right to not  
 42 contract or associate, see:

Path to Freedom, Form #09.015, Section 5.3: Avoiding traps with government forms and government ID  
<http://sedm.org/Forms/FormIndex.htm>

43 7. Lie with impunity on the IRS website and in IRS publications and on the IRS 800 line about the unlawful confusion of  
 44 context. See:

45 7.1. Reasonable Belief About Income Tax Liability, Form #05.007  
 46 <http://sedm.org/Forms/FormIndex.htm>

7.2. SEDM Liberty University, Section 8: Resources to Rebut Government, Legal, and Tax Profession Deception and False Propaganda

<http://sedm.org/LibertyU/LibertyU.htm>

8. When the above doesn't work and people figure out the trick, illegally penalize "non-resident non-persons" not subject to the Internal Revenue Code (I.R.C.) for NOT CRIMINALLY declaring themselves as STATUTORY "persons", "individuals", "citizens", and "residents" on withholding forms. This is criminal witness tampering because all such forms are signed under penalty of perjury. See:

*Why Penalties are Illegal for Anything But Government Franchisees, Employees, Contractors, and Agents*, Form #05.010

<http://sedm.org/Forms/FormIndex.htm>

9. Bribe CONSTITUTIONAL states to ACT like STATUTORY STATES and federal corporations in exchange for a share of the PLUNDER derived from the illegal enforcement of the tax code franchises. This causes them to help the national government essentially engage in acts of international commercial terrorism within their borders in violation of Article 4, Section 4, of the United States Constitution. This requires them to:

9.1. Use all the same tactics documented here in STATE courts and STATE statutes.

9.2. Use driver licensing as a way to essentially turn "drivers" into federal public officers by mandating use of Social Security Numbers available ONLY to federal territory domiciliaries. For details, see:

*Why You Aren't Eligible for Social Security*, Form #06.001

<http://sedm.org/Forms/FormIndex.htm>

10. Criminally and illegally bribe judges with financial rewards for sanctioning or convicting people who litigate to stop the above CRIMINAL activity. See 5 U.S.C. §§4502 through 4505, 18 U.S.C. §§201, 208, 210, and 211.

11. In court:

11.1. Judges under financial duress refuse to clarify which of the two "citizens" they are talking about in court rulings so that everyone will think they are the same.

11.2. Judges abuse choice of law rules to apply foreign statutory franchise codes to places they do not apply. See:

*Flawed Tax Arguments to Avoid*, Form #08.004, Section 3

<http://sedm.org/Forms/FormIndex.htm>

11.3. Treat everyone as though they are franchisees (statutory "taxpayers", "spouses", "drivers"), whether they want to be or not. This is criminal identity theft and violates the Declaratory Judgments Act, 28 U.S.C. §2201(a).

11.4. When challenged to clarify the fact that you have been improperly confused with STATUTORY citizens and public officers as a state citizen, call your challenge "frivolous", which in itself is malicious abuse of legal process and violation of due process if not proven WITH EVIDENCE to a jury of disinterested peers.

12. Gag attorneys with attorney licensing so that their livelihood will be destroyed if they try to expose or prosecute or remedy any of the above. Do this IN SPITE of the fact that licensed attorneys are only required for those defending public offices in the government. The ability to regulate or license EXCLUSIVELY PRIVATE conduct is repugnant to the Constitution.<sup>216</sup> See also:

*Unlicensed Practice of Law*, Form #05.029

<http://sedm.org/Forms/FormIndex.htm>

13. Dumb down the public school and law school curricula so that the average person and average lawyer are not aware of the above and therefore can't raise it as an issue in court.

14. When the above tactics are exposed on the internet, try to shut down the websites propagating them by:

14.1. Prosecuting the whistleblowers for promoting "abusive tax shelters" under 26 U.S.C. §6700, even though they are non-resident non-persons not subject to the Internal Revenue Code (I.R.C.) and can prove it.

14.2. Slandering them with fraudulent accusations of being irrational and criminal "sovereign citizens". See:

*Policy Document: Rebutted False Arguments About Sovereignty*, Form #08.018

<http://sedm.org/Forms/FormIndex.htm>

The only reason any of the above works is because the average American remains ignorant and complacent about law and legal subjects:

*"The only thing necessary for evil to triumph is for good men to do nothing or to trust bad men to do the right thing."  
[SEDM]*

<sup>216</sup> Here is how the federal judge in the case of Dr. Phil Roberts Tax Trial talked to the licensed attorney representing him: "The **practice of law, sir, is a privilege, especially in Federal Court**. You're close to losing that privilege in this court, Mr. Stillely." Read the transcript yourself. See *Great IRS Hoax*, Form #11.302, Section 6.8.1.

1 "...it is not good for a soul to be without knowledge,"  
2 [Prov. 19:2, Bible, NKJV]

3 "My people are destroyed for lack of knowledge."  
4 [Hosea 4:6, Bible, NKJV]

5 "...we should no longer be children, tossed to and fro and carried about with every wind of doctrine, by the  
6 trickery of men, in the cunning craftiness of deceitful plotting, but speaking the truth in love, may grow up in all  
7 things into Him who is the head—Christ."  
8 [Eph. 4:14, Bible, NKJV]

9 "One who turns his ear from hearing the law [God's law or man's law], even his prayer is an abomination."  
10 [Prov. 28:9, Bible, NKJV]

11 The following subsections will go into greater depth about each of the above abuses to show how they are criminally  
12 perpetrated. This will allow you to get legal remedy in a court of law to correct them.

#### 13 4.12.14.2 How the confusion is generally perpetuated: Word of Art "United States"

14 The main method of perpetuating the confusion between the STATUTORY and CONSTITUTIONAL context is a failure or  
15 refusal to distinguish WHICH of the four specific meanings of "United States" is implied in each use. We will cover how  
16 this is done in this section.

17 It is very important to understand that there are THREE separate and distinct GEOGRAPHICAL CONTEXTS in which the  
18 term "[United States](#)" can be used, and each has a mutually exclusive and different meaning. These three geographical  
19 definitions of "[United States](#)" were described by the U.S. Supreme Court in [Hooven and Allison v. Evatt, 324 U.S. 652](#)  
20 [\(1945\)](#):

21 **Table 4-40: Geographical terms used throughout this page**

<i>Term</i>	<i># in diagrams</i>	<i>Meaning</i>
United States*	1	The country "United States" in the family of nations throughout the world.
United States**	2	The "federal zone".
United States***	3	Collective states of the Union mentioned throughout the Constitution.

22 In addition to the above GEOGRAPHICAL context, there is also a legal, non-geographical context in which the term "United  
23 States" can be used, which is the GOVERNMENT as a legal entity. Throughout this page and this website, we identify THIS  
24 context as "United States\*\*\*\*" or "United States<sup>4</sup>". The only types of "[persons](#)" within THIS context are [public offices within](#)  
25 [the national and not state government](#). It is THIS context in which "sources within the United States" is used for the purposes  
26 of "income" and "gross income" within the Internal Revenue Code, as proven by:

*Non-Resident Non-Person Position*, Form #05.020, Sections 5.4 and 5.4.11  
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/NonresidentNonPersonPosition.pdf>

27 The reason these contexts are not expressly distinguished in the statutes by the Legislative Branch or on government forms  
28 crafted by the Executive Branch is that they are the KEY mechanism by which:

- 29 1. Federal jurisdiction is unlawfully enlarged by abusing [presumption](#), which is a violation of due process of law. See:

*Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction*, Form #05.017  
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Presumption.pdf>

- 30 2. The separation of powers between the states and the national government is destroyed, in violation of the legislative  
31 intent of the Constitution. See:

*Government Conspiracy to Destroy the Separation of Powers*, Form #05.023  
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/SeparationOfPowers.pdf>

- 32 3. A "society of law" is transformed into a "society of men" in violation of [Marbury v. Madison, 5 U.S. 137 \(1803\)](#):

"The government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation, if the laws furnish no remedy for the violation of a vested legal right."

[[Marbury v. Madison, 5 U.S. 137, 163 \(1803\)](#)]

4. Exclusively PRIVATE rights are transformed into public rights in a process we call "invisible theft using presumption and words of art".
5. Judges are unconstitutionally delegated undue discretion and "arbitrary power" to unlawfully enlarge federal jurisdiction. See:

*Federal Jurisdiction, Form #05.018*

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/FederalJurisdiction.pdf>

The way a corrupted Executive Branch or judge accomplish the above is to unconstitutionally:

1. PRESUME that ALL of the four contexts for "United States" are equivalent.
2. PRESUME that CONSTITUTIONAL citizens and STATUTORY citizens are EQUIVALENT under federal law. They are NOT. A CONSTITUTIONAL citizen is a "non-resident " under federal civil law and NOT a STATUTORY "national and citizen of the United States\*\* at birth" per 8 U.S.C. §1401. See:

*Why You are a "national", "state national", and Constitutional but not Statutory Citizen, Form #05.006*

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/WhyANational.pdf>

3. PRESUME that "nationality" and "domicile" are equivalent. They are NOT. See:

*Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002*

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Domicile.pdf>

4. Use the word "citizenship" in place of "nationality" OR "domicile", and refuse to disclose WHICH of the two they mean in EVERY context.
5. Confuse the POLITICAL/CONSTITUTIONAL meaning of words with the civil STATUTORY context. For instance, asking on government forms whether you are a POLITICAL/CONSTITUTIONAL citizen and then FALSELY PRESUMING that you are a STATUTORY citizen under 8 U.S.C. §1401.
6. Confuse the words "[domicile](#)" and "[residence](#)" or impute either to you without satisfying the burden of proving that you EXPRESSLY CONSENTED to it and thereby illegally kidnap your civil legal identity against your will. One can have only one "domicile" but many "residences" and BOTH require your consent. See:

*Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002*

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Domicile.pdf>

7. Add things or classes of things to the meaning of statutory terms that do not EXPRESSLY appear in their definitions, in violation of the rules of statutory construction. See:

*Legal Deception, Propaganda, and Fraud, Form #05.014*

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf>

8. PRESUME that STATUTORY diversity of citizenship under 28 U.S.C. §1332 and CONSTITUTIONAL diversity of citizenship under Article III, Section 2 of the United States Constitution are equivalent.
  - 8.1. STATUTORY and CONSTITUTIONAL diversity are NOT equal and in fact are mutually exclusive.
  - 8.2. The STATUTORY definition of "State" in 28 U.S.C. §1332(e) is a federal territory. The definition of "State" in the CONSTITUTION is a State of the Union and NOT federal territory.
  - 8.3. They try to increase this confusion by dismissing diversity cases where only diversity of RESIDENCE (domicile) is implied, instead insisting on "diversity of CITIZENSHIP" and yet REFUSING to define whether they mean DOMICILE or NATIONALITY when the term "CITIZENSHIP" is invoked. See *Lamm v. Bekins Van Lines, Co.*, 139 F.Supp.2d. 1300, 1314 (M.D. Ala. 2001) ("To invoke removal jurisdiction on the basis of diversity, a notice of removal must distinctly and affirmatively allege each party's citizenship.", "[a]verments of residence are wholly insufficient for purposes of removal.", "[a]lthough 'citizenship' and 'residence' may be interchangeable terms in common parlance, the existence of citizenship cannot be inferred from allegations of residence alone.").
9. Refuse to allow the jury to read the definitions in the law and then give them a definition that is in conflict with the statutory definition. This substitutes the JUDGES will for what the law expressly says and thereby substitutes PUBLIC POLICY for the written law.

10. Publish deceptive government publications that are in deliberate conflict with what the statutes define "United States" as and then tell the public that they CANNOT rely on the publication. The [IRS does this with ALL of their publications](#) and it is FRAUD. See:

Reasonable Belief About Income Tax Liability, Form #05.007  
 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
 DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf>

This kind of arbitrary discretion is PROHIBITED by the Constitution, as held by the U.S. Supreme Court:

*"When we consider the nature and the theory of our institutions of government, the principles upon which they are supposed to rest, and review the history of their development, **we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power.**"*  
 [Yick Wo v. Hopkins, [118 U.S. 356, 369](#), 6 S.Sup.Ct. 1064, 1071]

Thomas Jefferson, our most revered founding father, precisely predicted the above abuses when he said:

*"It has long been my opinion, and I have never shrunk from its expression,... that the germ of dissolution of our Federal Government is in the constitution of the Federal Judiciary--an irresponsible body (for impeachment is scarcely a scare-crow), **working like gravity by night and by day, gaining a little today and a little tomorrow, and advancing its noiseless step like a thief over the field of jurisdiction until all shall be usurped from the States and the government be consolidated into one. To this I am opposed.**"*  
 [Thomas Jefferson to Charles Hammond, 1821. ME 15:331]

*"Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before them, to throw an anchor ahead and grapple further hold for future advances of power. **They are then in fact the corps of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate all power in the hands of that government in which they have so important a freehold estate.**"*  
 [Thomas Jefferson: Autobiography, 1821. ME 1:121]

*"The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our Constitution from a co-ordination of a general and special government to a general and supreme one alone. **This will lay all things at their feet, and they are too well versed in English law to forget the maxim, "boni judicis est ampliari jurisdictionem."**"*  
 [Thomas Jefferson to Thomas Ritchie, 1820. ME 15:297]

*"**When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another and will become as venal and oppressive as the government from which we separated.**"*  
 [Thomas Jefferson to Charles Hammond, 1821. ME 15:332]

*"What an augmentation of the field for jobbing, speculating, plundering, office-building [["trade or business" scam](#)] and office-hunting would be produced by an assumption [[PRESUMPTION](#)] of all the State powers into the hands of the General Government!"*  
 [Thomas Jefferson to Gideon Granger, 1800. ME 10:168]

#### 4.12.14.3 Purpose for the confusion in laws and forms

The purpose for the deliberate obfuscation of citizenship terms is to accomplish a complete breakdown of the separation of powers between the constitutional states of the Union and the national government, and thus, to compress us all into one mass under a national government just like the rest of the nations of the world. This form of corruption was predicted by Thomas Jefferson, one of our most revered Founding Fathers, when he said:

*"**When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the checks provided of one government on another and will become as venal and oppressive as the government from which we separated.**"*  
 [Thomas Jefferson to Charles Hammond, 1821. ME 15:332 ]

*"**What an augmentation of the field for jobbing, speculating, plundering, office-building and office-hunting would be produced by an assumption of all the State powers into the hands of the General Government!**"*  
 [Thomas Jefferson to Gideon Granger, 1800. ME 10:168]

*The great object of my fear is the Federal Judiciary. That body, like gravity, ever acting with noiseless foot and unalarming advance, gaining ground step by step and holding what it gains, is engulfing insidiously the special governments into the jaws of that which feeds them."*



1 [Thomas Jefferson to Spencer Roane, 1821. ME 15:326 ]

2 "The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to  
3 undermine the foundations of our confederated fabric. They are construing our Constitution from a co-ordination  
4 of a general and special government to a general and supreme one alone. This will lay all things at their feet, and  
5 they are too well versed in English law to forget the maxim, 'boni judicis est ampliare jurisdictionem.'"  
6 [Thomas Jefferson to Thomas Ritchie, 1820. ME 15:297 ]

7 "It has long been my opinion, and I have never shrunk from its expression,... that the germ of dissolution of our  
8 Federal Government is in the constitution of the Federal Judiciary--an irresponsible body (for impeachment is  
9 scarcely a scare-crow), working like gravity by night and by day, gaining a little today and a little tomorrow, and  
10 advancing its noiseless step like a thief over the field of jurisdiction until all shall be usurped from the States and  
11 the government be consolidated into one. To this I am opposed."  
12 [Thomas Jefferson to Charles Hammond, 1821. ME 15:331 ]

13 "Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before them,  
14 to throw an anchor ahead and grapple further hold for future advances of power. They are then in fact the corps  
15 of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate all  
16 power in the hands of that government in which they have so important a freehold estate."  
17 [Thomas Jefferson: Autobiography, 1821. ME 1:121 ]

18 The systematic and diabolical plan to destroy the separation of powers and all the efforts to implement it are described in:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023  
<http://sedm.org/Forms/FormIndex.htm>

19 The purpose of abusing this confusion of contexts between CONSTITUTIONAL and STATUTORY "citizens" and  
20 "residents" is to:

- 21 1. Avoid having to admit that YOU and not THEM are in charge, and that THEY are the SERVANT and seller and you  
22 are the SOVEREIGN and buyer. The customer is always right in a free market.

23 "**In United States, sovereignty resides in people...** the Congress cannot invoke the sovereign power of the People  
24 to override their will as thus declared."  
25 [Perry v. U.S., 294 U.S. 330 (1935)]

26 "Strictly speaking, in our republican form of government, **the absolute sovereignty of the nation is in the people**  
27 **of the nation;** and the residuary sovereignty of each state, not granted to any of its public functionaries, **is in the**  
28 **people of the state.** 2 Dall. 471  
29 [Bouv. Law Dict (1870)]

30 "The ultimate authority ... resides in the people alone."  
31 [The Federalist, No. 46, James Madison]

32 "... a very great lawyer, who wrote but a few years before the American revolution, seems to doubt whether the  
33 original contract of society had in any one instance been formally expressed at the first institution of a state; The  
34 American revolution seems to have given birth to this new political phenomenon: in every state a written  
35 constitution was framed, and adopted by the people, both in their individual and sovereign capacity, and  
36 character. **By this means, the just distinction between the sovereignty, and the government, was rendered**  
37 **familiar to every intelligent mind; the former was found to reside in the people, and to be unalienable from**  
38 **them; the latter in their servants and agents;** by this means, also, government was reduced to its elements; its  
39 object was defined, its principles ascertained; **its powers limited, and fixed;** its structure organized; and the  
40 functions of every part of the machine so clearly designated, as to prevent any interference, so long as the limits  
41 of each were observed...."

42 [*Blackstone's Commentaries*, "View of the Constitution of the United States, Section 2 - Nature of U.S.  
43 Constitution; manner of its adoption; as annotated by St. George Tucker, William Young Birch and Abraham  
44 Small, c1803]

- 45 2. Make the consent to become a STATUTORY citizen "invisible", so you aren't informed that you can withdraw it and  
46 thereby obligate them to PROTECT your right to NOT consent and not be a "subject" under their void for vagueness  
47 franchise "codes". See:

Requirement for Consent, Form #05.003  
<http://sedm.org/Forms/FormIndex.htm>

- 1 3. Remove your ability to CIVILLY, POLITICALLY, and LEGALLY disassociate with them peacefully and thereby  
 2 abolish your sponsorship of them. Thus, indirectly they are advocating lawlessness, violence, and anarchy, because  
 3 these VIOLENT forces are the only thing left to remove their control over you if you can't lawfully do it peacefully.  
 4 4. Avoid having to be competitive and efficient like any other corporate business. Government is just a business, and the  
 5 only thing it sells is "protection". You aren't required to "buy" their product or be a "customer".  
 6 4.1. In their language, civil STATUTORY "citizens" and "residents" are "customers".  
 7 4.2. You have a right NOT to contract with them for protection under the social compact.  
 8 4.3. You have a First Amendment right to NOT associate with them and not be compelled to associate with them  
 9 civilly.  
 10 4.4. If you don't like their "product" you have a right FIRE them:

11 *"To secure these [inalienable] rights [to life, liberty, and the pursuit of happiness], governments are instituted*  
 12 *among men, deriving their just powers from the consent of the governed... Whenever any form of government*  
 13 *becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new*  
 14 *government, laying its foundation on such principles, and organizing its powers in such form, as to them shall*  
 15 *seem most likely to effect their safety and happiness."*  
 16 *[Thomas Jefferson: Declaration of Independence, 1776. ME 1:29, Papers 1:429]*

- 17 4.5. The ONLY peaceful means to "alter or abolish" them is to STOP subsidizing them and thereby take away ALL  
 18 the power they have, which is primarily commercial. Any other means requires violence.  
 19 5. Make everything they do into essentially an adhesion contract, where the civil statutory law is the contract.

20 *"Adhesion contract. Standardized contract form offered to consumers of [government] goods and services on*  
 21 *essentially "take it or leave it" basis without affording consumer realistic opportunity to bargain and under such*  
 22 *conditions that consumer cannot obtain desired product or services except by acquiescing in form contract.*  
 23 *Distinctive features of adhesion contract is that weaker party has no realistic choice as to its terms. Cubic Corp.*  
 24 *v. Marty, 4 Dist., 185 C.A.3d. 438, 229 Cal.Rptr. 828, 833; Standard Oil Co. of Calif. v. Perkins, C.A.Or., 347*  
 25 *F.2d. 379, 383. Recognizing that these contracts are not the result of traditionally "bargained" contracts, the*  
 26 *trend is to relieve parties from onerous conditions imposed by such contracts. However, not every such contract*  
 27 *is unconscionable. Lechmere Tire and Sales Co. v. Burwick, 360 Mass. 718, 720, 721, 277 N.E.2d. 503."*  
 28 *[Black's Law Dictionary, Sixth Edition, p. 40]*

- 29 6. Replace the citizen/government relationship with the employee/employer relationship. All statutory "citizens" are  
 30 public offices in the government. As Judge Napolitano likes to say in his Freedom Watch Program:

31 *"Do we work for the government or does the government work for us"?*

32 If you would like more details on how this transition from citizen/government to employee/employer happens, see:

- 33 6.1. Ministry Introduction, Form #12.014  
 34 6.2. De Facto Government Scam, Form #05.043  
 35 7. Destroy the separation between PRIVATE humans and PUBLIC offices, and thus to impose the DUTIES of a public  
 36 office against the will of those who do not consent in violation of the Thirteenth Amendment. See:  
 37 

<u>Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes</u> , Form #05.008 <a href="http://sedm.org/Forms/FormIndex.htm">http://sedm.org/Forms/FormIndex.htm</a>
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 38 8. Destroy the separation of powers between the federal government and the states. See:  
 39 

<u>Government Conspiracy to Destroy the Separation of Powers</u> , Form #05.023 <a href="http://sedm.org/Forms/FormIndex.htm">http://sedm.org/Forms/FormIndex.htm</a>
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 40 9. Undermine the very function of government, which is to protect PRIVATE, inalienable, Constitutional rights. The first  
 41 step in that process is to prevent them from being converted to PUBLIC offices or PUBLIC rights with your  
 42 EXPRESS, INFORMED consent. Hence, this is not GOVERNMENT activity, but PRIVATE activity of a PRIVATE  
 43 corporation and mafia protection racket.  
 44 10. Protect the plausible deniability of those who engage in it by allowing them to disingenuously say that it was an  
 45 innocent or ignorant mistake. Ignorance of the law is not an excuse in criminal violations of this kind.

#### 4.12.14.4 Obfuscated federal definitions to confuse Statutory Context with Constitutional Context

45 Beyond the above authorities, we then tried to locate credible legal authorities that explain the distinctions between the  
 46 constitutional context and the statutory context for the term "United States". The basic deception results from the following:

1. **The differences in meaning of the term “United States” between the U.S. Constitution and federal statutes.** The term “United States\*\*\*” in the Constitution means the collective 50 states of the Union (the United States of America), while in federal statutes, the term “United States\*\*” means the *federal zone*.
2. **Differences between citizenship definitions found in Title 8, the Aliens and Nationality Code, and those found in Title 26, the Internal Revenue Code.** The term “nonresident alien” as used in Title 26, for instance, does *not* appear anywhere in Title 8 but is the equivalent of the term “national” found in 8 U.S.C. §1101(a)(21) but not “national and citizen of the United States\*\*\*” in 8 U.S.C. §1401.
3. **Differences between statutory citizenship definitions and the language of the courts.** The language of the courts is *independent* from the statutory definition so that it is difficult to correlate the term the courts are using and the related statutory definition. We will include in this section separate definitions for the statutes and the courts to make these distinctions clear in your mind.

We will start off by showing that no authoritative definition of the term “citizen of the United States\*\*\*” existed before the Fourteenth Amendment was ratified in 1868. This was revealed in the *Slaughter-House Cases*, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873):

“The 1<sup>st</sup> clause of the 14<sup>th</sup> article was primarily intended to confer citizenship of the United States[\*\*\*] and citizenship of the states, and it recognizes the distinction between citizenship of a state and citizenship of the United States[\*\*\*] by those definitions.

“The 1<sup>st</sup> section of the 14<sup>th</sup> article, to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[\*\*\*], but citizenship of the states. **No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the public journals. It had been said by eminent judges that no man was a citizen of the United States[\*\*\*] except as he was a citizen of one of the state comprising the Union.** Those, therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[\*], were not citizens.”

[...]

“To remove this difficulty primarily, and to establish a clear and comprehensive definition of citizenship which should declare what should constitute citizenship of the United States[\*\*\*] and also citizenship of a state, the 1<sup>st</sup> clause of the 1<sup>st</sup> section [of the Fourteenth Amendment] was framed:

‘All persons born or naturalized in the United States[\*\*\*] and subject to the jurisdiction thereof are citizens of the United States[\*\*\*] and of the state wherein they reside.’

“The first observation we have to make on this clause is that it puts at rest both the questions which we stated to have been the subject of differences of opinion. It declares that persons may be citizens of the United States[\*\*\*] without regard to their citizenship of a particular state, and it overturns the *Dred Scott* decision by making all persons born within the United States[\*\*\*] and subject to its jurisdiction citizens of the United States[\*\*\*]. That its main purpose was to establish the citizenship of the negro can admit of no doubt. The phrase ‘subject to its jurisdiction’ was intended to exclude from its operation children of ministers, consuls and citizens or subjects of foreign states born within the United States[\*\*\*].”

“The next observation is more important in view of the arguments of counsel in the present case. **It is that the distinction between citizenship of the United States[\*\*\*] and citizenship of a state is clearly recognized and established. Not only may a man be a citizen of the United States[\*\*\*] without being a citizen of a state, but an important element is necessary to convert the former into the latter. He must reside within the state to make him a citizen of it but it is only necessary that he should be born or naturalized in the United States[\*\*\*] to be a citizen of the Union.**

It is quite clear, then, that there is a citizenship of the United States[\*\*\*], and a citizenship of a state, which are distinct from each other and which depend upon different characteristics or circumstances of the individual.”  
[*Slaughter-House Cases*, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

A careful reading of *Boyd v. Nebraska*, 143 U.S. 135 (1892) helps clarify the true meaning of the term “citizen of the United States\*\*\*” in the context of the U.S. Constitution and the rulings of the U.S. Supreme Court. It shows that a “citizen of the United States\*\*\*” is indeed a “national” in the context of federal statutes only:

“Mr. Justice Story, in his *Commentaries on the Constitution*, says: ‘**Every citizen of a state is ipso facto a citizen of the [143 U.S. 135, 159] United States[\*\*\*].**’ Section 1693. And this is the view expressed by Mr. Rawle in his work on the Constitution. Chapter 9, pp. 85, 86. Mr. Justice CURTIS, in *Dred Scott v. Sandford*, 19 How. 393, 576, expressed the opinion that under the constitution of the United States[\*\*\*] ‘every free person, born on the

1 soil of a state, who is a citizen of that state by force of its constitution or laws, is also a citizen of the United  
 2 States[\*\*\*].’ And Mr. Justice SWAYNE, in *The Slaughter-House Cases*, 16 Wall. 36, 126, declared that ‘a citizen  
 3 of a state is ipso facto a citizen of the United States[\*\*\*].’ But in *Dred Scott v. Sandford*, 19 How. 393, 404, Mr.  
 4 Chief Justice TENNEY, delivering the opinion of the court, said: ‘The words ‘people of the United States[\*\*\*]’ and  
 5 ‘citizens,’ are synonymous terms, and mean the same thing. They both describe the political body who, according  
 6 to our republican institutions, form the sovereignty, and who hold the power and conduct the government through  
 7 their representatives. They are what we familiarly call the ‘sovereign people,’ and every citizen is one of this  
 8 people, and a constituent member of this sovereignty. ... **In discussing this question, we must not confound the**  
 9 **rights of citizenship which a state may confer within its own limits and the rights of citizenship as a member**  
 10 **of the Union.** It does not by any means follow, because he has all the rights and privileges of a citizen of a state,  
 11 that he must be a citizen of the United States[\*\*\*]. He may have all of the rights and privileges of the citizen of  
 12 a state, and yet not be entitled to the rights and privileges of a citizen in any other state; for, previous to the  
 13 adoption of the constitution of the United States[\*\*\*], every state had the undoubted right to confer on  
 14 whomsoever it pleased the character of citizen, and to endow him with all its rights. But this character, of course,  
 15 was confined to the boundaries of the state, and gave him no rights or privileges in other states beyond those  
 16 secured to him by the laws of nations and the comity of states. Nor have the several states surrendered the power  
 17 of conferring these rights and privileges by adopting the constitution of the United States[\*\*\*]. Each state may  
 18 still confer them upon an alien, or any one it thinks proper, or upon any class or description of persons; yet he  
 19 would not be a citizen in the sense in [143 U.S. 135, 160] which that word is used in the constitution of the  
 20 United States[\*\*\*], nor entitled to sue as such in one of its courts, nor to the privileges and immunities of a citizen  
 21 in the other states. The rights which he would acquire would be restricted to the state which gave them. The  
 22 constitution has conferred on congress the right to establish a uniform rule of naturalization, and this right is  
 23 evidently exclusive, and has always been held by this court to be so. Consequently no state, since the adoption of  
 24 the constitution, can, by naturalizing an alien, invest him with the rights and privileges secured to a citizen of a  
 25 state under the federal government, although, so far as the state alone was concerned, he would undoubtedly be  
 26 entitled to the rights of a citizen, and clothed with all the rights and immunities which the constitution and laws  
 27 of the state attached to that character.’ “  
 28 [Boyd v. Nebraska, 143 U.S. 135 (1892)]

29 Notice above that the term “citizen of the United States\*\*\*” and “rights of citizenship as a member of the Union” are  
 30 described synonymously. Therefore, a “citizen of the United States\*\*\*” under the Fourteenth Amendment, section 1 and a  
 31 “national” under 8 U.S.C. §1101(a)(21) are synonymous. As you will see in the following cite, people who were born in a  
 32 state of the Union always were “citizens of the United States\*\*\*” by the definition of the U.S. Supreme Court, which made  
 33 them “nationals of the United States\*\*\* of America” under federal statutes. What the Fourteenth Amendment did was extend  
 34 the privileges and immunities of “nationals” (defined under federal statutes) to people of races other than white. The cite  
 35 below helps confirm this:

36 “The 1<sup>st</sup> section of the 14<sup>th</sup> article [Fourteenth Amendment], to which our attention is more specifically invited,  
 37 opens with a definition of citizenship—not only citizenship of the United States[\*\*\*], but citizenship of the states.  
 38 No such definition was previously found in the Constitution, nor had any attempt been made to define it by act  
 39 of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the  
 40 public journals. **It had been said by eminent judges that no man was a citizen of the United States[\*\*\*] except**  
 41 **as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided**  
 42 **always in the District of Columbia or in the territories, though within the United States[\*], were not citizens.**  
 43 *Whether this proposition was sound or not had never been judicially decided.*”  
 44 [Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

45 The federal courts and especially the Supreme Court have done their best to confuse citizenship terms and the citizenship  
 46 issue so that most Americans would be unable to distinguish between “national” and “U.S. citizen” status found in federal  
 47 statutes. This deliberate confusion has then been exploited by collusion of the Executive Branch, who have used their  
 48 immigration and naturalization forms and publication and their ignorant clerk employees to deceive the average American  
 49 into thinking they are “U.S. citizens” in the context of federal statutes. Based on our careful reading of various citizenship  
 50 cases mainly from the U.S. Supreme Court, Title 8 of the U.S. Code, Title 26 of the U.S. Code, as well as Black’s Law  
 51 Dictionary, Sixth Edition, below are some citizenship terms commonly used by the court and their correct and unambiguous  
 52 meaning in relation to the statutes found in Title 8, which is the Aliens and Nationality Code:

1 Table 4-41: Citizenship terms

#	Term	Context	Meaning	Authorities	Notes
1	“nation”	Everywhere	In the context of the United States*** of America, a state of the union. The federal government and all of its possessions and territories are <i>not</i> collectively a “nation”. The “country” called the “United States*” is a “nation”, but our federal government and its territories and possessions are <i>not</i> collectively a “nation”.	<ol style="list-style-type: none"> <li>1. <i>Chisholm v. Georgia</i>, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793)</li> <li>2. Black’s Law Dictionary, Revised Fourth Edition, 1968, p. 1176 under “National Government”.</li> <li>3. <i>Hooven and Allison Co. v. Evatt</i>, 324 U.S. 652 (1945).</li> </ol>	The “United States*** of America” is a “federation” and not a “nation”. Consequently, the government is called a “federal government” rather than a “national government”. See section 4.5 of <i>Great IRS Hoax</i> , Form #11.302 for further explanation.
2	“national”	Everywhere	“national” is a person owing allegiance to a state	<ol style="list-style-type: none"> <li>1. 8 U.S.C. §1101(a)(21).</li> </ol>	
3	“non-citizen National”	Everywhere	“non-citizen national” is a person born in a federal possession.	<ol style="list-style-type: none"> <li>1. 8 U.S.C. §1408.</li> <li>2. 8 U.S.C. §1101(a)(22)(B).</li> <li>3. 8 U.S.C. §1452.</li> <li>4. 8 U.S.C. §1101(a)(22).</li> <li>5. <a href="#">3C Am.Jur.2d. §2732-2752</a>: Noncitizen nationality (1999)</li> </ol>	We could find no mention of the term “U.S. national” by the Supreme Court. We were told that this term was first introduced into federal statutes in the 1930’s.
4	“naturalization”	Everywhere	The process of conferring <b>nationality</b> and “ <b>national</b> ” status <i>only</i> , but not “U.S. citizen” status.	<ol style="list-style-type: none"> <li>1. 8 U.S.C. §1101(a)(23): “The term “naturalization” means the conferring of <b>nationality</b> [NOT “citizenship” or “U.S. citizenship”, but “nationality”, which means “<b>national</b>”] of a <b>state</b> [of the union] upon a person after birth, by any means whatsoever.”</li> <li>2. Black’s Law Dictionary, Sixth Edition, p. 1063 under “naturalization”.</li> </ol>	The U.S. Citizenship and Immigration Services (U.S.C.I.S.) is responsible for naturalization in the United States*** of America. Their “Application for naturalization”, Form N-400, only uses the term “U.S. citizen” and <i>never</i> mentions “national”. On this form, the term “U.S. citizen” must therefore mean “national” in the context of this form based on the definition of “naturalization”, but you can’t tell because the form doesn’t refer to a definition of what “U.S. citizen” means.
5	“expatriation”	Everywhere	“The voluntary renunciation or abandonment of <b>nationality</b> [not “U.S. citizenship” or “citizen of the United States***” status] and allegiance.”	<ol style="list-style-type: none"> <li>1. <i>Perkins v. Elg</i>, <a href="#">307 U.S. 325</a>, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)</li> <li>2. 8 U.S.C. §1401.</li> <li>3. 8 U.S.C. §1101(a)(22).</li> </ol>	Renouncing one’s statutory “citizen of the United States***” status and reverting to a “national of the United States of America” is not “expatriation”, because both “citizens of the United States***” and “nationals but not citizens” are “nationals of the United States***” under 8 U.S.C. §1401 and 8 U.S.C. §1101(a)(22).

#	Term	Context	Meaning	Authorities	Notes
6	"citizenship"	Everywhere	Persons with a legal domicile within the jurisdiction of a sovereign and who were born SOMEWHERE within the country, although not necessarily within that specific jurisdiction..	<ol style="list-style-type: none"> <li>1. <i>Perkins v. Elg</i>, <a href="#">307 U.S. 325</a>, 59 S.Ct. 884, 83 L.Ed. 1320 (1939)</li> <li>2. 8 U.S.C.A. §1401, Notes. See note 1 below.</li> <li>3. <i>Slaughter-House Cases</i>, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)</li> <li>4. <a href="#">3C American Jurisprudence 2d, Aliens and Citizens, §2732-2752</a>: Noncitizen nationality (1999)</li> </ol>	<p><i>Perkins v. Elg</i>, 307 U.S. 325 (1939) says: "<b>To cause a loss of citizenship in the absence of treaty or statute having that effect, there must be a voluntary action and such action cannot be attributed to an infant whose removal to another country is beyond his control and who during minority is incapable of a binding choice. By the Act of July 27, 1868, Congress declared that 'the right of expatriation is a natural and inherent right of all people'. Expatriation is the voluntary renunciation or abandonment of nationality and allegiance.</b>" This implies that "loss of citizenship" and "expatriation", which is "loss of nationality" are equivalent.</p> <p><i>Slaughter-House Cases</i>, 83 U.S. 36 (1873) says: "The next observation is more important in view of the arguments of counsel in the present case. <b>It is that the distinction between citizenship of the United States[***] and citizenship of a state is clearly recognized and established [by the Fourteenth Amendment].</b> Not only may a man be a citizen of the United States[***] without being a citizen of a state, but an important element is necessary to convert the former into the latter. <b>He must reside within the state to make him a citizen of it but it is not necessary that he should be born or naturalized in the [country] United States[***] to be a citizen of the Union.</b></p> <p>"It is quite clear, then, that there is a citizenship [nationality] of the United States[***], and a citizenship [nationality]of a state, which are distinct from each other and which depend upon different characteristics or circumstances of the individual."</p>

#	Term	Context	Meaning	Authorities	Notes
7	“citizen” used <i>alone</i> and without the term “U.S.***” in front or “of the United States***” after it	1. U.S.*** Constitution 2. U.S.** Supreme Court rulings	A “national of the United States***” in the context of federal statutes or a “citizen of the United States***” in the context of the Constitution or state statutes unless specifically identified otherwise.	1. See <i>Minor v. Happersett</i> , 88 U.S. 162 (1874): <b><u>Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the Constitution of the United States[***]. When used in this sense it is understood as conveying the idea of membership of a nation, and nothing more.</u></b> [ <i>Minor v. Happersett</i> , <a href="#">88 U.S. 162 (1874)</a> ] 2. See also <i>Boyd v. Nebraska</i> , 143 U.S. 135 (1892), which says: “The words ‘people of the United States[***]’ and ‘citizens,’ are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. They are what we familiarly call the ‘sovereign people,’ and every citizen is one of this people, and a constituent member of this sovereignty. ...” [ <i>Boyd v. State of Nebraska</i> , <a href="#">143 U.S. 135 (1892)</a> ]	1. To figure this out, you have to look up federal court cases that use the terms “expatriation” and “naturalization” along with the term “citizen” and use the context to prove the meaning to yourself. 2. In 26 C.F.R. § 1.1-1, the term “citizen” as used means “U.S. citizen” rather than “national”. The opposite is true of Title 8 of the U.S.C. and most federal court rulings. This is because of the definition of “United States***” within Subtitle A of the Internal Revenue Code, which means the <i>federal zone only</i> .
8	“citizen” used <i>alone</i> and without the term “U.S.***” in front or “of the United States***” after it	State statutes	Person with a legal domicile within the exclusive jurisdiction of a state of the Union who is NOT a “citizen” under federal statutory law.	<i>Law of Nations</i> , Vattel, Section 212.	Because states are “nations” under the law of nations and have police powers and exclusive legislative jurisdiction within their borders, then virtually all of their legislation is directed toward their own citizens exclusively. See section 4.8 of the <i>Great IRS Hoax</i> , Form #11.302 earlier for further details on “police powers”.
9	“citizen” used <i>alone</i> and without the term “U.S.***” in front or “of the United States***” after it	Federal statutes including Title 26, the Internal Revenue Code and Title 8, Aliens and Nationality	Not defined anywhere in Title 8. Persons with a legal domicile within the jurisdiction of a sovereign and who were born SOMEWHERE within the country, although not necessarily within that specific jurisdiction..	1. Defined in 26 C.F.R. §31.3121(e)-1. See Note 2.	This term is <b><i>never defined</i></b> anywhere in Title 8 but it is defined in 26 C.F.R. §31.3121(e)-1. You will see it most often on government passport applications, voter registration, and applications for naturalization. These forms <b><i>also</i></b> don’t define the meaning of the term nor do they equate it to either “national” or “citizen of the United States***”. The person filling out the form therefore <b><i>must</i></b> define it himself on the form to eliminate the ambiguity or be presumed incorrectly to be a “citizen of the United States***” under section 1 of the 14 <sup>th</sup> Amendment.
10	“United States citizenship”	Everywhere	The status of being a “national”. Note that the term “U.S. citizen” looks similar but not identical and is <i>not</i> the same as this term, and this is especially true on federal forms.	See “citizenship”.	Same as “citizenship”.

#	Term	Context	Meaning	Authorities	Notes
11	"citizens of the United States"	Everywhere	A collection of people who are "nationals" and who in most cases are not a "citizen of the United States***" or a "U.S.** citizen" under "Acts of Congress" or federal statutes unless at some point after becoming "nationals", they incorrectly declared their status to be a "citizen of the United States***" under 8 U.S.C. §1401 or changed their domicile to federal territory.	See "citizenship".	Note that the definition of "citizen of the United States" and "citizens of the United States" are different.
12	"citizen of the United States***"	Federal statutes	Persons with a legal domicile on federal territory that is no part of the exclusive jurisdiction of any state of the Union. Born SOMEWHERE within the country, although not necessarily within that specific jurisdiction.	<ol style="list-style-type: none"> <li>1. 8 U.S.C.A. §1401.</li> <li>2. 3C AmJur.2d §2689 ("U.S. citizen").</li> <li>3. 26 C.F.R. §31.3121(e)-1.</li> <li>4. <i>United States v. Wong Kim Ark</i>, 169 U.S. 649; 18 S.Ct. 456; 42 L.Ed. 890 (1898)</li> <li>5. <i>Cumard S.S. Co. v. Mellon</i>, 262 U.S. 100, 43 S.Ct. 504 (1923)</li> </ol>	Term "United States***" in federal statutes is defined as federal zone so a "citizen of the United States***" is a citizen of the federal zone only. According to the U.S. Supreme Court in the <i>Slaughter-House Cases</i> , 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873), this term was <b>not</b> defined before the ratification of the Fourteenth Amendment in 1868. Section 1 of the 14 <sup>th</sup> Amendment established the circumstances under which a person was a "citizen of the United States***". Note that the terms "citizens of the United States" and "citizen of the United States" are nowhere made equivalent in Title 8, and we define "citizens of the United States" above differently.
13	"citizen of the United States***"	State statutes U.S. Supreme Court Constitution	Person who maintains a legal domicile within the exclusive jurisdiction of a state of the Union. A "national" as defined in 8 U.S.C. §1101(a)(21) and "a person who, though not a citizen of the United States, owes permanent allegiance to the United States" per 8 U.S.C. §1101(a)(22)(B).	<ol style="list-style-type: none"> <li>1. 8 U.S.C. §1101(a)(21).</li> <li>2. 8 U.S.C. §1421.</li> <li>3. <i>Slaughter-House Cases</i>, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)</li> <li>4. <a href="#">3C American Jurisprudence 2d, Aliens and Citizens, §2732-2752 (1999)</a>: Noncitizen nationality</li> </ol>	8 U.S.C.A. §1401 notes indicates: " <i>The basis of citizenship in the United States** is the English doctrine under which <u>nationality</u> meant birth within allegiance to the king.</i> "
14	"citizen of the Union"	Everywhere	A "national of the United States***" or a "national"	<ol style="list-style-type: none"> <li>1. <i>Slaughter-House Cases</i>, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)</li> </ol>	" <i>Slaughter-House Cases</i> , 83 U.S. 36 (1873) says: "The next observation is more important in view of the arguments of counsel in the present case. <b>It is that the distinction between citizenship of the United States*** and citizenship of a state is clearly recognized and established [by the Fourteenth Amendment].</b> Not only may a man be a citizen of the United States*** without being a citizen of a state, but an important element is necessary to convert the former into the latter. <b>He must reside within the state to make him a citizen of it but it is not necessary that he should be born or naturalized in the [country] United States*** to be a citizen of the Union.</b> "



#	Term	Context	Meaning	Authorities	Notes
15	“U.S. citizen”	Title 26: Internal Revenue Code (which is a federal statute or “act of Congress)	Not defined anywhere in Title 8 that we could find. Defined in 26 C.F.R. §31.3121(e)-1, and there it means a person with a domicile on federal territory that is not part of the exclusive jurisdiction of any state of the Union.	1. Defined in 26 C.F.R. §31.3121(e)-1. See Note 2.	This term is <i>never defined</i> anywhere in Title 8 but it is defined in 26 C.F.R. §31.3121(e)-1. You will see it most often on government passport applications, voter registration, and applications for naturalization. These forms <i>also</i> don’t define the meaning of the term nor do they equate it to either “national” or “citizen of the United States***”. The person filling out the form therefore <i>must</i> define it himself on the form to eliminate the ambiguity or be presumed incorrectly to be a “citizen of the United States***” under section 1 of the 14 <sup>th</sup> Amendment.

**NOTES FROM THE ABOVE TABLE:**

1. 8 U.S.C.A. §1401 under “Notes”, says the following:

“The right of citizenship, as distinguished from alienage, is a national right or condition, and it pertains to the confederated sovereignty, the United States[\*\*], and not to the individual states. *Lynch v. Clarke, N.Y.1844, 1 Sandf.Ch. 583*”

“By ‘citizen of the state’ is meant a citizen of the United States[\*\*] whose domicile is in such state. *Prowd v. Gore, 1922, 207 P. 490, 57 Cal.App. 458*”

“One who becomes citizen of United States[\*\*] by reason of birth retains it, even though by law of another country he is also citizen of it.”

“The basis of citizenship in the United States[\*\*] is the English doctrine under which **nationality** meant birth within allegiance to the king.”

2. 26 C.F.R. §31.3121(e)-1 defines “U.S. citizen” as follows:

[26 C.F.R. 31.3121\(e\)-1 State, United States\[\\*\\*\], and citizen.](#)

(b)...The term ‘citizen of the United States[\*\*]’ includes a citizen of the Commonwealth of Puerto Rico or the Virgin Islands, and, effective January 1, 1961, a citizen of Guam or American Samoa.

We put the term “U.S. citizen” last in the above table because we would now like to expand upon it. We surveyed the election laws of all 50 states to determine which states require persons to be either “U.S. citizens” or “citizen of the United States” in order to vote. The results of our study are found on our website below at:

<http://famguardian.org/Subjects/LawAndGovt/Citizenship/PoliticalRightsvCitizenshipByState.htm>

#### 4.12.14.5 State statutory definitions of “U.S. citizen”

If you look through all the state statutes on voting above, you will find that only California, Indiana, Texas, Virginia, and Wisconsin require you to be either a “U.S. citizen” or a “United States citizen” in order to vote, and *none* of these five states even define in their election code what these terms mean! 26 other states require you to be a “citizen of the United States” and don’t define that term in their election code either! This means that a total of 31 of the 50 states positively require some type of citizenship related to the term “United States” in order to be eligible to vote and none of them define which of the three “United States” they mean. Because none of the state election laws define the term, then the legal dictionary definition applies.

#### 4.12.14.6 Legal definition of “citizen”

We looked in Black’s Law Dictionary, Sixth Edition and found no definition for either “U.S. citizen” or “citizen of the United States”. Therefore, we must rely *only* on the common definition rather than any legal definition. We then looked for “U.S. citizen” or “citizen of the United States” in Webster’s Dictionary and they weren’t defined there either. Then we looked for the term “citizen” and found the following interesting definition in Webster’s:

*“citizen. 1: an inhabitant of a city or town; esp: one entitled to the rights and privileges of a freeman. 2 a: a member of a state b: a native or naturalized person who owes allegiance to a government and is entitled to protection from it 3: a civilian as distinguished from a specialized servant of the state—citizenry*

*syn CITIZEN, SUBJECT, NATIONAL mean a person owing allegiance to and entitled to the protection of a sovereign state. CITIZEN is preferred for one owing allegiance to a state in which sovereign power is retained by the people and sharing in the political rights of those people; SUBJECT implies allegiance to a personal sovereign such as a monarch; NATIONAL designates one who may claim the protection of a state and applies esp. to one living or traveling outside that state.”*

*[Webster’s Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 243]*

Note in the above that the key to being a citizen under definition (b) is the requirement for allegiance. The only federal citizenship status that uses the term “allegiance” is that of a “national” as defined in 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1101(a)(22)(B) respectively. Consequently, we are *forced* to conclude that the generic term “citizen” and the statutory definition of “national” in 8 U.S.C. §1101(a)(21) are equivalent.

We also looked up the term “citizen” in Black’s Law Dictionary, Sixth Edition and found the following:

*“citizen. One who, under the Constitution and laws of the United States[\*\*\*], or of a particular state, is a member of the political community, owing allegiance and being entitled to the enjoyment of full civil rights. All persons born or naturalized in the United States[\*\*\*], and subject to the jurisdiction thereof, are citizens of the United States[\*\*\*] and of the state wherein they reside. U.S. Const., 14th Amend. See Citizenship.*

*“Citizens” are members of a political community who, in their associated capacity, have established or submitted themselves to the dominion of a government for the promotion of their general welfare and the protection of their individual as well as collective rights. Herriott v. City of Seattle, 81 Wash.2d. 48, 500 P.2d. 101, 109.*

*The term may include or apply to children of alien parents from in United States[\*\*\*], Von Schwertdner v. Piper, D.C.Md., 23 F.2d. 862, 863; U.S. v. Minoru Yasui, D.C.Or., 48 F.Supp. 40, 54; children of American citizens born outside United States, Haaland v. Attorney General of United States, D.C.Md., 42 F.Supp. 13, 22; Indians, United States v. Hester, C.C.A.Okla., 137 F.2d. 145, 147; National Banks, American Surety Co. v. Bank of California, C.C.A.Or., 133 F.2d. 160, 162; nonresident who has qualified as administratrix of estate of deceased resident, Hunt v. Noll, C.C.A.Tenn., 112 F.2d. 288, 289. However, neither the United States[\*\*\*] nor a state is a*

1 citizen for purposes of diversity jurisdiction. *Jizemerjian v. Dept of Air Force*, 457 F.Supp. 820. On the other  
 2 hand, municipalities and other local governments are deemed to be citizens. *Rieser v. District of Columbia*, 563  
 3 F.2d. 462. A corporation is not a citizen for purposes of privileges and immunities clause of the Fourteenth  
 4 Amendment. *D.D.B. Realty Corp. v. Merrill*, 232 F.Supp. 629, 637.

5 Under diversity statute [28 U.S.C. §1332], which mirrors *U.S. Const, Article III's* diversity clause, a person is a  
 6 "citizen of a state" if he or she is a citizen of the United States[\*\*\*] and a domiciliary of a state of the United  
 7 States[\*\*\*]. *Gibbons v. Udaras na Gaeltachta, D.C.N.Y.*, 549 F.Supp. 1094, 1116.  
 8 [Black's Law Dictionary, Sixth Edition, p. 244]

9 So the key requirement to be a "citizen" is to "owe allegiance" to a political community according to Black's Law Dictionary.  
 10 Under 26 U.S.C. §1101(a)(21), one can "owe allegiance" to the "United States\*\*\*" as a political community *only* by being a  
 11 "national" *without* being a STATUTORY "U.S. \*\* citizen" or a "citizen of the United States\*\*\*" as defined in 8 U.S.C. §1401  
 12 or 8 U.S.C. §1101(a)(22)(A). Therefore, we must conclude once again, that "citizen of the United States\*\*\*" status under  
 13 federal statutes, is a political *privilege* that few people are born into and most acquire by mistake or fraud or both. Most of  
 14 us are "nationals" by birth and we *volunteer* to become "citizens of the United States\*\*\*" under 8 U.S.C. §1401 by lying at  
 15 worst or committing a mistake at best when we fill out government forms. That process of misrepresenting our citizenship  
 16 status is how we "volunteer" to become "U.S. citizens" subject to federal statutes, and of course our covetous government is  
 17 more than willing to overlook the mistake because that is how they manufacture "taxpayers" and make people "subject" to  
 18 their corrupt laws. Remember, however, what the term "subject" means from Webster's above under the definition of the  
 19 term "citizen":

20 "SUBJECT implies allegiance to a personal [earthly] sovereign such as a *monarch*."  
 21 [Webster's Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, 1983, p. 243]

22 Therefore, to be "subject" to the federal government's legislation and statutes and "Acts of Congress" is to be *subservient*  
 23 to them, which means that you voluntarily gave up your sovereignty and recognized that they have now become your "monarch"  
 24 and you are their "servant". You have turned the Natural Order and hierarchy of sovereignty described in section 4.1 earlier  
 25 upside down and made yourself into a *voluntary slave*, which violates of the Thirteenth Amendment if your consent in so  
 26 doing was not fully informed and the government didn't apprise you of the rights that you were voluntarily giving up by  
 27 becoming a "citizen of the United States\*\*\*".

28 "Waivers of Constitutional rights not only must be voluntary, but must be knowing, intelligent acts done with  
 29 sufficient awareness of the relevant circumstances and likely consequences."  
 30 [Brady v. U.S., 397 U.S. 742 (1970)]  
 31

#### 4.12.14.7 The architect of our present government system, Montesquieu, predicted this deception, corruption, and confusion of contexts

It will interest the reader to know that the deliberate confusion and deception between nationality and domicile and between CONSTITUTIONAL citizens and STATUTORY citizens respectively was predicted by the architect who designed our present system of republican government with its separation of powers. He said that the main way the system could be corrupted would be to place everyone under the POLITICAL law, which he describes as law for the INTERNAL affairs of the government only.

Within our republican government, the founding fathers recognized three classes of law:

1. Criminal law. Protects both PUBLIC and PRIVATE rights.
2. Civil law. Protects exclusively PRIVATE rights.
3. Political law. Protects exclusively PUBLIC rights of public officers and offices within the government.

The above three types of law were identified in the following document upon which the founding fathers wrote the constitution and based the design of our republican form of government:

The Spirit of Laws, Charles de Montesquieu, 1758  
SOURCE: <http://famguardian.org/Publications/SpiritOfLaws/sol.htm>

Montesquieu defines “political law” and “political liberty” as follows:

*1. A general Idea.*

***I make a distinction between the laws that establish political liberty, as it relates to the constitution, and those by which it is established, as it relates to the citizen. The former shall be the subject of this book; the latter I shall examine in the next.***

[The Spirit of Laws, Charles de Montesquieu, 1758, Book XI, Section I;  
SOURCE: [http://famguardian.org/Publications/SpiritOfLaws/sol\\_11.htm#001](http://famguardian.org/Publications/SpiritOfLaws/sol_11.htm#001)]

The Constitution in turn is a POLITICAL document which represents law EXCLUSIVELY for public officers within the government. It does not obligate or abrogate any PRIVATE right. It defines what the courts call “public rights”, meaning rights possessed and owned exclusively by the government ONLY.

***“And the Constitution itself is in every real sense a law-the lawmakers being the people themselves, in whom under our system all political power and sovereignty primarily resides, and through whom such power and sovereignty primarily speaks. It is by that law, and not otherwise, that the legislative, executive, and judicial agencies which it created exercise such political authority as they have been permitted to possess. The Constitution speaks for itself in terms so plain that to misunderstand their import is not rationally possible. ‘We the People of the United States,’ it says, ‘do ordain and establish this Constitution.’ Ordain and establish! These are definite words of enactment, and without more would stamp what follows with the dignity and character of law. The framers of the Constitution, however, were not content to let the matter rest here, but provided explicitly-‘This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; ... shall be the supreme Law of the Land.’ (Const. art. 6, cl. 2.) The supremacy of the Constitution as law is thus declared without qualification. That supremacy is absolute; the supremacy of a statute enacted by Congress is not absolute but conditioned upon its being made in pursuance of the Constitution. And a judicial tribunal, clothed by that instrument with complete judicial power, and, therefore, by the very nature of the power, required to ascertain and apply the law to the facts in every case or proceeding properly brought for adjudication, must apply the supreme law and reject the inferior stat- [298 U.S. 238, 297] ute whenever the two conflict. In the discharge of that duty, the opinion of the lawmakers that a statute passed by them is valid must be given great weight, Adkins v. Children’s Hospital, 261 U.S. 525, 544, 43 S.Ct. 394, 24 A.L.R. 1238; but their opinion, or the court’s opinion, that the statute will prove greatly or generally beneficial is wholly irrelevant to the inquiry. Schechter Poultry Corp. v. United States, 295 U.S. 495, 549, 550 S., 55 S.Ct. 837, 97 A.L.R. 947. “ [Carter v. Carter Coal Co., 298 U.S. 238 (1936)]***

The vast majority of laws passed by Congress are what Montesquieu calls “political law” that is intended exclusively for the government and not the private citizen. The authority for implementing such political law is Article 4, Section 3, Clause 2 of the United States Constitution. To wit:

*United States Constitution  
Article 4, Section 3, Clause 2*

The Congress shall have Power to dispose of and **make all needful Rules and Regulations respecting the Territory or other Property** belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

The only areas where POLITICAL law and CIVIL law overlap is in the exercise of the political rights to vote and serve on jury duty. Why? Because jurists are regarded as public officers in 18 U.S.C. §201(a)(1):

[TITLE 18 > PART I > CHAPTER 11 > § 201](#)  
[§ 201. Bribery of public officials and witnesses](#)

(a) For the purpose of this section—

(1) the term “public official” means Member of Congress, Delegate, or Resident Commissioner, either before or after such official has qualified, or an officer or employee or person acting for or on behalf of the United States, or any department, agency or branch of Government thereof, including the District of Columbia, in any official function, under or by authority of any such department, agency, or branch of Government, **or a juror**;

However, it has also repeatedly been held by the courts that poll taxes are unconstitutional. Hence, voters technically are NOT to be regarded as public officers or franchisees for any purpose OTHER than their role as a voter. Recall that all statutory “Taxpayers” are public offices in the government.

Tax laws, for instance, are “political law” exclusively for the government or public officer and not the private citizen. Why? Because:

1. The U.S. Supreme Court identified taxes as a “political matter”. “Political law”, “political questions”, and “political matters” cannot be heard by true constitutional courts and may ONLY be heard in legislative franchise courts officiated by the Executive and not Judicial branch:

*“Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit or sojourn, is an adequate basis for taxation, including income, property, and death taxes. Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter. Of course, the situs of property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration being a tax on realty laid by the state in which the realty is located.”*

[Miller Brothers Co. v. Maryland, [347 U.S. 340](#) (1954)]

2. The U.S. Tax Court:
  - 2.1. Is an Article I Court in the EXECUTIVE and not JUDICIAL branch, and hence, can only officiate over matters INTERNAL to the government. See 26 U.S.C. §7441.
  - 2.2. Is a POLITICAL court in the POLITICAL branch of the government. Namely, the Executive branch.
  - 2.3. Is limited to the District of Columbia because all public offices are limited to be exercised there per 4 U.S.C. §72. It travels all over the country, but this is done ILLEGALLY and in violation of the separation of powers.
3. The activity subject to excise taxation is limited exclusively to “public offices” in the government, which is what a “trade or business” is statutorily defined as in 26 U.S.C. §7701(a)(26).

[26 U.S.C. Sec. 7701\(a\)\(26\)](#)

*“The term ‘trade or business’ includes the performance of the functions of a public office.”*

In Book XXVI, Section 15 of the Spirit of Laws, Montesquieu says that POLITICAL laws should not be allowed to regulate CIVIL conduct, meaning that POLITICAL laws limited exclusively to the government should not be enforced upon the PRIVATE citizen or made to “appear” as though they are “civil law” that applies to everyone:

*The Spirit of Laws, Book XXVI, Section 15*

*15. That we should not regulate by the Principles of political Law those Things which depend on the Principles of civil Law.*

As men have given up their natural independence to live under political laws, they have given up the natural community of goods to live under civil laws.

By the first, they acquired [PUBLIC] liberty; by the second, [PRIVATE] property. We should not decide by the laws of [PUBLIC] liberty, which, as we have already said, is only the government of the community, what ought to be decided by the laws concerning [PRIVATE] property. It is a paralogism to say that the good of the individual should give way to that of the public; this can never take place, except when the government of the community, or, in other words, the liberty of the subject is concerned; this does not affect such cases as relate to private property, because the public good consists in every one's having his property, which was given him by the civil laws, invariably preserved.

Cicero maintains that the Agrarian laws were unjust; because the community was established with no other view than that every one might be able to preserve his property.

Let us, therefore, lay down a certain maxim, that whenever the public good happens to be the matter in question, it is not for the advantage of the public to deprive an individual of his property, or even to retrench the least part of it by a law, or a political regulation. In this case we should follow the rigour of the civil law, which is the Palladium of [PRIVATE] property.

Thus when the public has occasion for the estate of an individual, it ought never to act by the rigour of political law; it is here that the civil law ought to triumph, which, with the eyes of a mother, regards every individual as the whole community.

If the political magistrate would erect a public edifice, or make a new road, he must indemnify those who are injured by it; the public is in this respect like an individual who treats with an individual. It is fully enough that it can oblige a citizen to sell his inheritance, and that it can strip him of this great privilege which he holds from the civil law, the not being forced to alienate his possessions.

After the nations which subverted the Roman empire had abused their very conquests, the spirit of liberty called them back to that of equity. They exercised the most barbarous laws with moderation: and if any one should doubt the truth of this, he need only read Beaumanoir's admirable work on jurisprudence, written in the twelfth century.

They mended the highways in his time as we do at present. He says, that when a highway could not be repaired, they made a new one as near the old as possible; but indemnified the proprietors at the expense of those who reaped any advantage from the road.<sup>41</sup> They determined at that time by the civil law; in our days, we determine by the law of politics.

[The Spirit of Laws, Charles de Montesquieu, 1758, Book XXVI, Section 15;  
SOURCE: [http://famguardian.org/Publications/SpiritOfLaws/sol\\_11.htm#001](http://famguardian.org/Publications/SpiritOfLaws/sol_11.htm#001)]

What Montesquieu is implying is what we have been saying all along, and he said it in 1758, which was even before the Declaration of Independence was written:

1. The purpose of establishing government is exclusively to protect PRIVATE rights.
2. PRIVATE rights are protected by the CIVIL law. The civil law, in turn is based in EQUITY rather than PRIVILEGE:

“Thus when the public has occasion for the estate of an individual, it ought never to act by the rigour of political law; it is here that the civil law ought to triumph, which, with the eyes of a mother, regards every individual as the whole community.”

3. PUBLIC or government rights are protected by the PUBLIC or POLITICAL or GOVERNMENT law and NOT the CIVIL law.
4. The first and most important role of government is to prevent the POLITICAL or GOVERNMENT law from being used or especially ABUSED as an excuse to confiscate or jeopardize PRIVATE property.

Unfortunately, it is precisely the above type of corruption that Montesquieu describes that is the foundation of the present [de facto government](#), tax system, and money system. ALL of them treat every human being as a PUBLIC officer against their consent, and impose what he calls the “rigors of the political law” upon them, in what amounts to unconstitutional eminent domain and a THEFT and CONFISCATION of otherwise PRIVATE property by enforcing PUBLIC law against PRIVATE people.

The way that the corrupt politicians have implemented the corruption described by Montesquieu was to:

1. Made people born or domiciled in the territories into privileged public officers and franchisees.

*“Is it a franchise? **A franchise is said to be a right reserved to the people by the constitution, as the elective franchise. Again, it is said to be a privilege conferred by grant from government, and vested in one or more individuals, as a public office.** Corporations, or bodies politic are the most usual franchises known to our laws. In England they are very numerous, and are defined to be royal privileges in the hands of a subject. An information will lie in many cases growing out of these grants, especially where corporations are concerned, as by the statute of 9 Anne, ch. 20, and in which the public have an interest. In 1 Strange R. ( The King v. Sir William Louther.) it was held that an information of this kind did not lie in the case of private rights, where no franchise of the crown has been invaded.*

*If this is so--if in England a privilege existing in a subject, which the king alone could grant, constitutes it a franchise--in this country, under our institutions, **a privilege or immunity of a public nature, which could not be exercised without a legislative grant, would also be a franchise.**”*  
[People v. Ridgley, 21 Ill. 65, 1859 WL 6687, 11 Peck 65 (Ill., 1859) ]

2. Gave these PRIVILEGED territorial people a name of “U.S. citizen” or “U.S. resident”.
3. Confused the CONSTITUTIONAL “United States\*\*\*” with the STATUTORY “United States\*\*\*” in their statutes, forms, and court rulings by refusing to distinguish them. This allowed them to:
  - 3.1. Conduct their war on private property and private rights under the COLOR of law, but without the actual AUTHORITY of law.
  - 3.2. Claim ignorance when the confusion was revealed.
  - 3.3. Protect their plausible deniability.
4. Called people in states of the Union the SAME NAME as that of PRIVILEGED people in the territories on government forms, so that they could deceive them into believing that they are public officers in the government.
5. Imposed whatever obligations, including tax obligations, that they want upon these privileged franchisees.

#### 4.12.14.8 The methods of deceit and coercion on the citizenship issue

Most people are ILLEGALLY and CRIMINALLY DECEIVED and COMPELLED by covetous public servants to become STATUTORY citizens or residents even though they are TECHNICALLY not allowed to and it is a CRIME to do so. This process is done by the following devious means:

1. Asking you if you are a “citizen” or “resident” on a government form or in person but not defining the context: CONSTITUTIONAL or STATUTORY.
2. When you hear their question about your STATUS, your ignorance of the law causes you to PRESUME they mean “citizen” or “resident” in a POLITICAL or CONSTITUTIONAL context.
3. When you say “yes”, they will self-servingly and ILLEGALLY PRESUME that the STATUTORY and CIVIL context applies rather than the POLITICAL or CONSTITUTIONAL context.
  - 3.1. **WARNING:** The CONSTITUTIONAL/POLITICAL context and the STATUTORY/CIVIL contexts are MUTUALLY exclusive and NOT equivalent!
  - 3.2. A CONSTITUTIONAL/POLITICAL “citizen of the United States\*\*\*” is a “national of the United States\*\*\* of America” but is not a STATUTORY/CIVIL “citizen” under 8 U.S.C. §1401.
  - 3.3. The term “citizen of the United States\*\*\*” used in 8 U.S.C. §1401 and 8 U.S.C. §1101(a)(22)(A) is a STATUTORY citizen because “citizen” in statutes is always geographical and tied to domicile.
  - 3.4. The term “citizen of the United States” used in other titles of the U.S. Code including Title 26 (income tax), Title 42 (Social Security and Medicare) relates to DOMICILE rather than NATIONALITY and is a CIVIL/STATUTORY status. Both of these titles are CIVIL franchises that have DOMICILE on federal territory not within a state as a prerequisite.
  - 3.5. The U.S. Supreme Court held in the License Tax Cases that Congress cannot establish a “trade or business” in a constitutional state in order to tax it. Hence, Titles 26 and 42 do not relate to constitutional states and only relate to federal territory not within a constitutional state.

*“Thus, Congress having power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes, may, without doubt, provide for **granting** coasting **licenses**, licenses to pilots, licenses to trade with the Indians, and any other **licenses** necessary or proper for the exercise of that great and extensive power; and the same observation is applicable to every other power of Congress, to the exercise of which the granting of licenses may be incident. All such licenses confer authority, and give rights to the licensee.*

*But very different considerations apply to the **internal commerce** or **domestic trade** of the States. Over this commerce and trade Congress has **no power of regulation nor any direct control.** This power belongs **exclusively***

1 to the States. No interference by Congress with the business of citizens transacted within a State is warranted  
 2 by the Constitution, except such as is strictly incidental to the exercise of powers clearly granted to the  
 3 legislature. The power to authorize a business within a State is plainly repugnant to the exclusive power of the  
 4 State over the same subject. It is true that the power of Congress to tax is a very extensive power. It is given in  
 5 the Constitution, with only one exception and only two qualifications. Congress cannot tax exports, and it must  
 6 impose direct taxes by the rule of apportionment, and indirect taxes by the rule of uniformity. Thus limited, and  
 7 thus only, it reaches every subject, and may be exercised at discretion. But, it reaches only existing subjects.  
 8 **Congress cannot authorize [LICENSE, using a Social Security Number] a trade or business within a State in**  
 9 **order to tax it.**"

10 [*License Tax Cases*, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866)]

- 11 4. Hence, with a simple presumption fostered by legal ignorance on both YOUR part and on the part of the government  
 12 clerk accepting your application or form, you have often UNWITTINGLY AND ILLEGALLY TRANSITIONED from  
 13 being a CONSTITUTIONAL citizen to a STATUTORY citizen domiciled on federal territory! WATCH OUT!
- 14 5. The presumptions which foster this illegal transition are a CRIMINAL offence, because:
- 15 5.1. The civil status of "citizen" is an office in the U.S. government, as we will show.  
 16 5.2. It is a crime to impersonate a public officer in violation of 18 U.S.C. §911.  
 17 5.3. It is a crime to impersonate a "U.S. citizen" in violation of 18 U.S.C. §912.
- 18 6. The presumptions which foster this illegal transition are also a violation of due process of law, because conclusive  
 19 presumptions undermine constitutional rights violate due process of law:

20 (1) [8:4993] **Conclusive presumptions affecting protected interests:**

21 A conclusive presumption may be defeated where its application would impair a party's constitutionally-protected  
 22 liberty or property interests. In such cases, conclusive **presumptions have been held to violate a party's due**  
 23 **process and equal protection rights.** [*Vlandis v. Kline* (1973) 412 U.S. 441, 449, 93 S.Ct. 2230, 2235; *Cleveland*  
 24 *Bed. of Ed. v. LaFleur* (1974) 414 U.S. 632, 639-640, 94 S.Ct. 1208, 1215-presumption under Illinois law that  
 25 unmarried fathers are unfit violates process]  
 26 [*Federal Civil Trials and Evidence* (2005), *Rutter Group*, paragraph 8:4993, p. 8K-34]

- 27 7. This ILLEGAL and CRIMINAL tactic is abused in almost all most government offices, including:
- 28 7.1. In federal court.  
 29 7.2. Department of Motor Vehicles on the application for a driver license.  
 30 7.3. Social Security Administration form SS-5.  
 31 7.4. Voter registration at the country registrar of voters.  
 32 7.5. Application for a United States of America Passport, Department of State Form DS-11.  
 33 7.6. United States Citizenship and Immigration Services form I-9.
- 34 8. The reason they are using this devious and deceptive tactic is because they know that:
- 35 8.1. A "citizen" is defined as someone who has "voluntarily submitted himself" to the LAWS and thereby become a  
 36 CIVIL "subject". YOU HAVE TO VOLUNTEER AND CONSENT!
- 37 8.2. They know they need your CONSENT and PERMISSION to transition from a CONSTITUTIONAL citizen to a  
 38 STATUTORY citizen and therefore "subject".
- 39 8.3. They don't want to ask for your consent DIRECTLY because that would imply that you have the right to NOT  
 40 consent. If you said NO, their whole SCAM of ruling OVER you would be busted and people would quit in  
 41 droves. They therefore have to be very INDIRECT about it.
- 42 8.4. CONSENT and PERMISSION is implied if they ask you your status AND you say you HAVE that STATUS.  
 43 You cannot acquire or maintain ANY civil status without your at least IMPLIED consent. See:

44 **Your Exclusive Right to Declare or Establish Your Civil Status**, Form #13.008  
 45 <http://sedm.org/Forms/FormIndex.htm>

- 46 9. We call this process what it is:
- 47 9.1. Criminal kidnapping of your legal identity.  
 48 9.2. Criminal identity theft.  
 49 9.3. Criminally impersonating a public officer.  
 50 9.4. Constructive fraud.

51 "Fraud in its elementary common law sense of deceit -- and this is one of the meanings that fraud bears [483  
 52 U.S. 372] in the statute, see *United States v. Dial*, 757 F.2d. 163, 168 (7th Cir.1985) -- includes the deliberate  
 53 concealment of material information in a setting of fiduciary obligation. **A public official is a fiduciary toward**  
 54 **the public, including, in the case of a judge, the litigants who appear before him, and if he deliberately conceals**  
 55 **material information from them, he is guilty of fraud. When a judge is busily soliciting loans from counsel to**  
**one party, and not telling the opposing counsel (let alone the public), he is concealing material information in**  
**violation of his fiduciary obligations.**"



1 [\[McNally v. United States, 483 U.S. 350 \(1987\)\]](#)

- 2 10. **Government agencies:** They abuse these ILLEGAL and CRIMINAL tactics as well. They do so by the following  
3 means:
- 4 10.1. Ensure that their employees are not schooled in the law so that they will not realize that they are PAWNS in a  
5 game to enslave all Americans, and that “compartmentalization” is being used to ensure they don’t know more  
6 than they need to know to do their job.
- 7 10.2. Dismiss or FIRE employees who read the law and discover these tactics. Case in point is IRS criminal  
8 investigator Joe Banister, who discovered these tactics, exposed them and asked the agency to STOP them. He  
9 was asked to resign rather than the IRS fixing this criminal activity.
- 10 10.3. PRESUME that ALL of the four contexts for "United States" are equivalent.
- 11 10.4. Tell the public that their publications are “general” in nature and should not be relied upon. Keep in mind that a  
12 FRAUDSTER always deals in GENERALS, and the “general” context is the CONSTITUTIONAL context. Yet,  
13 even though you ASSUME the government is ALSO using the CONSTITUTIONAL context, they do the  
14 SWITCHEROO and ASSUME the OPPOSITE, which is the STATUTORY context when processing the form  
15 they handed you.
- 16 10.5. Publish deceptive government publications that are in deliberate conflict with what the statutes define "United  
17 States" as and then tell the public that they CANNOT rely on the publication. The [IRS does this with ALL of  
18 their publications](#) and it is FRAUD. See:

*Reasonable Belief About Income Tax Liability*, Form #05.007

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf>

- 19 10.6. Using the word “United States” as meaning the government, as in the Internal Revenue Code, Subtitle A, but  
20 deceiving the reader into thinking that it REALLY means the CONSTITUTIONAL United States. See:

*Non-Resident Non-Person Position*, Form #05.020, Sections 8 through 11

<http://sedm.org/Forms/FormIndex.htm>

- 21 10.7. Not explaining WHICH of the two contexts apply on government forms but presuming the Statutory context  
22 ONLY.
- 23 10.8. Refusing to accept attachments to government forms that clarify the meaning of all terms on forms so as to:
- 24 10.8.1. Delegate undue discretion to judges and bureaucrats to PRESUME the statutory context.
- 25 10.8.2. Add things to the meaning of words that do not expressly appear in the law.
- 26 10.9. Refusing to define the LEGAL meaning of the terms used on government forms.
- 27 10.10. Confusing a “federal government” with a “national government”, removing the definitions of these two  
28 words entirely from the dictionary, or refusing in a court setting to discuss the differences.

29 *“NATIONAL GOVERNMENT.* The government of a whole nation, as distinguished from that of a local or  
30 territorial division of the nation, and also as distinguished from that of a league or confederation.

31 *“A national government is a government of the people of a single state or nation, united as a community by what  
32 is termed the ‘social compact,’ and possessing complete and perfect supremacy over persons and things, so far  
33 as they can be made the lawful objects of civil government. A federal government is distinguished from a  
34 national government by its being the government of a community of independent and sovereign states, united  
35 by compact.”* Piqua Branch Bank v. Knoup, 6 Ohio.St. 393.”  
36 [*Black’s Law Dictionary, Revised Fourth Edition, 1968, p. 1176*]

37  
38 *“FEDERAL GOVERNMENT.* The system of government administered in a state formed by the union or  
39 confederation of several independent or quasi independent states; also the composite state so formed.

40 *In strict usage, there is a distinction between a confederation and a federal government. The former term denotes  
41 a league or permanent alliance between several states, each of which is fully sovereign and independent, and  
42 each of which retains its full dignity, organization, and sovereignty, though yielding to the central authority a  
43 controlling power for a few limited purposes, such as external and diplomatic relations. In this case, the  
44 component states are the units, with respect to the confederation, and the central government acts upon them,  
45 not upon the individual citizens. In a federal government, on the other hand, the allied states form a union,-  
46 not, indeed, to such an extent as to destroy their separate organization or deprive them of quasi sovereignty  
47 with respect to the administration of their purely local concerns, but so that the central power is erected into a  
48 true state or nation, possessing sovereignty both external and internal,-while the administration of national  
49 affairs is directed, and its effects felt, not by the separate states deliberating as units, but by the people of all,  
50 in their collective capacity, as citizens of the nation. The distinction is expressed, by the German writers, by the  
51 use of the two words “Staatenbund” and “Bundesstaat;” the former denoting a league or confederation of states,  
52 and the latter a federal government, or state formed by means of a league or confederation.”*

[Black's Law Dictionary, Revised Fourth Edition, 1968, p. 740]

10.11. Making unconstitutional and prejudicial presumptions about the status of people that connects them with government franchises without their consent or even their knowledge, in some cases. See:

*Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction*, Form #05.017  
<http://sedm.org/Forms/FormIndex.htm>

11. **Courts and lawyers:** Courts and lawyers ESPECIALLY have refined this process to a fine art by abusing "legalese" and words of art. They do this through the following very specific tactics in the courtroom.

11.1. Prevent jurists from reading the law to discover these tactics. Most federal courthouses forbid jurors serving on duty to enter their law libraries if they have one. Thus, the judge is enabled to insist that HE is the "source of law" and that what he says is law. He thereby substitutes his will for what the law says, and prevents anyone from knowing that what he SAYS the law requires is DIFFERENT from what it ACTUALLY says.

11.2. PRESUME that ALL of the four contexts for "United States" are equivalent.

11.3. Confusing the Statutory context with the Constitutional context for geographical words of art when these two contexts are NOT equivalent and in fact are mutually exclusive contexts. Terms this trick is applied to include:

11.3.1. "United States" in 26 U.S.C. §7701(a)(9).

11.3.2. "State" in 26 U.S.C. §7701(a)(10) and 4 U.S.C. §110(d).

11.3.3. "U.S. person" in 26 U.S.C. §7701(a)(30).

11.3.4. "U.S. citizen" or "citizen of the United States" in 8 U.S.C. §1401, 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1.

11.3.5. "U.S. resident" in 26 U.S.C. §7701(b)(4).

11.4. PRESUME that CONSTITUTIONAL citizens and STATUTORY citizens are EQUIVALENT under federal law. They are NOT. A CONSTITUTIONAL citizen is a "non-resident" under federal law and NOT a STATUTORY "national and citizen of the United States\*\* at birth" per 8 U.S.C. §1401.

*Why You are a "national", "state national", and Constitutional but not Statutory Citizen*, Form #05.006  
 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
 DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/WhyANational.pdf>

11.5. PRESUME that "nationality" and "domicile" are equivalent. They are NOT. See:

*Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002  
 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
 DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Domicile.pdf>

11.6. Use the word "citizenship" in place of "nationality" OR "domicile", and refuse to disclose WHICH of the two they mean in EVERY context.

11.7. Confuse the POLITICAL/CONSTITUTIONAL meaning of words with the civil STATUTORY context. For instance, asking on government forms whether you are a POLITICAL/CONSTITUTIONAL citizen and then FALSELY PRESUMING that you are a STATUTORY citizen under 8 U.S.C. §1401.

11.8. Confuse the words "domicile" and "residence" or impute either to you without satisfying the burden of proving that you EXPRESSLY CONSENTED to it and thereby illegally kidnap your civil legal identity against your will. One can have only one "domicile" but many "residences" and BOTH require your consent. See:

*Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002  
 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
 DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Domicile.pdf>

12. Abusing the words "includes" and "including" as a means of unlawfully adding things to the meanings of words that do not expressly appear and are therefore purposefully excluded per the rules of statutory construction. Such words include:

12.1. "taxpayer" in 26 U.S.C. §7701(a)(14).

12.2. "trade or business" in 26 U.S.C. §7701(a)(26). Means "the functions of a public office" and excludes activities of PRIVATE human beings or private entities.

12.3. "State"

12.4. "Employer" in 26 U.S.C. §3401(d). Means a government agency which a public officer works for, and not a private company.

12.5. "Employee" in 26 U.S.C. §3401(c). Means a public officer in the U.S. and not state government and not private human beings per 5 U.S.C. §2105(a).

For details on the unconstitutional and criminal abuse of language by the government, judges, and prosecutors, see:

*Legal Deception, Propaganda, and Fraud*, Form #05.014  
<http://sedm.org/Forms/FormIndex.htm>

1 12.6. Refusing to allow the jury to read the definitions in the law and then give them a definition that is in conflict with  
 2 the statutory definition. This substitutes the JUDGES will for what the law expressly says and thereby substitutes  
 3 PUBLIC POLICY for the written law.

4 12.7. Deliberately omitting or refusing to discuss or address any of the above types of abuses in litigation raised against  
 5 the government in any court, or even penalizing those who raise these issues, and thereby:

6 12.7.1. Criminally obstructing justice.

7 12.7.2. Engaging in organized crime and racketeering, which is committed daily by most federal judges.

8 12.7.3. Engaging in criminal witness tampering against those who want to stop criminal activities by public  
 9 servants. See 18 U.S.C. §1512.

10 13. When the above criminal tactics of public dis-servants are exposed as the FRAUD and CRIME that they are, the only  
 11 thing the de facto thieves in government can do is:

12 13.1. Try to ignore the issue raised like you never said it.

13 13.2. Hope you don't approach the grand jury and get them indicted for their crime.

14 13.3. If you do, go after you with what we call "selective enforcement" as a way to defend themselves illegally.

#### 15 4.12.14.9 How the deceit and compulsion is implemented in the courtroom

16 ***"Shall the throne of iniquity [the judge's bench], which devises evil by [obfuscating the]***  
 17 ***law, have fellowship with You [Christians]?** They gather together against the life of the righteous, and*  
 18 *condemn innocent blood. But the Lord has been my defense, and my God the rock of my refuge. He has brought*  
 19 *on them their own iniquity, and shall cut them off in their own wickedness; **the Lord our God shall cut them off.**"*  
 20 *[Psalm 94:20-23, Bible, NKJV]*

21 The U.S. Supreme Court indirectly identified the distinctions between the CONSTITUTIONAL and the STATUTORY  
 22 contexts and how one transitions from being a Constitutional to a Statutory citizen in the following holdings. These holdings  
 23 are important so you will recognize what happens to your standing in court when you switch from a CONSTITUTIONAL to  
 24 a STATUTORY "citizen". That way you will recognize WHERE the court's jurisdiction is coming from: the  
 25 CONSTITUTION or the STATUTES. The CONSTITUTION only deals with HUMANS and LAND while the STATUTES  
 26 deal almost entirely with FRANCHISES and ARTIFICIAL creations of CONGRESS.

27 1. First the U.S. Supreme Court held that a corporation is NOT a "citizen" as used in the CONSTITUTION:

28 ***"That by no sound or reasonable interpretation, can a corporation-a mere faculty in law, be transformed into***  
 29 ***a citizen, or treated as a citizen [within the Constitution].** 2d. That the second section of the third article of the*  
 30 *Constitution, investing the courts of the United States with jurisdiction in controversies between citizens of*  
 31 *different States, cannot be made to embrace controversies to which corporations and not citizens are parties; and*  
 32 *that the assumption, by those courts, of jurisdiction in such cases, must involve a palpable infraction of the article*  
 33 *and section just referred to. 3d. That in the cause before us, the party defendant in the Circuit Court having been*  
 34 *a corporation aggregate, created by the State of New Jersey, the Circuit Court could not properly take cognizance*  
 35 *thereof; and, therefore, this cause should be remanded to the Circuit Court, with directions that it be dismissed*  
 36 *for the want of jurisdiction."*  
 37 *[Rundle v. Delaware & Raritan Canal Co., 55 U.S. 80 (1852)]*

38 2. But on the OTHER hand, they held that a corporation IS a "citizen" or "resident" under federal STATUTORY law.

39 *"...it is well settled that a corporation created by a state is a citizen of the state, within the meaning of those*  
 40 *provisions of the **constitution and statutes of the United States which define the jurisdiction of the federal***  
 41 ***courts.** Railroad Co. v. Railroad Co., **112 U.S. 414**, 5 Sup.Ct.Rep. 208; Paul v. Virginia, 8 Wall. 168, 178;  
 42 *Pennsylvania v. Bridge Co., 13 How. 518."*  
 43 *[State of Wisconsin v. Pelican Insurance Co., 127 U.S. 265 (1888)]**

44 3. The U.S. Supreme Court held that ONLY private HUMAN men and women can sue in a CONSTITUTIONAL court,  
 45 not corporations:

46 ***"Aliens, or citizens of different states, are not less susceptible of these apprehensions, nor can they be supposed***  
 47 ***to be less the objects of constitutional provision, because they are allowed to sue by a corporate name. That***  
 48 ***name, indeed, cannot be an alien or a citizen; but the persons whom it represents may be the one or the other;***  
 49 ***and the controversy is, in fact and in law, between those persons suing in their corporate character, by their***  
 50 ***corporate name, for a corporate right, and the individual against whom the suit may be instituted.** Substantially*  
 51 *\*88 and essentially, the parties in such a case, where the members of the corporation are aliens, or citizens of a*  
 52 *different state from the opposite party, come within the spirit and terms of the jurisdiction conferred by the*  
 53 *constitution on the national tribunals."*

[. . .]

If the constitution would authorize congress to give the courts of the union jurisdiction in this case, in consequence of the character of the members of the corporation, then the judicial act ought to be construed to give it. For the term citizen ought to be understood as it is used in the constitution, and as it is used in other laws. That is, to describe the real persons who come into court, in this case, under their corporate name.

That corporations composed of citizens are considered by the legislature as citizens, under certain [STATUTORY but not CONSTITUTIONAL] circumstances, is to be strongly inferred from the registering act. It never could be intended that an American registered vessel, abandoned to an insurance company composed of citizens, should lose her character as an American vessel; and yet this would be the consequence of declaring that the members of the corporation were, to every intent and purpose, out of view, and merged in the corporation.

The court feels itself authorized by the case in 12 Mod. on a question of jurisdiction, to look to 92\*92 the character of the individuals who compose the corporation, and they think that the precedents of this court, though they were not decisions on argument, ought not to be absolutely disregarded.  
[Bank of United States v. Deveaux, 9 U.S. 61(1809)]

4. They also held that when a HUMAN or CONSTITUTIONAL “citizen” or “person” sues a corporation, then they have to sue SPECIFIC PEOPLE in the corporation instead of the whole corporation if the court is a CONSTITUTIONAL court rather than a STATUTORY FRANCHISE court:

It is important that the style and character of this party litigant, as well as the source and manner of its existence, be borne in mind, as both are deemed material in considering the question of the jurisdiction of this court, and of the Circuit Court. It is important, too, to be remembered, that the question here raised stands wholly unaffected by any legislation, competent or incompetent, which may have been attempted in the organization of the courts of the United States; but depends exclusively upon the construction of the 2d section of the 3d article of the Constitution, which defines the judicial power of the United States; first, with respect to the subjects embraced within that power; and, secondly, with respect to those whose character may give them access, as parties, to the courts of the United States. In the second branch of this definition, we find the following enumeration, as descriptive of those whose position, as parties, will authorize their pleading or being impleaded in those courts; and this position is limited to "controversies to which the United States are a party; controversies 97\*97 between two or more States, — between citizens of different States, — between citizens of the same State, claiming lands under grants of different States, — and between the citizens of a State and foreign citizens or subjects."

Now, it has not been, and will not be, pretended, that this corporation can, in any sense, be identified with the United States, or is endowed with the privileges of the latter; or if it could be, it would clearly be exempted from all liability to be sued in the Federal courts. Nor is it pretended, that this corporation is a State of this Union; nor, being created by, and situated within, the State of New Jersey, can it be held to be the citizen or subject of a foreign State. It must be, then, under that part of the enumeration in the article quoted, which gives to the courts of the United States jurisdiction in controversies between citizens of different States, that either the Circuit Court or this court can take cognizance of the corporation as a party; and this is, in truth, the sole foundation on which that cognizance has been assumed, or is attempted to be maintained. The proposition, then, on which the authority of the Circuit Court and of this tribunal is based, is this: The Delaware and Raritan Canal Company is either a citizen of the United States, or it is a citizen of the State of New Jersey. This proposition, startling as its terms may appear, either to the legal or political apprehension, is undeniably the basis of the jurisdiction asserted in this case, and in all others of a similar character, and must be established, or that jurisdiction wholly fails. Let this proposition be examined a little more closely.

The term citizen will be found rarely occurring in the writers upon English law; those writers almost universally adopting, as descriptive of those possessing rights or sustaining obligations, political or social, the term subject, as more suited to their peculiar local institutions. But, in the writers of other nations, and under systems of polity deemed less liberal than that of England, we find the term citizen familiarly reviving, and the character and the rights and duties that term implies, particularly defined. Thus, Vattel, in his 4th book, has a chapter, (cap. 6th,) the title of which is: "The concern a nation may have in the actions of her citizens." A few words from the text of that chapter will show the apprehension of this author in relation to this term. "Private persons," says he, "who are members of one nation, may offend and ill-treat the citizens of another; it remains for us to examine what share a state may have in the actions of her citizens, and what are the rights and obligations of sovereigns in that respect." And again: "Whoever uses a citizen ill, indirectly offends the state, which is bound to protect this citizen." The meaning of the term citizen 98\*98 or subject, in the apprehension of English jurists, as indicating persons in their natural character, in contradistinction to artificial or fictitious persons created by law, is further elucidated by those jurists, in their treatises upon the origin and capacities and objects of those artificial persons designated by the name of corporations. Thus, Mr. Justice Blackstone, in the 18th chapter of his 1st volume, holds this language: "We have hitherto considered persons in their natural capacities, and have treated of their rights and duties. But, as all personal rights die with the person; and, as the necessary forms of investing a series of individuals, one after another, with the same identical rights, would be inconvenient, if not impracticable; it has been found necessary, when it is for the advantage of the public to have any particular rights kept on foot and continued, to constitute artificial persons, who maintain a perpetual succession, and enjoy a kind of legal immortality. These artificial persons are called corporations."

1 This same distinguished writer, in the first book of his Commentaries, p. 123, says, "The rights of persons are  
 2 such as concern and are annexed to the persons of men, and when the person to whom they are due is regarded,  
 3 are called simply rights; but when we consider the person from whom they are due, they are then denominated,  
 4 duties," And again, cap. 10th of the same book, treating of the PEOPLE, he says, "The people are either aliens,  
 5 that is, born out of the dominions or allegiance of the crown; or natives, that is, such as are born within it." Under  
 6 our own systems of polity, the term, citizen, implying the same or similar relations to the government and to  
 7 society which appertain to the term, subject, in England, is familiar to all. Under either system, the term used is  
 8 designed to apply to man in his individual character, and to his natural capacities; to a being, or agent,  
 9 possessing social and political rights, and sustaining, social, political, and moral obligations. It is in this  
 10 acceptation only, therefore, that the term, citizen, in the article of the Constitution, can be received and  
 11 understood. When distributing the judicial power, that article extends it to controversies between citizens of  
 12 different States. This must mean the natural physical beings composing those separate communities, and can,  
 13 by no violence of interpretation, be made to signify artificial, incorporeal, theoretical, and invisible creations.  
 14 A corporation, therefore, being not a natural person, but a mere creature of the mind, invisible and intangible,  
 15 cannot be a citizen of a State, or of the United States, and cannot fall within the terms or the power of the  
 16 above-mentioned article, and can therefore neither plead nor be impleaded in the courts of the United States.  
 17 Against this position it may be urged, that the 99\*99 converse thereof has been ruled by this court, and that this  
 18 matter is no longer open for question. In answer to such an argument, I would reply, that this is a matter involving  
 19 a construction of the Constitution, and that wherever the construction or the integrity of that sacred instrument  
 20 is involved, I can hold myself trammelled by no precedent or number of precedents. That instrument is above all  
 21 precedents; and its integrity every one is bound to vindicate against any number of precedents, if believed to  
 22 trench upon its supremacy. Let us examine into what this court has propounded in reference to its jurisdiction in  
 23 cases in which corporations have been parties; and endeavor to ascertain the influence that may be claimed for  
 24 what they have heretofore ruled in support of such jurisdiction. The first instance in which this question was  
 25 brought directly before this court, was that of the Bank of the [United States v. Deveaux, 5 Cranch, 61](#). An  
 26 examination of this case will present a striking instance of the error into which the strongest minds may be led,  
 27 whenever they shall depart from the plain, common acceptation of terms, or from well ascertained truths, for the  
 28 attainment of conclusions, which the subtlest ingenuity is incompetent to sustain. This criticism upon the decision  
 29 in the case of the Bank v. Deveaux, may perhaps be shielded from the charge of presumptuousness, by a  
 30 subsequent decision of this court, hereafter to be mentioned. In the former case, the Bank of the United States,  
 31 a corporation created by Congress, was the party plaintiff, and upon the question of the capacity of such a  
 32 party to sue in the courts of the United States, this court said, in reference to that question, "The jurisdiction  
 33 of this court being limited, so far as respects the character of the parties in this particular case, to controversies  
 34 between citizens of different States, both parties must be citizens, to come within the description. That invisible,  
 35 intangible, and artificial being, that mere legal entity, a corporation aggregate, is certainly not a citizen, and  
 36 consequently cannot sue or be sued in the courts of the United States, unless the rights of the members in this  
 37 respect can be exercised in their corporate name. If the corporation be considered as a mere faculty, and not  
 38 as a company of individuals, who, in transacting their business, may use a legal name, they must be excluded  
 39 from the courts of the Union." The court having shown the necessity for citizenship in both parties, in order to  
 40 give jurisdiction; having shown farther, from the nature of corporations, their absolute incompatibility with  
 41 citizenship, attempts some qualification of these indisputable and clearly stated positions, which, if intelligible at  
 42 all, must be taken as wholly subversive of the positions so laid down. After stating the requisite of citizenship, and  
 43 showing that a corporation 100\*100 cannot be a citizen, "and consequently that it cannot sue or be sued in the  
 44 courts of the United States," the court goes on to add, "unless the rights of the members can be exercised in their  
 45 corporate name." Now, it is submitted that it is in this mode only, viz. in their corporate name, that the rights of  
 46 the members can be exercised; that it is this which constitutes the character, and being, and functions of a  
 47 corporation. If it is meant beyond this, that each member, or the separate members, or a portion of them, can take  
 48 to themselves the character and functions of the aggregate and merely legal being, then the corporation would  
 49 be dissolved; its unity and perpetuity, the essential features of its nature, and the great objects of its existence,  
 50 would be at an end. It would present the anomaly of a being existing and not existing at the same time. This  
 51 strange and obscure qualification, attempted by the court, of the clear, legal principles previously announced by  
 52 them, forms the introduction to, and apology for, the proceeding, adopted by them, by which they undertook to  
 53 adjudicate upon the rights of the corporation, through the supposed citizenship of the individuals interested in  
 54 that corporation. They assert the power to look beyond the corporation, to presume or to ascertain the residence  
 55 of the individuals composing it, and to model their decision upon that foundation. In other words, they affirm that  
 56 in an action at law, the purely legal rights, asserted by one of the parties upon the record, may be maintained by  
 57 showing or presuming that these rights are vested in some other person who is no party to the controversy before  
 58 them.

59 Thus stood the decision of the Bank of the [United States v. Deveaux](#), wholly irreconcilable with correct definition,  
 60 and a puzzle to professional apprehension, until it was encountered by this court, in the decision of the Louisville  
 61 and Cincinnati Railroad Company v. Letson, reported in 2 Howard, 497. In the latter decision, the court, unable  
 62 to untie the judicial entanglement of the Bank and Deveaux, seem to have applied to it the sword of the conqueror;  
 63 but, unfortunately, in the blow they have dealt at the ligature which perplexed them, they have severed a portion  
 64 of the temple itself. They have not only contravened all the known definitions and adjudications with respect to  
 65 the nature of corporations, but they have repudiated the doctrines of the civilians as to what is imported by the  
 66 term subject or citizen, and repealed, at the same time, that restriction in the Constitution which limited the  
 67 jurisdiction of the courts of the United States to controversies between "citizens of different States." They have  
 68 asserted that, "a corporation created by, and transacting business in a State, is to be deemed an inhabitant of the  
 69 State, capable of being treated 101\*101 as a citizen, for all the purposes of suing and being sued, and that an

1 averment of the facts of its creation, and the place of transacting its business, is sufficient to give the circuit  
2 court's jurisdiction.

3 The first thing which strikes attention, in the position thus affirmed, is the want of precision and perspicuity in its  
4 terms. **The court affirm that a corporation created by, and transacting business within a State, is to be deemed**  
5 **an inhabitant of that State. But the article of the Constitution does not make inhabitancy a requisite of the**  
6 **condition of suing or being sued; that requisite is citizenship. Moreover, although citizenship implies the right**  
7 **of residence, the latter by no means implies citizenship.** Again, it is said that these corporations may be treated  
8 as citizens, for the purpose of suing or being sued. Even if the distinction here attempted were comprehensible, it  
9 would be a sufficient reply to it, that the Constitution does not provide that those who may be treated as citizens,  
10 may sue or be sued, but that the jurisdiction shall be limited to citizens only; citizens in right and in fact. **The**  
11 **distinction attempted seems to be without meaning, for the Constitution or the laws nowhere define such a**  
12 **being as a quasi citizen, to be called into existence for particular purposes; a being without any of the attributes**  
13 **of citizenship, but the one for which he may be temporarily and arbitrarily created, and to be dismissed from**  
14 **existence the moment the particular purposes of his creation shall have been answered.** In a political, or legal  
15 sense, none can be treated or dealt with by the government as citizens, but those who are citizens in reality. It  
16 would follow, then, by necessary induction, from the argument of the court, that as a corporation must be treated  
17 as a citizen, it must be so treated to all intents and purposes, because it is a citizen. Each citizen (if not under old  
18 governments) certainly does, under our system of polity, possess the same rights and faculties, and sustain the  
19 same obligations, political, social, and moral, which appertain to each of his fellow-citizens. As a citizen, then,  
20 of a State, or of the United States, a corporation would be eligible to the State or Federal legislatures; and if  
21 created by either the State or Federal governments, might, as a native-born citizen, aspire to the office of  
22 President of the United States — or to the command of armies, or fleets, in which last example, so far as the  
23 character of the commander would form a part of it, we should have the poetical romance of the spectre ship  
24 realized in our Republic. And should this incorporeal and invisible commander not acquit himself in color or in  
25 conduct, we might see him, provided his arrest were practicable, sent to answer his delinquencies before a court-  
26 martial, and subjected to the penalties 102\*102 of the articles of war. Sir Edward Coke has declared, that a  
27 corporation cannot commit treason, felony, or other crime; neither is it capable of suffering a traitor's or felon's  
28 punishment; for it is not liable to corporeal penalties — that it can perform no personal duties, for it cannot take  
29 an oath for the due execution of an office; neither can it be arrested or committed to prison, for its existence being  
30 ideal, no man can arrest it; neither can it be excommunicated, for it has no soul. But these doctrines of Lord Coke  
31 were founded upon an apprehension of the law now treated as antiquated and obsolete. His lordship did not  
32 anticipate an improvement by which a corporation could be transformed into a citizen, and by that transformation  
33 be given a physical existence, and endowed with soul and body too. The incongruities here attempted to be shown  
34 as necessarily deducible from the decisions of the cases of the Bank of the United States v. Deveaux, and of the  
35 Cincinnati and Louisville Railroad Company v. Letson, afford some illustration of the effects which must ever  
36 follow a departure from the settled principles of the law. These principles are always traceable to a wise and  
37 deeply founded experience; they are, therefore, ever consentaneous, and in harmony with themselves and with  
38 reason; and whenever abandoned as guides to the judicial course, the aberration must lead to bewildering  
39 uncertainty and confusion. **Conducted by these principles, consecrated both by time and the**  
40 **obedience of sages, I am brought to the following conclusions: 1st. That by no sound or**  
41 **reasonable interpretation, can a corporation — a mere faculty in law, be transformed**  
42 **into a citizen, or treated as a citizen. 2d. That the second section of the third article of**  
43 **the Constitution, investing the courts of the United States with jurisdiction in**  
44 **controversies between citizens of different States, cannot be made to embrace**  
45 **controversies to which corporations and not citizens are parties; and that the**  
46 **assumption, by those courts, of jurisdiction in such cases, must involve a palpable**  
47 **infraction of the article and section just referred to. 3d. That in the cause before us, the**  
48 **party defendant in the Circuit Court having been a corporation aggregate, created by the**  
49 **State of New Jersey, the Circuit Court could not properly take cognizance thereof; and,**  
50 **therefore, this cause should be remanded to the Circuit Court, with directions that it be**  
51 **dismissed for the want of jurisdiction.**

52 [*Rundle Et Al v. Delaware and Raritan Canal Company, 55 U.S. 80 (1852)*]

53 So, in the CONSTITUTION, corporations or other artificial entities are NOT “citizens”, but under federal STATUTORY law  
54 granting jurisdiction to federal courts, they ARE. And what statutory law is THAT? See 28 U.S.C. §1332:

55 [TITLE 28 > PART IV > CHAPTER 85 > § 1332](#)  
56 [§ 1332. Diversity of citizenship; amount in controversy; costs](#)

57 (a) The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds  
58 the sum or value of \$75,000, exclusive of interest and costs, and is between—

59 (1) citizens of different States;

60 (2) citizens of a State and citizens or subjects of a foreign state;

(3) citizens of different States and in which citizens or subjects of a foreign state are additional parties; and

(4) a foreign state, defined in section 1603 (a) of this title, as plaintiff and citizens of a State or of different States.

[. . .]

(e) The word "States", as used in this section, includes the Territories, the District of Columbia, and the Commonwealth of Puerto Rico.

We can see from the above that the "State" they are talking about is NOT a constitutional state of the Union, but rather is identified in 28 U.S.C. §1332(e) as a federal territory NOT within any state of the Union. All such territories are in fact "corporations":

*At common law, a "corporation" was an "artificial perso[n] endowed with the legal capacity of perpetual succession" consisting either of a single individual (termed a "corporation sole") or of a collection of several individuals (a "corporation aggregate"). 3 H. Stephen, Commentaries on the Laws of England 166, 168 (1st Am. ed. 1845). The sovereign was considered a corporation. See id., at 170; see also 1 W. Blackstone, Commentaries \*467. Under the definitions supplied by contemporary law dictionaries, Territories would have been classified as "corporations" (and hence as "persons") at the time that 1983 was enacted and the Dictionary Act recodified. See W. Anderson, A Dictionary of Law 261 (1893) ("All corporations were originally modeled upon a state or nation"); I. J. Bouvier, A Law Dictionary Adapted to the Constitution and Laws of the United States of America 318-319 (11th ed. 1866) ("In this extensive sense the United States may be termed a corporation"); Van Brocklin v. Tennessee, 117 U.S. 151, 154 (1886) ("The United States is a . . . great corporation . . . ordained and established by the American people") (quoting United [495 U.S. 182, 202] States v. Maurice, 26 F.Cas. 1211, 1216 (No. 15,747) (CC Va. 1823) (Marshall, C. J.)); Cotton v. United States, 11 How. 229, 231 (1851) (United States is "a corporation"). See generally Trustees of Dartmouth College v. Woodward, 4 Wheat. 518, 561-562 (1819) (explaining history of term "corporation"). [Ngiraingas v. Sanchez, 495 U.S. 182 (1990) ]*

Hence, this STATUTORY "State" mentioned in 28 U.S.C. §1332 is obviously a STATUTORY rather than CONSTITUTIONAL "State", and hence a STATUTORY and not CONSTITUTIONAL "citizen". Therefore, a person who claims to be a constitutional citizen or a human being could not partake of the statutory "privilege" granted by the above franchise in 28 U.S.C. §1332. And YES, that is what it is: A franchise, "Congressionally created right", or "public right". All franchises presume that the actors, who are all public officers of "U.S. Inc.", are domiciled upon and therefore citizens of federal territory and NOT a state of the Union. Those who are HUMANS don't need franchises or privileges, and can instead invoke CONSTITUTIONAL diversity instead of STATUTORY diversity of citizenship under Article III, Section 2 to litigate in a CONSTITUTIONAL un-enfranchised court.

The above analysis also clearly explains the following, because you can't be a "citizen" under federal statutory law unless you are domiciled on federal territory not within a CONSTITUTIONAL state of the Union:

*"Domicile and citizen are synonymous in federal courts, Earley v. Hershey Transit Co., D.C. Pa., 55 F.Supp. 981, 982; inhabitant, resident and citizen are synonymous, Standard Stoker Co. v. Lower, D.C.Md., 46 F.2d. 678, 683."*  
[Black's Law Dictionary, 4th Ed., p. 311]

All federal District Courts are Article IV, Section 3, Clause 2 franchise courts that manage government territory, property, and franchises. Federal corporations are an example of such franchises. This is proven with thousands of pages of evidence in the following. Therefore, the ONLY type of "domicile" they could mean above is domicile on federal territory not within any state of the Union.

What Happened to Justice?, Form #06.012

<http://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm>

We also know based on the previous section that corporations are not constitutional citizens, so they can't be "born or naturalized" like a human being. BUT they are "born or naturalized" by other methods to become STATUTORY "citizens" of a particular jurisdiction. For instance:

1. The act of FORMING a corporation gives it "birth", in a legal sense.
2. The place or jurisdiction that the corporation is legally formed becomes the effective civil domicile of that corporation.

"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."

[19 Corpus Juris Secundum, Corporations, §886]

3. A corporation can only be domiciled in ONE place at a time. Hence, it can only be a "citizen" of one jurisdiction at a time. The place where the corporate headquarters is located usually is treated as the effective domicile of the corporation.
4. If a corporation is formed in a specific state of the Union, then it is a statutory but not constitutional citizen in THAT state only and a statutory alien in every OTHER state AND also alien in respect to federal jurisdiction.

"A foreign corporation is one that derives its existence solely from the laws of another state, government, or country, and the term is used indiscriminately, sometimes in statutes, to designate either a corporation created by or under the laws of another state or a corporation created by or under the laws of a foreign country."

"A federal corporation operating within a state is considered a domestic corporation rather than a foreign corporation. The United States government is a foreign corporation with respect to a state."

[19 Corpus Juris Secundum (C.J.S.), Corporations, §883 (2003)]

Whenever you hear a judge or government prosecutor use the word "citizen" in federal court, they really are referring to civil domicile on federal territory not within any state of the Union. They are setting a trap to exploit your legal ignorance using "words of art". If they are referring to your "nationality" rather than whether you are a "citizen", they are referring to CONSTITUTIONAL citizenship and whether you are a "national" under 8 U.S.C. §1101(a)(21). If they ask you whether you are a "citizen" or a "citizen of the United States", you should always respond by asking:

1. Which of the three "United States" defined by the U.S. Supreme Court in [Hooven & Allison Co. v. Evatt, 324 U.S. 652 \(1945\)](#) do you mean?
2. Do you mean my nationality or my domicile in that place?

..and then you should say you are:

1. Domiciled outside the statutory "United States" and therefore a statutory alien in relation to federal jurisdiction.
2. A CONSTITUTIONAL citizen
3. NOT a STATUTORY citizen under any federal statute or regulation, including but not limited to 8 U.S.C. §1401, 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c), all of which are STATUTORY and not CONSTITUTIONAL citizens:

[TITLE 26 > Subtitle C > CHAPTER 21 > Subchapter C > § 3121](#)  
[§ 3121. Definitions](#)

(e) State, United States, and citizen

For purposes of this chapter—

(1) State

The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

**(2) United States [FEDERAL TERRITORY NOT PART OF ANY STATE]**

**The term "United States" when used in a geographical sense includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.**

We should also point out that 18 U.S.C. §911 makes it a CRIME for a constitutional citizen to claim to be the statutory citizen described in 8 U.S.C. §1401.

#### **4.12.14.10 How you help the government terrorists kidnap your legal identity and transport it to "The District of Criminals"**

People who begin as a "constitutional" citizen commonly commit this crime and unwittingly in most cases transform themselves into a privileged "statutory" citizen by performing any one of the following unlawful acts. These unlawful acts



at least make them appear to be a legal “person” under federal law with an effective domicile in the District of Columbia/federal zone and a “SUBJECT citizen”:

- Opening up bank or financial accounts WITHOUT using the proper form, which is an AMENDED IRS Form W-8BEN. If you don’t use this form or a derivative and invoke the protection of the law for your status as a statutory “non-resident non-person” not engaged in a “trade or business”, the financial institution will falsely and prejudicially “presume” that you are both a statutory “U.S. citizen” pursuant to [8 U.S.C. §1401](#) and a “U.S. person” pursuant to [26 U.S.C. §7701\(a\)\(30\)](#). To prevent this problem, see the following article:

*About IRS Form W-8BEN*, Form #04.202  
<http://sedm.org/Forms/FormIndex.htm>

- Filing the WRONG tax form, the IRS Form 1040, rather than the correct 1040NR form. This constitutes an election to become a “resident alien” engaged in a “trade or business”, pursuant to [26 U.S.C. §7701\(b\)\(4\)\(B\)](#) and [26 U.S.C. §6013\(g\)](#) and (h). This can be prevented using the following form, for instance:

*Federal Nonresident Nonstatutory Claim for Return of Funds Unlawfully Paid to the Government-Long*, Form #15.001  
<http://sedm.org/Forms/FormIndex.htm>

- Applying for or accepting a government benefit, privilege, or license, such as Social Security, Medicare, or TANF. This would require them to fill out an SSA Form SS-5. 20 C.F.R. §422.104 requires that only those with a domicile on federal territory and who are therefore statutory “U.S. citizens” or “U.S. permanent residents”, may apply for Social Security. This causes a waiver of sovereign immunity under [28 U.S.C. §1605\(a\)\(2\)](#) and makes you into a “resident alien” who is a “public officer” within the government granting the privilege or benefit. See:

*Government Instituted Slavery Using Franchises*, Form #05.030  
<http://sedm.org/Forms/FormIndex.htm>

- Filling out a federal or state government form incorrectly by describing yourself as a statutory “U.S. citizen” pursuant to [8 U.S.C. §1401](#) rather than a “national but not a citizen” pursuant to [8 U.S.C. §1101\(a\)\(21\)](#) and/or [8 U.S.C. §1452](#). This can be prevented by attaching the following form:

*Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001  
<http://sedm.org/Forms/FormIndex.htm>

- Improperly declaring your citizenship status to a federal court or not declaring it at all. If you describe yourself as a “citizen” or a “U.S. citizen” without further clarification, or if you don’t describe your citizenship at all in court pleadings, then federal courts will self-servingly “presume” that you are a statutory rather than constitutional citizen pursuant to [8 U.S.C. §1401](#) who has a domicile on federal territory. This is also confirmed by the following authorities:

*"The term 'citizen', as used in the Judiciary Act with reference to the jurisdiction of the federal courts, is substantially synonymous with the term 'domicile'. Delaware, L. & W.R. Co. v. Petrowsky, 2 Cir., 250 F. 554, 557."*  
[Earley v. Hershey Transit Co., 55 F.Supp. 981, D.C.PA. (1944)]

*"Domicile and citizen are synonymous in federal courts, Earley v. Hershey Transit Co., D.C. Pa., 55 F.Supp. 981, 982; inhabitant, resident and citizen are synonymous, Standard Stoker Co. v. Lower, D.C.Md., 46 F.2d. 678, 683."*  
[Black's Law Dictionary, Fourth Edition, p. 311]

To prevent this problem, use the following attachment to all the filings in the court:

*Federal Pleading/Motion/Petition Attachment*, Litigation Tool #01.002  
<http://sedm.org/Litigation/LitIndex.htm>

- Accepting public office within the federal government. This causes you to be treated AS IF you are acting in a representative capacity representing the federal corporation called the “United States” as defined in [28 U.S.C. §3002\(15\)\(A\)](#). Pursuant to [Federal Rule of Civil Procedure 17\(b\)](#), you assume the same domicile and citizenship of the party you represent. All corporations are “citizens” with a domicile where they were created, which is the District of Columbia in the case of the federal United States.

*"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."*  
[19 Corpus Juris Secundum, Corporations, §886]

- Failing to rebut false information returns filed against you reflecting nonzero earnings, such as any of the following forms:  
7.1. *Correcting Erroneous IRS Form 1042's*, Form #04.003. See:

<http://sedm.org/Forms/FormIndex.htm>

7.2. *Correcting Erroneous IRS Form 1098's*, Form #04.004. See:

<http://sedm.org/Forms/FormIndex.htm>

7.3. *Correcting Erroneous IRS Form 1099's*, Form #04.005. See:

<http://sedm.org/Forms/FormIndex.htm>

7.4. *Correcting Erroneous IRS Form W-2's*, Form #04.006. See:

<http://sedm.org/Forms/FormIndex.htm>

All of the above information return forms connect you with the “trade or business” franchise pursuant to [26 U.S.C. §6041](#)(a). A “trade or business” is defined in [26 U.S.C. §7701](#)(a)(26) as “the functions of a public office”. Engaging in a “trade or business” makes you into a “resident alien” as defined in [26 U.S.C. §7701](#)(b)(1)(A). See older versions of 26 C.F.R. §301.7701-5 for proof at the link below:

<http://famguardian.org/TaxFreedom/CitesByTopic/Resident-26cfr301.7701-5.pdf>

Later in section 4.12.16 we will describe in detail how to avoid and prevent being DECEIVED or COMPELLED into illegally assuming the STATUTORY CIVIL STATUS of “citizen” or “resident”.

#### 4.12.14.11 Questions you can ask that will expose their deceit and compulsion

*“Be diligent to [investigate and expose the truth for yourself and thereby] present yourself [and the public servants who are your fiduciaries and stewards under the Constitution] approved to God, a worker who does not need to be ashamed, rightly dividing the word [and the deeds] of truth. But shun profane babblings [government propaganda, tyranny, and usurpation] for they will increase to more ungodliness. And their message [and their harmful affects] will spread like cancer [to destroy our society and great Republic].”*  
[2 Tim. 2:15-17, Bible, NKJV]

Our favorite tactic to silence legally ignorant and therefore presumptuous people in PRESUMING that we are incorrect is to simply ask them questions just like Jesus did that will expose their deceit and folly. Below are a few questions you can ask judges and attorneys that they can’t answer in their entirety without contradicting either themselves or the law itself. By forcing them to engage in these contradictions and “cognitive dissonance” you prove indirectly that they are lying, because anyone who contradicts their own testimony is a LIAR. There are many more questions like these at the end of the pamphlet, but these are high level enough to use on the average American to really get them thinking about the subject:

1. If the Declaration of Independence says that ALL just powers of government derive ONLY from our consent and we don’t consent to ANYTHING, then aren’t the criminal laws the ONLY thing that can be enforced against us, since they don’t require our consent to enforce?
2. Certainly, if we DO NOT want “protection” then there ought to be a way to abandon it and the obligation to pay for it, at least temporarily, right?
3. If the word “permanent” in the phrase “permanent allegiance” is in fact conditioned on our consent and is therefore technically NOT “permanent”, as revealed in 8 U.S.C. §1101(a)(31) , can’t we revoke it either temporarily or conditionally as long as we specify the conditions in advance or the specific laws we have it for and those we don’t?

[8 U.S.C. §1101 Definitions](#) [for the purposes of citizenship]

(a) As used in this chapter—

(31) The term “permanent” means a relationship of continuing or lasting nature, as distinguished from temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the instance either of the United States\*\* or of the individual, in accordance with law.

4. If the “citizen of the United States\*\* at birth” under 8 U.S.C. §1401 involves TWO components, being “national” and “citizen”, can’t we just abandon the “citizen” part if we want to and wouldn’t we do that by simply changing our domicile to be outside of federal territory, since civil status is tied to domicile?

*citizen. One who, under the Constitution and laws of the United States[\*\*\*], or of a particular state, is a member of the political community, owing allegiance and being entitled to the enjoyment of full civil [STATUTORY] rights. All persons born or naturalized in the United States[\*\*\*], and subject to the jurisdiction thereof, are citizens of the United States[\*\*\*] and of the state wherein they reside. U.S. Const., 14th Amend. See Citizenship.*

*“Citizens” are members of a political community who, in their associated capacity, have established or submitted themselves to the dominion of a government [by giving up their rights] for the promotion of their*

general welfare and the protection of their individual as well as collective rights. *Herriott v. City of Seattle*, 81 Wash.2d. 48, 500 P.2d. 101, 109.  
[*Black's Law Dictionary, Sixth Edition, p. 244*]

5. If you can't abandon the civil protection of Caesar and the obligation to pay for it, isn't there an unconstitutional taking without compensation of all the PUBLIC rights attached to the statutory status of "citizen" if we do not consent to the status?
6. If the separation of powers does not permit federal civil jurisdiction within states, how could the statutory status of "citizen" carry any federal obligations whatsoever while in a constitutional state?
7. If domicile is what imparts the "force of law" to civil statutes per Federal Rule of Civil Procedure 17 and we don't have a domicile on federal territory, then how could we in turn have any CIVIL status under the laws of Congress?
8. How can the government claim we have an obligation to pay for protection we don't want if it is a maxim of the common law that we may REFUSE to accept a "benefit"?

*"Invito beneficium non datur.*  
*No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent he will be considered as assenting. Vide Assent."*

*Potest quis renunciare pro se, et suis, juri quod pro se introductum est.*  
*A man may relinquish, for himself and his heirs, a right which was introduced for his own benefit. See 1 Bouv. Inst. n. 83.*

*Quilibet potest renunciare juri pro se inducto.*  
*Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83.*  
[*Bouvier's Maxims of Law, 1856;*  
SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>]

9. What if I define what they call "protection" NOT as a "benefit" but an "injury"? Who is the customer here? The CUSTOMER should be the only one who defines what a "benefit" is and only has to pay for it if HE defines it as a "benefit".
10. Is the "citizen" in Title 8 of the U.S. Code the same "citizen" that obligations attach to under Titles 26 and 31? Could Congress have instead created an office and a franchise with the same name of "citizen of the United States" under Title 26, imposed duties upon it, and fooled everyone into thinking it is the same "citizen" as the one in Title 8?
11. If the Bible says that Christians can't consent to anything Caesar does or have contracts with him (Exodus 23:32-33, Judges 2:1-4), then how could I lawfully have any discretionary status under Caesar's laws such as STATUTORY "citizen"? The Bible says I can't have a king above me.

*"Owe no one anything [including ALLEGIANCE], except to love one another; for he who loves his neighbor has fulfilled the law."*  
[*Romans 13:8, Bible, NKJV*]

12. If the Bible says that GOD bought us for a price and therefore OWNS us, then by what authority does Caesar claim ownership or the right to extract "rent" called "income tax" upon what belongs to God? Isn't Caesar therefore simply renting out STOLEN property and laundering money if he charges "taxes" on the use of that which belongs to God?

*"For you were bought [by Christ] at a price [His blood]; therefore glorify God in your body and in your spirit, which are God's [property]."*  
[*1 Cor. 6:20, Bible, NKJV*]

Anyone who can't answer ALL the above questions with answers that don't contradict themselves or the REST of the law is lying to you about citizenship, and probably because they covet your property and benefit commercially from the lie. Our research in answering the above very interesting questions reveals that there is a way to terminate our status as a STATUTORY "citizen" and "customer" without terminating our nationality, but that it is carefully hidden. The results of our search will be of great interest to many. Enjoy.

#### 4.12.14.12 The Hague Convention HIDES the ONE portion that differentiates NATIONALITY from DOMICILE

After World War II, countries got together in the Hague Convention and reached international agreements on the proper treatment of people everywhere. The United States was a party to that international agreement. Within that agreement is the following document:

**The Great  IRS Hoax: Why We Don't Owe Income Tax, version 4.54**

**TOP SECRET:** For Official Treasury/IRS Use Only (FOUO)

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<http://famguardian.org/>

*Hague Convention Relating to the Settlement of the Conflicts Between the Law of Nationality and the Law of Domicile [Anno Domini 1955]*, SEDM Exhibit #01.008

1 Not surprisingly, the above article within the convention was written originally in FRENCH but is NOT available in or  
 2 translated into ENGLISH. Why? Because English speaking governments obviously don't want their inhabitants knowing  
 3 the distinctions between NATIONALITY and DOMICILE and how they interact with each other. The SEDM sister site has  
 4 found a French speaking person to translate the article, got it translated, and posted it at the following location:

*Hague Convention Relating to the Settlement of the Conflicts Between the Law of Nationality and the Law of Domicile [Anno Domini 1955]*, SEDM Exhibit #01.008  
<http://sedm.org/Exhibits/ExhibitIndex.htm>

#### 5 **4.12.14.13 Social Security Administration HIDES your citizenship status in their NUMIDENT records**

6 Your citizenship status is represented in the Social Security NUMIDENT record maintained by the Social Security  
 7 Administration. The field called "CSP" within NUMIDENT contains a one character code that represents your citizenship  
 8 status. Valid CSP values are as follows:

9 **Table 4-42: SSA NUMIDENT CSP Code Values**

#	CSP Code Value	Statutory meaning	Constitutional meaning
1	A	U.S. citizen (per 8 U.S.C. §1401)	None
2	B	Legal Alien Allowed to Work	Alien (foreign national)
3	C	Legal Alien Not Allowed to Work	Alien (foreign national)
4	D	Other	"citizen of the United States****" or "Citizen"

10 This information is DELIBERATELY concealed and obfuscated from public view by the following Social Security policies:

- 11 1. The meaning of the CSP codes is NOT listed in the Social Security Program Operations Manual System (POMS)  
 12 online so you can't find out.  
 13 <https://s044a90.ssa.gov/apps10/poms.nsf/partlist!OpenView>
- 14 2. Employees at the SSA offices are NOT allowed to know and typically DO NOT know what the code means.
- 15 3. If you submit a Freedom Of Information Act (FOIA) request to SSA asking them what the CSP code means, they will  
 16 respond that the values of the codes are CLASSIFIED and therefore UNKNOWABLE by the public. You ARE NOT  
 17 allowed to know WHAT citizenship status they associate with you. See the following negative response:

*Social Security Admin. FOIA for CSP Code Values*, Exhibit #01.011  
<http://sedm.org/Exhibits/ExhibitIndex.htm>

- 18 4. The ONLY option they give you in block 5 entitled "CITIZENSHIP" are the following. They REFUSE to distinguish  
 19 WHICH "United States" is implied in the term "U.S. citizen", and if they told the truth, the ONLY citizen they could  
 20 lawfully mean is a STATUTORY "U.S. citizen" per 8 U.S.C. §1401 and NOT a CONSTITUTIONAL citizen, who is a  
 21 STATUTORY non-resident and non-citizen national in relation to the national government with a foreign domicile:  
 22 4.1. "U.S. citizen"  
 23 4.2. "Legal Alien Allowed to Work"  
 24 4.3. "Legal Alien NOT allowed to Work" (See Instructions on Page 1)  
 25 4.4. "Other" (See instructions on page 1)

26 See:

SSA Form SS-5  
<http://www.famguardian.org/TaxFreedom/Forms/Emancipation/ss-5.pdf>

27 Those who are domiciled outside the statutory "United States\*\*\*\*" or in a constitutional state of the Union and who want to  
 28 correct the citizenship records of the SSA must submit a new SSA Form SS-5 to the Social Security Administration (SSA)  
 29 and check "Other" in Block 5 pursuant to 20 C.F.R. §422.110(a). This changes the CSP code in their record from "A" to  
 30 "B". If you go into the Social Security Office and try to do this, the local offices often will try to give you a run-around with  
 31 the following abusive and CRIMINAL tactics:

- 32 1. When you ask them about the meaning of Block 5, they will refuse to indicate whether the citizenship indicated is a

1 CIVIL/STATUTORY status or a POLITICAL/CONSTITUTIONAL status. It can't be both. It must indicate  
2 NATIONALITY or DOMICILE, but not BOTH.

- 3 2. They will first try to call the national office to ask about your status in Block 5.  
4 3. They will ABSOLUTELY REFUSE to involve you in the call or to hear what is said, because they want to protect the  
5 perpetrators of crime on the other end. Remember, terrorists always operate anonymously and they are terrorists. You  
6 should bring your MP3 voice record, insist on being present, and put the phone on speaker phone, and do EXACTLY  
7 the same thing they do when you call them directly by saying the following:

8 *"This call is being monitored for quality assurance purposes, just like you do to me without my consent ALL THE*  
9 *TIME."*

- 10 4. After they get off the phone, they will refuse to tell you the full legal name of the person on the other end of the call to  
11 protect those who are perpetuating the fraud.  
12 5. They will tell you that they want to send your SSA Form SS-5 to the national office in Baltimore, Maryland, but refuse  
13 to identify EXACTLY WHO they are sending it to, because they don't want this person sued personally as they should  
14 be.  
15 6. The national office will sit on the form forever and refuse to make the change requested, and yet never justify with the  
16 law by what authority they:  
17 6.1. Perpetuate the criminal computer fraud that results from NOT changing it.  
18 6.2. Perpetuate the criminal violation of 18 U.S.C. §911 by NOT changing it.  
19 7. They will allow you to change ANYTHING ELSE on the form without their permission, but if you want to change  
20 your CITIZENSHIP, they essentially interfere with it illegally and criminally.

21 The reason they play all the above obfuscation GAMES and hide or classify information to conceal the GAMES is because  
22 they want to protect what they certainly know are the following CRIMES on their part and that of their employees:

- 23 1. They can't offer federal benefits to CONSTITUTIONAL but not STATUTORY citizens with a domicile outside of  
24 federal territory. If they do, they would be criminally violating 18 U.S.C. §911.  
25 2. They can't pay public monies to PRIVATE parties, and therefore you CANNOT apply with the SS-5 for a "benefit"  
26 unless you are a public officer ALREADY employed with the government. If they let PRIVATE people apply they are  
27 conspiring to commit the crime of impersonating a public officer in violation of 18 U.S.C. §912.  
28 3. They aren't allowed to offer or enforce any government franchise within the borders of a Constitutional but not  
29 STATUTORY state of the Union, as held by the U.S. Supreme Court, so they have to make you LOOK like a  
30 STATUTORY citizen, even though you aren't, in order to expand their Ponzi Scheme outside their GENERAL  
31 jurisdiction and into legislatively foreign states.

32 *"Congress cannot authorize [LICENSE, using a de facto license number called a "Social Security Number"] a*  
33 *trade or business within a State in order to tax it."*  
34 *[License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866)]*

35 The only status a state domiciled CONSTITUTIONAL but not STATUTORY citizen can put on the form is "Other" or "Legal  
36 [STATUTORY] Alien Allowed to Work". The instructions say following about "Other" option:

37 *"If you check "Other", you need to provide proof that you are entitled to a federally-funded benefit for which*  
38 *Social Security number is required as a condition for you to receive payment."*

39 In answer to the above query in connection with the "Other" option, we suggest:

40 *"DO NOT seek any federally funded benefit. I want a NONtaxpayer number that entitles me to ABSOLUTELY*  
41 *NOTHING as a NONRESIDENT not subject to federal law and NOT qualified to receive benefits of any kind. I*  
42 *am only applying because:*

43 *1. I am being illegally compelled to use a number I know I am not qualified to ask for.*

44 *2. The number was required as a precondition condition of PRIVATE employment or opening an PRIVATE*  
45 *financial account by a NONRESIDENT ALIEN who is NOT a "U.S. citizen" or "U.S. person" and who is NOT*  
46 *required to have or use such a number by 31 C.F.R. §306.10, 31 C.F.R. §103.34(a)(3)(x), and IRS Pub. 515.*

I ask that you criminally prosecute them for doing so AND provide a statement on SSA letterhead indicating that I am NOT eligible that I can show them. Furthermore, if you do have any numbers on file connected with my name, I ask that they be rescinded permanently from your records."

Then you may want to attach the following forms to the application to ENSURE that they reject your application and TELL you that you are NOT eligible so you can show it to the person who is COMPELLING you to use a number:

1. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001  
<http://sedm.org/Forms/FormIndex.htm>
2. *Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number"*, Form #04.205  
<http://sedm.org/Forms/FormIndex.htm>

#### 4.12.14.14 "Citizenship" in federal court implies Domicile on federal territory not within any state

The following legal authorities conclusively establish that the terms "citizen", "citizenship", and "domicile" are synonymous in federal courts. They validate all of the above conclusive presumptions that government employees, officers, and judges habitually make when you appear before them or submit a government form to them, unless you specify or explain otherwise. Government employees, officers, and judges just HATE to discuss or document these presumptions, which is why authorities to prove their existence are so difficult to locate.

*"Domicile and citizen are synonymous in federal courts.* *Earley v. Hershey Transit Co., D.C. Pa., 55 F.Supp. 981, 982; inhabitant, resident and citizen are synonymous, Standard Stoker Co. v. Lower, D.C.Md., 46 F.2d. 678, 683.*"  
[*Black's Law Dictionary, Fourth Edition, p. 311*]

*The terms "citizen" and "citizenship" are distinguishable from "resident" or "inhabitant." Jeffcott v. Donovan, C.C.A.Ariz., 135 F.2d. 213, 214; and from "domicile," Wheeler v. Burgess, 263 Ky. 693, 93 S.W.2d. 351, 354; First Carolinas Joint Stock Land Bank of Columbia v. New York Title & Mortgage Co., D.C.S.C., 59 F.2d. 350, 351. **The words "citizen" and citizenship," however, usually include the idea of domicile, Delaware, L. & W.R. Co. v. Petrowsky, C.C.A.N.Y., 250 F. 554, 557;** citizen inhabitant and resident often synonymous, Jonesboro Trust Co. v. Nutt, 118 Ark. 368, 176 S.W. 322, 324; Edgewater Realty Co. v. Tennessee Coal, Iron & Railroad Co., D.C.Md., 49 F.Supp. 807, 809; and citizenship and domicile are often synonymous. *Messick v. Southern Pa. Bus Co., D.C.Pa., 59 F.Supp. 799, 800.*  
[*Black's Law Dictionary, Fourth Edition, p. 310*]*

*"Citizenship and domicile are substantially synonymous. Residency and inhabitation are too often confused with the terms and have not the same significance. Citizenship implies more than residence. It carries with it the idea of identification with the state and a participation in its functions. As a citizen, one sustains social, political, and moral obligation to the state and possesses social and political rights under the Constitution and laws thereof. Harding v. Standard Oil Co. et al. (C.C.) 182 F. 421; Baldwin v. Franks, 120 U.S. 678, 7 S.Ct. 763, 32 L.Ed. 766; Scott v. Sandford, 19 How. 393, 476, 15 L.Ed. 691."*  
[*Baker v. Keck, 13 F.Supp. 486 (1936)*]

*"The term 'citizen', as used in the Judiciary Act with reference to the jurisdiction of the federal courts, is substantially synonymous with the term 'domicile': Delaware, L. & W.R. Co. v. Petrowsky, 2 Cir., 250 F. 554, 557."*  
[*Earley v. Hershey Transit Co., 55 F.Supp. 981, D.C.PA. (1944)*]

No person, may be compelled to choose a domicile or residence ANYWHERE. By implication, no one but you can commit yourself to being a "citizen" or to accepting the responsibilities or liabilities that go with it.

*"The rights of the individual are not derived from governmental agencies, either municipal, state or federal, or even from the Constitution. They exist inherently in every man, by endowment of the Creator, and are merely reaffirmed in the Constitution, and restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government.* *The people's rights are not derived from the government, but the government's authority comes from the people.\*946 The Constitution but states again these rights already existing, and when legislative encroachment by the nation, state, or municipality invade these original and permanent rights, it is the duty of the courts to so declare, and to afford the necessary relief. The fewer restrictions that surround the individual liberties of the citizen, except those for the preservation of the public health, safety, and morals, the more contented the people and the more successful the democracy."*  
[*City of Dallas v Mitchell, 245 S.W. 944 (1922)*]

*"Citizenship" and "residence", as has often been declared by the courts, are not convertible terms. ... "The better opinion seems to be that a citizen of the United States is, under the amendment [14th], prima facie a citizen of the state wherein he resides, cannot arbitrarily be excluded therefrom by such state, but that he does not become*

a citizen of the state against his will, and contrary to his purpose and intention to retain an already acquired citizenship elsewhere. The amendment [14th] is a restraint on the power of the state, but not on the right of the person to choose and maintain his citizenship or domicile”.

[Sharon v. Hill, 26 F. 337 (1885)]

Since “citizen”, “citizenship”, and “domicile” are all synonymous, then you can only be a “citizen” in ONE place at a time. This is because you can only have a “domicile” in one place at a time.

“domicile. A person's legal home. That place where a man has his true, fixed, and permanent home and principal establishment, and to which whenever he is absent he has the intention of returning. Smith v. Smith, 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and the intention to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he intends to return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.”

[Black's Law Dictionary, Sixth Edition, p. 485]

The implications of this revelation are significant. It means that in relation to the state and federal governments and their mutually exclusive territorial jurisdictions, you can only be a statutory “citizen” of one of the two jurisdictions at a time. Whichever one you choose to be a “citizen” of, you become a “national but not a citizen” in relation to the other. You can therefore be subject to the civil laws of only one of the two jurisdictions at a time. Whichever one of the two jurisdictions you choose your domicile within becomes your main source of protection.

Choice of domicile is an act of political affiliation protected by the First Amendment prohibition against compelled association:

*Just as there is freedom to speak, to associate, and to believe, so also there is freedom not to speak, associate, or believe. “The right to speak and the right to refrain from speaking [on a government tax return, and in violation of the Fifth Amendment when coerced, for instance] are complementary components of the broader concept of 'individual freedom of mind.' Wooley v. Maynard, [430 U.S. 703] (1977). Freedom of conscience dictates that no individual may be forced to espouse ideological causes with which he disagrees:*

*“[A]t the heart of the First Amendment is the notion that the individual should be free to believe as he will, and that in a free society one's beliefs should be shaped by his mind and by his conscience rather than coerced by the State [through illegal enforcement of the revenue laws].” Abood v. Detroit Board of Education [431 U.S. 209] (1977)*

Freedom from compelled association is a vital component of freedom of expression. Indeed, freedom from compelled association illustrates the significance of the liberty or personal autonomy model of the First Amendment. As a general constitutional principle, it is for the individual and not for the state to choose one's associations and to define the persona which he holds out to the world.

[First Amendment Law, Barron-Dienes, West Publishing, ISBN 0-314-22677-X, pp. 266-267]

#### 4.12.14.15 How you unknowingly volunteered to become a “citizen of the United States” under federal statutes

Armed with the knowledge that “U.S. citizen” status under federal statutes and “acts of Congress” is *entirely voluntary*, let’s now examine the federal government’s definition of the term “naturalization” to determine at what point we “volunteered”:

8 U.S.C. §1101(a)(23) naturalization defined

*(a)(23) The term "naturalization" means the conferring of nationality [NOT "citizenship" or "U.S. citizenship", but "nationality", which means "national"] of a state upon a person after birth, by any means whatsoever.*

And here is the definition in Black’s Law Dictionary, Sixth Edition, p. 1026 of *naturalization*:

*Naturalization. The process by which a person acquires nationality [not citizenship, but nationality] after birth and becomes entitled to the privileges of U.S. citizenship. 8 U.S.C.A. §1401 et seq..*

*In the United States collective naturalization occurs when designated groups are made citizens by treaty (as Louisiana Purchase), or by a law of Congress (as in annexation of Texas and Hawaii). Individual naturalization must follow certain steps: (a) petition for naturalization by a person of lawful age who has been a lawful resident of the United States for 5 years; (b) investigation by the Immigration and Naturalization Service to determine whether the applicant can speak and write the English language, has a knowledge of the fundamentals of*

American government and history, is attached to the principles of the Constitution and is of good moral character; (c) hearing before a U.S. District Court or certain State courts of record; and (d) after a lapse of at least 30 days a second appearance in court when the oath of allegiance is administered.  
[Black's Law Dictionary, Sixth Edition, p. 1026]

Hmmm. Well then, if you were a foreigner who was “naturalized” to become a “national” (and keep in mind that all of America is mostly a country of immigrants), then some questions arise:

1. At what point did you become a STATUTORY “U.S. citizen” under federal law, because “naturalization” didn’t do it?
2. By what means did you inform the government of your “informed choice” in this voluntary process?

The answer is that when you applied for a passport or registered to vote or participated in jury duty, the government asked you whether you were a “U.S. citizen” and you lied by saying “YES”. In effect, although you never made an informed choice to surrender your sovereign status as a “national” to become a “U.S. citizen”, you created a “presumption” on their part that you were a “U.S. citizen” just because of the erroneous paperwork you sent them which they can later use as evidence in court to prove you are a “U.S. citizen”. Even worst, they ENCOURAGED you to make it erroneous because of the way they designed the forms by not even giving you a choice on the form to indicate that you were a “national” instead of a “U.S. citizen”! By you checking the “U.S. citizen” block on their rigged forms, that is all the evidence they needed to conclude, incorrectly and to their massive financial benefit I might add, that you were a “U.S. citizen” who was “completely subject to the jurisdiction” of the United States. BAD IDEA!

Technically and lawfully, the federal government does not have the lawful authority to confer statutory “citizen of the United States\*\*\*” status upon a person born inside a Union state on land that is not part of the federal zone and domiciled there. If they did, they would be “sheep poachers” who were stealing citizens from the Union states and depriving those states of control over persons born within their jurisdiction. This is so because “citizen of the United States\*\*\*” status is superior and dominant over state citizenship according to the Supreme Court in the *Slaughter-House Cases*, 83 U.S. 36 (1873):

*“The first of these questions is one of vast importance, and lies at the very foundations of our government. The question is now settled by the fourteenth amendment itself, that citizenship of the United States is the primary citizenship in this country; and that State citizenship is secondary and derivative, depending upon citizenship of the United States and the citizen’s place of residence. The States have not now, if they ever had, any power to restrict their citizenship to any classes or persons. A citizen of the United States has a perfect constitutional right to go to and reside in any State he chooses, and to claim citizenship therein, [83 U.S. 36, 113] and an equality of rights with every other citizen; and the whole power of the nation is pledged to sustain him in that right. He is not bound to cringe to any superior, or to pray for any act of grace, as a means of enjoying all the rights and privileges enjoyed by other citizens. And when the spirit of lawlessness, mob violence, and sectional hate can be so completely repressed as to give full practical effect to this right, we shall be a happier nation, and a more prosperous one than we now are. Citizenship of the United States ought to be, and, according to the Constitution, is, a sure and undoubted title to equal rights in any and every States in this Union, subject to such regulations as the legislature may rightfully prescribe. If a man be denied full equality before the law, he is denied one of the essential rights of citizenship as a citizen of the United States.”*  
[*Slaughter-House Cases*, 83 U.S. 36 (1873)]

Therefore, persons born in the Union states but outside the federal zone (federal areas or enclaves within the states) must be naturalized technically in order to become “citizens of the United States”. However, the rules for naturalization in the case of federal citizenship are so lax and transparent that people are fooled into thinking they always were “citizens of the United States”! Whenever you fill out a passport or voter registration form and claim you are a “citizen of the United States” or a “U.S. citizen”, for instance, even if you technically weren’t because you weren’t born inside the federal zone, then you have effectively and formally “naturalized” yourself into federal citizenship and given the government evidence admissible under penalty of perjury proving that you are a federal serf and slave!

I therefore like to think of the term “U.S. citizen” used by the Internal Revenue Service and the Internal Revenue Code as being like the sign that your enemies taped on your back in grammar school without you knowing which said “HIT ME!”, and the only people who can see the sign or understand what it means are those who work for the government and the IRS and the legal profession! Your own legal ignorance is the only reason that you don’t know that you have this sign on your back.

#### 4.12.14.16 How to prevent being deceived or compelled to assume the civil status of “citizen”

If you would like tools to prevent all of the above types of gamesmanship by corrupt judges and government prosecutors and bureaucrats, please see:

**The Great  IRS Hoax: Why We Don't Owe Income Tax, version 4.54**

**TOP SECRET: For Official Treasury/IRS Use Only (FOUO)**

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<http://famguardian.org/>



1. Citizenship, Domicile, and Tax Status Options, Form #10.003. Provide during depositions and discovery.  
<http://sedm.org/Forms/FormIndex.htm>
2. Federal Pleading/Motion/Petition Attachment, Litigation Tool #01.002. Attach to pleadings filed in federal court.  
<http://sedm.org/Litigation/LitIndex.htm>
3. Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001. Attach to all government forms you are compelled to fill out.  
<http://sedm.org/Forms/FormIndex.htm>
4. Tax Form Attachment, Form #04.201. Attach to all tax forms you are required to fill out.  
<http://sedm.org/Forms/FormIndex.htm>

#### 4.12.14.17 Misapplication of Statutory diversity of citizenship or federal jurisdiction to state citizens

Diversity of citizenship describes methods for invoking jurisdiction of federal court for controversies involving people not in the same state or country. Just like citizenship, there are TWO types of diversity of citizenship: CONSTITUTIONAL and STATUTORY. Choice of forum to hear diversity cases is either WITHIN the courts of the plaintiff's home state or in federal court. State courts can hear cases involving diverse parties under the authority of their respective Longarm Statutes and the Minimum Contacts Doctrine described in *International Shoe Co. v. Washington*, 326 U.S. 310 (1945).

Procedures for removal from state to federal court are codified in 28 U.S.C. §§1441 through 1452. Generally speaking, STATUTORY diversity of citizenship is a statutory privilege rather than a CONSTITUTIONAL right.<sup>217</sup> One should avoid PRIVILEGES because they DESTROY or undermine constitutional rights. We refer to such PRIVILEGES as franchises. See:

Government Instituted Slavery Using Franchises, Form #05.030  
<http://sedm.org/Forms/FormIndex.htm>

A common method of confusing CONSTITUTIONAL citizens with STATUTORY citizens is to falsely and unconstitutionally PRESUME that STATUTORY diversity of citizenship provisions of 28 U.S.C. §1332 and CONSTITUTIONAL diversity of citizenship found in Article III, Section 2 are equivalent. In fact, they are NOT equivalent and are mutually exclusive. We alluded to this earlier in section 5.1.4.1 under item 8. In fact:

1. STATUTORY and CONSTITUTIONAL diversity are NOT equal and in fact are mutually exclusive because they rely on DIFFERENT geographical definitions for "State" and "United States".
2. The following authorities on choice of law limit the application of federal statutes to those domiciled in the geographical "United States\*\*", meaning federal territory not within the exclusive jurisdiction of any state.
  - 2.1. Federal Rule of Civil Procedure 17.
  - 2.2. The Rules of Decision Act, 28 U.S.C. §1652.
  - 2.3. 40 U.S.C. §3111-3112.
  - 2.4. The geographical definitions of "United States" found in the Internal Revenue Code at 26 U.S.C. §§7701(a)(9) and (a)(10) and 4 U.S.C. §110(d).
  - 2.5. The geographical definitions of "United States" found in the Social Security Act at 42 U.S.C. §1301(a)(1) and (a)(2).
  - 2.6. The U.S. Supreme Court.

*"It is no longer open to question that the general government, unlike the states, Hammer v. Dagenhart, 247 U.S. 251, 275, 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918E 724, possesses no inherent power in respect of the internal affairs of the states; and emphatically not with regard to legislation.  
[Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)]*

*"The difficulties arising out of our dual form of government and the opportunities for differing opinions concerning the relative rights of state and national governments are many; but for a very long time this court has steadfastly adhered to the doctrine that the taxing power of Congress does not extend to the states or their political subdivisions. The same basic reasoning which leads to that conclusion, we think, requires like limitation upon the power which springs from the bankruptcy clause. *United States v. Butler, supra.*"*

<sup>217</sup> See *Adams v. Charter Communications VII, LLC*, 356 F.Supp.2d. 1268, 1271 (M.D. 2005); see also *Landman v. Borough of Bristol*, 896 F.Supp. 406, 409 (E.D. Pa. 1995)("Because courts strictly construe the removal statutes, the parties must meticulously comply with the requirements of the statute to avoid remand.")

[Ashton v. Cameron County Water Improvement District No. 1, [298 U.S. 513](#); 56 S.Ct. 892 (1936)]

3. The STATUTORY definition of “State” in 28 U.S.C. §1332(e) is a federal territory.

28 U.S. Code § 1332 - Diversity of citizenship; amount in controversy; costs

(e) The word “States”, as used in this section, includes the Territories, the District of Columbia, and the Commonwealth of Puerto Rico.

4. The definition of “State” in the CONSTITUTION is a State of the Union and NOT federal territory.

It is sufficient to observe in relation to these three fundamental instruments [Articles of Confederation, the United States Constitution, and the Treaty of Peace with Spain], that it can nowhere be inferred that the \*251 territories were considered a part of the United States. The Constitution was created by the people of the United States, as a union of states, to be governed solely by representatives of the states; and even the provision relied upon here, that all duties, imposts, and excises shall be uniform ‘throughout the United States,’ is explained by subsequent provisions of the Constitution, that ‘no tax or duty shall be laid on articles exported from any state,’ and ‘no preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to or from one state be obliged to enter, clear, or pay duties in another.’ In short, the Constitution deals with states, their people, and their representatives.

[. . .]

“The earliest case is that of *Hepburn v. Ellzey*, 2 Cranch, 445, 2 L.Ed. 332, in which this court held that, under that clause of the Constitution limiting the jurisdiction of the courts of the United States to controversies between citizens of different states, a citizen of the District of Columbia could not maintain an action in the circuit court of the United States. It was argued that the word ‘state,’ in that connection, was used simply to denote a distinct political society. ‘But,’ said the Chief Justice, ‘as the act of Congress obviously used the word ‘state’ in reference to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is a state in the sense of that instrument. The result of that examination is a conviction that the members of the American confederacy only are the states contemplated in the Constitution . . . and excludes from the term the signification attached to it by writers on the law of nations.’ This case was followed in *Barney v. Baltimore*, 6 Wall. 280, 18 L.Ed. 825, and quite recently in *Hooe v. Jamieson*, 166 U.S. 395, 41 L.Ed. 1049, 17 Sup.Ct.Rep. 596. The same rule was applied to citizens of territories in *New Orleans v. Winter*, 1 Wheat. 91, 4 L.Ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it was said that ‘neither of them is a state in the sense in which that term is used in the Constitution.’ In *Scott v. Jones*, 5 How. 343, 12 L.Ed. 181, and in *Miners’ Bank v. Iowa ex rel. District Prosecuting Attorney*, 12 How. 1, 13 L.Ed. 867, it was held that under the judiciary act, permitting writs of error to the supreme court of a state in cases where the validity of a state statute is drawn in question, an act of a territorial legislature was not within the contemplation of Congress.” [Downes v. Bidwell, [182 U.S. 244](#) (1901)]

5. Corrupt government actors try to increase this confusion to illegally expand their jurisdiction by dismissing diversity cases where only diversity of RESIDENCE (domicile) is implied, instead insisting on “diversity of CITIZENSHIP” and yet REFUSING to define whether they mean DOMICILE or NATIONALITY when the term “CITIZENSHIP” is invoked. See *Lamm v. Bekins Van Lines, Co.*, 139 F.Supp.2d. 1300, 1314 (M.D. Ala. 2001)(“To invoke removal jurisdiction on the basis of diversity, a notice of removal must distinctly and affirmatively allege each party’s citizenship.”, “[a]verments of residence are wholly insufficient for purposes of removal.”, “[a]lthough ‘citizenship’ and ‘residence’ may be interchangeable terms in common parlance, the existence of citizenship cannot be inferred from allegations of residence alone.”).

One publication about removal from state court to federal court says the following on the subject of removals. Notice they refer to “citizen” and “resident” as “terms of art”, meaning terms that do not have the “ordinary meaning” but only that SPECIFICALLY identified in the statutes themselves:

**4. Take care with terms of art in diversity removal allegations**

A. Terms of art: “Citizen” versus “resident”

The burden falls on the removing party to prove complete diversity.<sup>23</sup> “The allegations must show that the citizenship of each plaintiff is different from that of each defendant.”<sup>24</sup> Some courts have found that the requisite specificity is lacking where a party alleges residency instead of citizenship.<sup>25</sup> In fact, such courts have held that “[a]verments of residence are wholly insufficient for purposes of removal.”<sup>26</sup> The reason enunciated by the courts for such a holding is that “[a]lthough ‘citizenship’ and ‘residence’ may be interchangeable terms in common parlance, the existence of citizenship cannot be inferred from allegations of residence alone.”<sup>27</sup> Simply put, in a

diversity removal, it may not be enough to allege only the residence of party; instead, the wiser practice for the party attempting to establish federal jurisdiction is to allege the citizenship of the diverse parties.<sup>28</sup>

#### B. Conclusory allegations of citizenship

Similarly, some courts take the position that merely alleging that an action is between citizens of different states is insufficient to establish that the parties are diverse for the purposes of supporting a diversity removal; instead, “specific facts must have been alleged so that [a] Court itself will be able to decide whether such jurisdiction exists.<sup>29</sup> Consequently, conclusory assertions that diversity of citizenship exists without accompanying factual support about a parties’ citizenship as opposed to residency may result in remand.<sup>30</sup> For example, where the removing party states only the residence of an allegedly diverse party, and fails to include allegations regarding an allegedly diverse parties’ citizenship, that failure has been used to justify remand.<sup>31</sup> The safer practice is for a removing party to allege diversity of citizenship and to specify in its removal documents the factual basis supporting the allegation that the parties are in fact diverse.

[A Primer on Removal: Don’t Leave State Court Without It, Gregory C. Cook, A. Kelly Brennan;  
SOURCE: <http://www.balch.com/files/Publication/992723a2-ea1b-4cb8-9cb8-01287d8ca796/Presentation/PublicationAttachment/416c40d8-6d9d-4ce0-a4d8-0a4830a78300/Removal%20Article.pdf>]

<sup>23</sup> *Lamm v. Bekins Van Lines, Co.*, 139 F.Supp.2d. 1300, 1314 (M.D. Ala. 2001)(“To invoke removal jurisdiction on the basis of diversity, a notice of removal must distinctly and affirmatively allege each party’s citizenship.”)(citing *McGovern v. American Airlines, Inc.*, 511 F.2d. 653, 654 (5th Cir. 1975)(per curiam)).

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *Wenger v. Western Reserve Life Assur. Co.*, 570 F.Supp. 8, 10 (M.D. Tenn. 1983)(citing *Realty Holding Co. v. Donaldson*, 268 U.S. 398, 399 (1925), *Neel v. Pennsylvania Co.*, 157 U.S. 153 (1895)).

<sup>27</sup> See, e.g., *Johnson, supra*, note 19 (remanding case due to removing parties failure to allege citizenship in case removed on diversity jurisdiction grounds and holding allegation of residence was insufficient to evidence citizenship).

<sup>28</sup> *J.C. Whitney & Co. v. Renaissance Software Corp.*, 98 F.Supp.2d. 981 (N.D. Ill. 2000)(“allegations of residence are insufficient to establish diversity jurisdiction”).

<sup>29</sup> *Id.*

<sup>30</sup> *Nasco, Inc. v. Norsworthy*, 785 F.Supp. 707 (M.D. Tenn. 1992). In *Nasco*, the United States District Court for the Middle District of Tennessee remanded an action to state court where the defendants failed to adequately allege citizenship as opposed to residency. *Id.* In *Nasco*, the defendants made the conclusory allegation that complete diversity of citizenship among the parties existed. *Id.* at 709. However, the defendants’ factual assertions related only to the residency, not citizenship. *Id.* The Court remanded the action and stated that “[a]llegations of residence are wholly insufficient for purposes of removal.” *Id.* (quoting *Wenger v. Western Reserve Life Assurance Co. of Ohio*, 570 F.Supp. 8, 10 (M.D. Tenn. 1983)).

Similarly, the United States Court of Appeals for the Eleventh Circuit agrees that the failure to properly list citizenship in a removal petition is fatal to removal and warrants remand. *Rolling Greens MHP, L.P. v. Comcast SCH Holdings LLC*, 374 F.3d. 1020 (11th Cir. 2004)(affirming district court’s order remanding action due to defendant’s failure to properly allege the citizenship of the parties in removal petition); cf. *Ervast v. Flexible Products, Co.*, 346 F.3d. 1007 (refusing to exercise jurisdiction on basis of diversity where defendant failed to plead basis in removal petition).

<sup>31</sup> *Johnson, supra*, note 19.

To eliminate the confusion of the STATUTORY and CONSTITUTIONAL context for citizenship terms in diversity of citizenship cases, we have prepared the following table. It eliminates the confusion by taking both DOMICILE and

- 1 NATIONALITY into account, and it shows the corresponding authorities from which jurisdiction derives in each case. It is
- 2 a work in progress subject to continual improvement because of the complexity of researching the subject:

1 Table 4-43: Permutations of diversity of citizenship

#	Party 1 to lawsuit		Party 2 to lawsuit		State/Territory jurisdiction?	Federal Jurisdiction?	Choice of law/laws to be enforced	Notes
	Name	Condition	Name	Condition				
1	State citizen	Domiciled in SAME constitutional "State" as Party 2.	State citizen	Domiciled in SAME constitutional "State" as Party 1.	State has jurisdiction under common law	No jurisdiction	State law only	
2	State citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 2	State citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 1	No jurisdiction	Federal government has subject matter diversity jurisdiction under Article III, Section 2. No jurisdiction under 28 U.S.C. §1332.	State law only in most cases. Federal law if a constitutional tort and remedy is provided by statutes.	Includes constitutional torts pers Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971)
3	State citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 2	American national	Domiciled abroad	No jurisdiction	No jurisdiction. Party 2 is stateless.		Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989)
4	State citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 2	Territorial citizen	Domiciled in a statutory "State" OTHER than Party 1	No jurisdiction	No jurisdiction		
5	State citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 2	Foreign national domiciled abroad	Domiciled abroad	No jurisdiction	Jurisdiction under 28 U.S.C. §1332(a)(2) .	State law only. No federal law.	Alienage jurisdiction. Cook v. Tait, 265 U.S. 47 (1924) tries to unconstitutionally circumvent this limitation for tax matters.
6	State citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 2	Foreign national	Domiciled in a constitutional state	No jurisdiction	Federal government has subject matter diversity jurisdiction under Article III, Section 2. No jurisdiction under 28 U.S.C. §1332.	State law only. No federal law.	Alienage jurisdiction.
7	State citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 2	Foreign national	Domiciled in a territory or possession	No jurisdiction	Federal government has diversity jurisdiction under Article III, Section 2. No jurisdiction under 28 U.S.C. §1332.		Alienage jurisdiction.
8	Territorial citizen	Domiciled in SAME statutory "State" as Party 2.	Territorial citizen	Domiciled in SAME statutory "State" as Party 1	Territory has jurisdiction	None	Territory's laws only. No federal law	
9	Territorial citizen	Domiciled in a statutory "State" OTHER than Party 2	Territorial citizen	Domiciled in a statutory "State" OTHER than Party 1	No jurisdiction	Federal government has diversity jurisdiction under 28 U.S.C. §1332.	Territory's laws only. No federal law	
10	Territorial citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 2	American national	Domiciled abroad	No jurisdiction	No jurisdiction. Party 2 is stateless.		Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989)

#	Party 1 to lawsuit		Party 2 to lawsuit		State/Territory jurisdiction?	Federal Jurisdiction?	Choice of law/ laws to be enforced	Notes
	Name	Condition	Name	Condition				
11	Territorial citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 2	State citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 1	No jurisdiction	No jurisdiction		
12	Territorial citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 2	Foreign national domiciled abroad	Domiciled abroad	No jurisdiction	No jurisdiction if Party 2 is stateless. Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989) (Party 2 is a stateless person)		Alienage jurisdiction. Cook v. Tait, 265 U.S. 47 (1924) tries to unconstitutionally circumvent this limitation for tax matters.
13	Territorial citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 2	Foreign national	Domiciled in a constitutional state	No jurisdiction	No jurisdiction		Alienage jurisdiction.
14	Territorial citizen	Domiciled in a constitutional but not statutory "State" OTHER than Party 2	Foreign national	Domiciled in a territory or possession	No jurisdiction	Federal government has diversity jurisdiction under 28 U.S.C. §1332.	Territory's laws only. No federal law	Alienage jurisdiction.

**NOTES:**

1. "State citizen", as used in the above table, is a human being born in a constitutional but not statutory "State" and "residing" there under the Fourteenth Amendment, Section 1. To "reside" as used in the Fourteenth Amendment has been held to mean to be civilly DOMICILED there rather than merely physically present. "Territorial citizen", as used in the above table, is a human being born in a federal territory or an federal corporation created under the laws of Congress.
  - 1.1. It includes 8 U.S.C. §1401 STATUTORY "U.S. citizens" described in 26 C.F.R. §1.1-1(c).
  - 1.2. It includes "non-citizen nationals" from U.S. possessions defined in 8 U.S.C. §1408.
  - 1.3. It includes artificial entities as well, because all federally chartered corporations are deemed to be STATUTORY but not CONSTITUTIONAL citizens of the national government domiciled on federal territory.
2. "Foreign national", as used in the above table, is a human being
  - 2.1. Born in a foreign country. That human was born in neither a CONSTITUTIONAL state of the Union nor a territory or possession of the United States.
  - 2.2. Born in a CONSTITUTIONAL state but domiciled abroad and not engaged in a public office in the national government. Also called a "stateless person" by the U.S. Supreme Court. Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989).
3. "American national" as used above means someone born or naturalized in either a constitutional state or a federal territory or possession. American nationals domiciled abroad cannot sue in federal court under diversity of citizenship.

*"Partnerships which have American partners living abroad pose a special problem. In order to be a citizen of a State within the meaning of the diversity statute, a natural person must be both a citizen of the United States and be domiciled within the State." Newman-Green, Inc. v. Alfonzo-Larrain, 490 U.S. 826, 828, 109 S.Ct. 2218, 104 L.Ed.2d. 893 (1989). An American citizen domiciled abroad, while being a citizen of the United States is, of course, not domiciled in a particular state, and therefore such a person is "stateless" for purposes of diversity jurisdiction. See id. Thus, American citizens living abroad cannot be sued (or sue) in federal court based on diversity jurisdiction as they are neither "citizens of a State," see 28 U.S.C. §1332(a)(1), nor "citizens or subjects of a foreign state," see id. § 1332(a)(2). See Newman-Green, 490 U.S. at 826, 109 S.Ct. 2218."*  
 [Swiger v. Allegheny Energy, Inc., 540 F.3d. 179 (3rd Cir., 2008)]

- 1 4. When determining diversity jurisdiction, the civil or political status of a litigant, including nationality and domicile, is determined by his/her status at the time the  
2 suit is filed, not at the time the injury claimed occurred. [Smith v. Sperling, 354 U.S. 91, 93 n.1, 77 S.Ct. 1112, 1113 n.1, 1 L.Ed.2d. 1205 \(1957\)](#).
- 3 5. A human being is deemed to be a citizen of the state where she is domiciled. See Gilbert v. David, 235 U.S. 561, 569, [35 S.Ct. 164](#), 59 L.Ed. 360 (1915).
- 4 6. A corporation is a citizen both of the state where it is incorporated and of the state where it has its principal place of business. 28 U.S.C. §1332(c). Swiger v.  
5 Allegheny Energy, Inc., 540 F.3d. 179 (3rd Cir., 2008).
- 6 7. Those not domiciled in a constitutional state, even if physically present there, are not “citizens of the United States” under the auspices of the Fourteenth  
7 Amendment, Section 1. Rather, they are “non-resident non-persons” in respect to federal jurisdiction and “nationals of the United States\*\*\* OF AMERICA” who  
8 are not statutory “citizens of the United States\*\*\*” identified ANYWHERE in any act of congress, including 8 U.S.C. §1401. This is because the term “reside” in  
9 the Fourteenth Amendment, Section 1, has been held to mean DOMICILE and not mere physical presence. See section 4.9.4 earlier.
- 10 8. Partnerships and other unincorporated associations, unlike corporations, are not considered "citizens" as that term is used in the diversity statute. [See Carden v.](#)  
11 [Arkoma Assocs., 494 U.S. 185, 187-92, 110 S.Ct. 1015, 108 L.Ed.2d. 157 \(1990\)](#) (holding that a limited partnership is not a citizen under the jurisdictional statute);  
12 see also [Lincoln Prop. Co. v. Roche, 546 U.S. 81, 84 n. 1, 126 S.Ct. 606, 163 L.Ed.2d. 415 \(2005\)](#) ("[F]or diversity purposes, a partnership entity, unlike a  
13 corporation, does not rank as a citizen[.]"); [United Steelworkers of Am. v. Bouligny, 382 U.S. 145, 149-50, 86 S.Ct. 272, 15 L.Ed.2d. 217 \(1965\)](#) (holding that a  
14 labor union is not a citizen for purposes of the jurisdictional statute); [Great S. Fire Proof Hotel Co. v. Jones, 177 U.S. 449, 454-55, 20 S.Ct. 690, 44 L.Ed. 842](#)  
15 [\(1900\)](#) (holding that a limited partnership association, even though it was called a quasi-corporation and declared to be a citizen of the state under the applicable  
16 state law, is not a citizen of that state within the meaning of the jurisdictional statute); [Chapman v. Barney, 129 U.S. 677, 682, 9 S.Ct. 426, 32 L.Ed. 800 \(1889\)](#)  
17 (holding that although the plaintiff-stock company was endowed by New York law with the capacity to sue, it could not be considered a "citizen" for diversity  
18 purposes); 15 James Wm. Moore, Moore's Federal Practice § 102.57[1] (3d ed.2006) [hereinafter Moore's Federal Practice] ("[A] partnership is not a `citizen' of  
19 any state within the meaning of the statutes regulating jurisdiction[.]"). Given that partnerships are not citizens for diversity purposes, the Supreme Court has long  
20 applied the rule of Chapman v. Barney: that courts are to look to the citizenship of all the partners (or members of other unincorporated associations) to determine  
21 whether the federal district court has diversity jurisdiction. See Lincoln Prop. Co., 546 U.S. at 84 n. 1, [126 S.Ct. 606](#); Carden, 494 U.S. at 196-97, [110 S.Ct. 1015](#);  
22 Bouligny, 382 U.S. at 151, [86 S.Ct. 272](#); Great S. Fire Proof Hotel, 177 U.S. at 456, [20 S.Ct. 690](#); Chapman, 129 U.S. at 682, [9 S.Ct. 426](#); see also 13B Charles  
23 Alan Wright et al., Federal Practice & Procedure § 3630 (2d ed. 1984) ("[W]henver a partnership, a limited partnership ..., a joint venture, a joint stock company, a  
24 labor union, a religious or charitable organization, a governing board of an unincorporated institution, or a similar association brings suit or is sued in a federal  
25 court, the actual citizenship of each of its members must be considered in determining whether diversity jurisdiction exists."). In Chapman, the Supreme Court, on  
26 its own motion, reversed a judgment on the grounds that the federal court did not have jurisdiction over a stock company because the record did not demonstrate  
27 that all the partners of the stock company were citizens of a state different than that of the defendant:
- 28 9. STATUTORY “citizen of a State” status under 28 U.S.C. §1332(a)(1) is satisfied when a party has a civil DOMICILE in the state in question. Although this  
29 statute is limited to federally domiciled parties, it is applied as a matter of common law to constitutional diversity situations without adversely impacting the  
30 constitutional rights of the parties, but only if the other party to the suit is NOT a corporation. If the other party IS a corporation, then applying the statute is an  
31 injury because it brings a CONSTITUTIONAL citizen down to the same level as a STATUTORY citizen and thereby makes them subject to the laws of Congress.

32 “28 U.S.C. §1332(a)(1) creates the federal courts' jurisdiction over actions between "citizens of different States." For a natural person to fall within the provision he must  
33 be both (1) a citizen of the United States and (2) a citizen of a particular state. See *Scott v. Sandford*, 60 U.S. (19 How.) 393, 405-06, [15 L.Ed. 691 \(1857\)](#); *Delaware, L.*  
34 *& W.R. Co. v. Petrowsky*, 250 F. 554, 557 (2d Cir.), cert. denied, [247 U.S. 508, 38 S.Ct. 427, 62 L.Ed. 1241 \(1918\)](#). It is not disputed here that the plaintiff having been  
35 naturalized in 1973 is a citizen of the United States. **What is contested is whether in 1976 when his complaint was filed he was a citizen of one of the United States.**  
36 *The issue is crucial to the plaintiff's claim of jurisdiction under 28 U.S.C. §1332(a)(1) because settled precedent establishes that a citizen of the United States who is not*  
37 *also a citizen of one of the United States may not maintain suit under that section.* *Meyers v. Smith*, 460 F.Supp. 621 (D.D.C.1978); *Kaufman & Broad, Inc. v. Gootrad*,  
38 [397 F.Supp. 1054 \(S.D.N.Y.1975\)](#); *Garner v. Pearson*, 374 F.Supp. 580, 588-90 (M.D.Fla.1973); *Hernandez v. Lucas*, 254 F.Supp. 901 (S.D.Tex.1966); *Clapp v. Stearns*  
39 *& Co.*, 229 F.Supp. 305 (S.D.N.Y.1964); *McClanahan v. Galloway*, 127 F.Supp. 929 (N.D.Cal.1955); *Alla v. Kornfeld*, 84 F.Supp. 823 (N.D.Ill.1949); *Hammerstein v.*

1 Lyne, 200 F. 165 (W.D.Mo.1912). Although this doctrine excluding Americans domiciled abroad from the federal courts has been questioned,<sup>218</sup> the plaintiff does not  
2 directly attack it here and we see no reason for upsetting settled law now.

3 State citizenship for the purpose of the state diversity provision is equated with domicile. The standards for determining domicile in this context are found by resort  
4 to federal common law. *Stifel v. Hopkins*, 477 F.2d. 1116, 1120 (6th Cir. 1973); *Ziady v. Curley*, 396 F.2d. 873, 874 (4th Cir. 1968). To establish a domicile of choice  
5 a person generally must be physically present at the location and intend to make that place his home for the time at least. See *Restatement (Second) of Conflict of*  
6 *Laws §§15, 16, 18 (1971).*"

7 [*Sadat v. Mertes*, 615 F.2d. 1176 (C.A.7 (Wis.), 1980)]

8 10. 28 U.S.C. §1332(a)(2) is called "alienage jurisdiction". Here is what one court said on this subject:

9 28 U.S.C. §1332(a)(2) vests the district courts with jurisdiction over civil actions between state citizens and citizens of foreign states. This power is sometimes referred  
10 to as alienage jurisdiction. Although the basis for alienage jurisdiction is similar to that over controversies between state citizens, it is founded on more concrete concerns  
11 than the arguably unfounded fears of bias or prejudice by forums in one of the United States against litigants from another of the United States.

12 The dominant considerations which prompted the provision for such jurisdiction appear to have been:

13 (1) Failure on the part of the individual states to give protection to foreigners under treaties; Farrand, "The Framing of the Constitution" 46 (1913); Nevins, "The  
14 American State During and After the Revolution" 644-656 (1924); Friendly, 41 Harvard Law Review 483, 484.

15 (2) Apprehension of entanglements with other sovereigns that might ensue from failure to treat the legal controversies of aliens on a national level. Hamilton, "The  
16 Federalist" No. 80.

17 *Blair Holdings Corp. v. Rubinstein*, 133 F.Supp. 496, 500 (S.D.N.Y.1955). Thus, alienage jurisdiction was intended to provide the federal courts with a form of protective  
18 jurisdiction over matters implicating international relations where the national interest was paramount. See *The Federalist* No. 80 (A. Hamilton) ("(T)he peace of the  
19 WHOLE ought not to be left at the disposal of a PART. The Union will undoubtedly be answerable to foreign powers for the conduct of its members. And the responsibility  
20 for an injury ought ever to be accompanied with the faculty for preventing it.")<sup>7</sup> Recognizing this obvious national interest in such controversies, not even the proponents  
21 of the abolition of diversity jurisdiction over suits between citizens of the several United States have advocated elimination of alienage jurisdiction. See, e. g., H. Friendly,  
22 *Federal Jurisdiction: A General View* 149-50 (1973); Rowe, *Abolishing Diversity Jurisdiction: Positive Side Effects and Potential for Further Reforms*, 92 Harv.L.Rev.  
23 963, 966-68 (1979).

24 Because alienage jurisdiction is founded on the fear of giving offense to foreign countries, the domicile of the foreigner is irrelevant. Indeed, an alien domiciled in  
25 one of the United States is afforded access to the federal courts under 28 U.S.C. §1332(a)(2) even when he sues an American citizen residing in the same state. See  
26 *C. H. Nichols Lumber Co. v. Franson*, 203 U.S. 278, 27 S.Ct. 102, 51 L.Ed. 181 (1906); *Breedlove v. Nicolet*, 32 U.S. (7 Pet.) 413, 431-32, 8 L.Ed. 731 (1833); *Psinakis*  
27 *v. Psinakis*, 221 F.2d. 418, 422 (3d Cir. 1955); *City of Minneapolis v. Reum*, 56 F. 576 (8th Cir. 1893); *Hagl v. Jacob Stern & Sons*, 396 F.Supp. 779, 782 (E.D.Pa.1975).  
28 See also *DeVries v. Starr*, 393 F.2d. 9, 11 (10th Cir. 1968) (alien domiciled in Spain but a citizen of the Netherlands). The jurisdictional grant in 28 U.S.C. §1332(a)(2),  
29 however, does not establish the federal courts as forums for all lawsuits with an international flavor. **Suits solely between aliens are outside the constitutional grant of**  
30 **judicial power. *Jackson v. Twentyman*, 27 U.S. (2 Pet.) 136, 7 L.Ed. 374 (1829); *Hodgson v. Bowerbank*, 9 U.S. (5 Cranch) 303, 3 L.Ed. 108 (1809). Jurisdiction will**  
31 **not lie if the basis for jurisdiction is the alienage of a person with no nationality. *Shoemaker v. Malaxa*, 241 F.2d. 129 (2d Cir. 1957); *Factor v. Pennington Press, Inc.*,**  
32 *238 F.Supp. 630 (N.D.Ill.1964). And an American citizen domiciled abroad is not by virtue of that fact alone a citizen of a foreign state. *Smith v. Carter*, 545 F.2d. 909*  
33 *(5th Cir.)*, cert. denied, 431 U.S. 955, 97 S.Ct. 2677, 53 L.Ed.2d. 272 (1977); *Pemberton v. Colonna*, 290 F.2d. 220 (3d Cir. 1961) (per curiam) (affirming 189 F.Supp.  
34 430 (E.D.Pa.1960)); *Haggerty v. Pratt Institute*, 372 F.Supp. 760 (E.D.N.Y.1974); *Van der Schelling v. U. S. News & World Report, Inc.*, 213 F.Supp. 756 (E.D.Pa.),  
35 aff'd, 324 F.2d. 956 (3d Cir. 1963) (per curiam), cert. denied, 377 U.S. 906, 84 S.Ct. 1166, 12 L.Ed.2d. 177 (1964); *Hammerstein v. Lyne*, 200 F. 165, 171-72  
36 (W.D.Mo.1912).

<sup>218</sup> See Currie, *The Federal Courts and the American Law Institute*, 36 U.Chi.L.Rev. 1, 9-10 (1968) (suggesting that Americans abroad might reasonably be deemed foreign subjects); Comment, 19 Wash. & Lee L.Rev. 78, 84-86 (1962) (proposing that a person's domicile and therefore his state citizenship should be deemed to continue until citizenship is established in another of the United States or until American citizenship is abandoned).



**The generally accepted test for determining whether a person is a foreign citizen for purposes of 28 U.S.C. §1332(a)(2) is whether the country in which citizenship is claimed would so recognize him.** This is in accord with the principle of international law that "it is the inherent right of every independent nation to determine for itself, and according to its own constitution and laws, what classes of persons shall be entitled to its citizenship." [United States v. Wong Kim Ark, 169 U.S. 649, 668, 18 S.Ct. 456, 464, 42 L.Ed. 890 \(1898\)](#). See, e. g., [Murarka v. Bachrack Bros., 215 F.2d. 547, 553 \(2d Cir. 1954\)](#) (Harlan, J.) ("It is the undoubted right of each country to determine who are its nationals, and it seems to be general international usage that such a determination will usually be accepted by other nations"); [Blair Holdings Corp. v. Rubinstein, 133 F.Supp. at 499](#). See also [Restatement \(Second\) of the Foreign Relations Law of the United States § 26 \(1965\)](#).

Relying on this principle, the plaintiff maintains that notwithstanding his U.S. naturalization, Egypt still regards him as an Egyptian citizen. The evidence in the record tends to sustain his contention. It is apparently the plaintiff's position that Egypt requires its nationals to obtain its consent to their naturalization in other countries and even then it may condition its consent so that the emigrant retains his Egyptian nationality despite his naturalization elsewhere. A letter from the Egyptian Consulate General in New York confirms that the consent of that government is required.<sup>8</sup> Although the plaintiff did obtain the Egyptian government's consent prior to his naturalization in the United States, that consent was apparently conditioned upon his retaining his Egyptian citizenship. A letter from the Egyptian Minister of Exterior to the plaintiff states:

Greetings, we have the honor to inform you that it has been agreed to permit you to be naturalized with United States Citizenship but retaining your Egyptian citizenship and this is according to a letter from the Minister of Interior Department of Travel Documents, Immigration and Naturalization # 608 KH File # 100/41/70, Dated January 24, 1971.

Thus, Egypt still regards the plaintiff as one of its citizens notwithstanding its consent to his naturalization in the United States. In 1978, for example, the Egyptian government issued the plaintiff an Egyptian driver's license and an international driver's license. Both documents show the plaintiff's nationality as Egyptian.

**This evidence is sufficient to establish that, despite his naturalization in the United States, the plaintiff is an Egyptian under that country's laws. Consequently, under the ordinary choice of law rule for determining nationality under 28 U.S.C. §1332(a)(2) he would be so regarded for the purpose of determining the district court's jurisdiction over the subject matter.** Thus, the issue squarely presented to this court is whether a person possessing dual nationality, one of which is United States citizenship,<sup>9</sup> is "a citizen or subject of a foreign state" under 28 U.S.C. §1332(a)(2).

Dual nationality is the consequence of the conflicting laws of different nations, [Kawakita v. United States, 343 U.S. 717, 734, 72 S.Ct. 950, 961, 96 L.Ed. 1249 \(1952\)](#), and may arise in a variety of different ways.<sup>10</sup> The ambivalent policy of this country toward dual nationality is stated in a letter made a part of the record in this case from the Office of Citizenship, Nationality and Legal Assistance of the Department of State:

The United States does not recognize officially, or approve of dual nationality. However, it does accept the fact that some United States citizens may possess another nationality as the result of separate conflicting laws of other countries. Each sovereign state has the right inherent in its sovereignty to determine who shall be its citizens and what laws will govern them.

The official policy of this government has been to discourage the incidence of dual nationality. See [Savorgnan v. United States, 338 U.S. 491, 500, 70 S.Ct. 292, 297, 94 L.Ed. 287 \(1950\)](#); Warsoff, [Citizenship in the State of Israel, 33 N.Y.U.L.Rev. 857 \(1958\)](#) (detailing efforts of the U.S. government to prevent dual American-Israeli citizenship). See also [Hirabayashi v. United States, 320 U.S. 81, 97-99, 63 S.Ct. 1375, 1384-1385, 87 L.Ed. 1774 \(1943\)](#). Pursuant to that policy, since 1795 all persons naturalized are required to swear allegiance to the United States and "to renounce and abjure absolutely and entirely all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which the petitioner was before a subject or citizen." 8 U.S.C. § 1448(a)(2). See [Savorgnan, 338 U.S. at 500, 70 S.Ct. at 297](#). "The effectiveness of this provision is limited, however, for many nations will not accept such a disclaimer as ending their claims over naturalized Americans." Note, [Expatriating the Dual National, 68 Yale L.J. 1167, 1169 n.11 \(1959\)](#). See, e. g., [Coumas v. Superior Court, 31 Cal.2d. 682, 192 P.2d 449 \(1948\)](#). Thus, dual nationality has been recognized in fact, albeit reluctantly, by the courts. See [Kawakita, 343 U.S. at 723-24, 72 S.Ct. at 955-56](#):

(D)ual nationality (is) a status long recognized in the law. [Perkins v. Elg, 307 U.S. 325, 344-349, 59 S.Ct. 884, 894-896, 83 L.Ed. 1320](#). The concept of dual citizenship recognizes that a person may have and exercise rights of nationality in two countries and be subject to the responsibilities of both. The mere fact that he asserts the rights of one citizenship does not without more mean that he renounces the other.

Whether a person possessing dual nationality should be considered a citizen or subject of a foreign state within the meaning of 28 U.S.C. §1332(a)(2) is a question of first impression in the courts of appeals. The two district courts other than the district court below which have addressed the question have reached seemingly different

conclusions. In [Aguirre v. Nagel](#), 270 F.Supp. 535 (E.D.Mich.1967), the plaintiff, a citizen of the United States and the State of Michigan, sued a Michigan citizen for injuries sustained when she was hit by the defendant's car. The court correctly ruled that the action was not one between citizens of different states under 28 U.S.C. §1332(a)(1). Nevertheless, the court did find jurisdiction under 28 U.S.C. §1332(a)(2) because the plaintiff's parents were citizens of Mexico and Mexico regarded her as a Mexican citizen by virtue of her parentage. The Aguirre court's opinion did no more than determine that the cause fell within the literal language of the statute without regard to the policies underlying alienage jurisdiction. As a result it has been questioned by the commentators, see 1 Moore's Federal Practice P 0.75(1.-1) at 709.4-.5 (2d ed. 1979); 13 C. Wright, A. Miller, & E. Cooper, Federal Practice and Procedure §3621 at 759-60 (1975), and rejected by one other district court in addition to the court below. See [Raphael v. Hertzberg](#), 470 F.Supp. 984 (C.D.Cal.1979).<sup>11</sup>

Raphael was decided after the district court's judgment being reviewed here, and, although it does not cite the Eastern District of Wisconsin's opinion, it reaches the same conclusion. In Raphael, the plaintiff was a British subject who recently had been naturalized in the United States. The plaintiff and the defendant were domiciled in California. The court rejected the plaintiff's position that his purported dual nationality permitted him access to the federal courts under alienage jurisdiction. In rejecting the authority of Aguirre, the court noted several possible objections to permitting naturalized Americans to assert their foreign citizenship:

To begin with, the holding in Aguirre violates the requirement of complete diversity (*Strawbridge v. Curtiss*, 7 U.S. (3 Cranch) 267, 2 L.Ed. 435 (1806)) since Aguirre, like the present case, involved opposing parties who were both American citizens and who resided in the same state. Moreover, where both parties are residents of the state in which the action is brought, there is no reason to expect bias from the state courts. Finally, so long as the party asserting diversity jurisdiction is an American citizen, there is little reason to fear that a foreign government may be affronted by a decision adverse to that citizen, even if the American citizen also purports to be a citizen of that foreign nation. See [Blair Holdings Corporation v. Rubenstein](#), 133 F.Supp. 496, 500 (S.D.N.Y.1955).

**The rule proposed by the plaintiff would give naturalized citizens nearly unlimited access to the federal courts, access which has been denied to native-born citizens. Such favored treatment is unsupported by the policies underlying 28 U.S.C. §1332(a)(2). Finally, a new rule that would extend the scope of § 1332 is particularly undesirable in light of the ever-rising level of criticism of the very concept of diversity jurisdiction.**

Although the issue facing the courts in Aguirre and Raphael is the same as the one presented here, the facts in this case are somewhat different. All commentators addressing the issue have noted the anomaly of permitting an American citizen claiming dual citizenship to obtain access to the federal court under 28 U.S.C. §1332(a)(2) when suing a citizen domiciled in the same state. See 1 Moore's Federal Practice P 0.75(1-1) at 709.5 (2d ed. 1979):

This result is inconsistent with the complete diversity rule of *Strawbridge v. Curtiss*, . . . including the analogous situation of a suit between a citizen of State A and a corporation chartered in State B with its principal place of business in State A. Both state citizenships of the corporation must be considered and diversity is thus found lacking.

See also 13 C. Wright, A. Miller, & E. Cooper, Federal Practice and Procedure §3621 at 759-60 (1975).<sup>12</sup> In the present case, however, the plaintiff was domiciled abroad when he initiated this action and therefore was not a citizen of any state. Thus, permitting suit under alienage jurisdiction would not run counter to the complete diversity considerations which arguably should have controlled the decisions in Aguirre and Raphael.<sup>13</sup>

The plaintiff seizing upon this factual difference would apparently have this court recognize his dual nationality for purposes of 28 U.S.C. §1332 in much the same way corporations are regarded as having dual citizenship pursuant to 28 U.S.C. §1332(c). Because in this case, even applying the corporate citizenship analogy, the complete diversity requirement is satisfied, the plaintiff argues that jurisdiction under 28 U.S.C. §1332(a)(2) attaches. Such an approach, however, may be both too broad and too narrow and it ignores the paramount purpose of the alienage jurisdiction provision to avoid offense to foreign nations because of the possible appearance of injustice to their citizens. Imagine, for example, a native-born American, born of Japanese parents, domiciled in the State of California, and now engaged in international trade. A dispute could arise in which an Australian customer seeks to sue the American for, say, breach of contract in a federal court in California. The native-born American possibly could claim Japanese citizenship by virtue of his parentage, see, e. g., *Kawakita*, supra, *Hirabayashi*, supra, as well as his status as a citizen of California and defeat the jurisdiction of the federal courts because of the absence of complete diversity. Arguably, cases such as this are precisely those in which a federal forum should be afforded the foreign litigant in the interest of preventing international friction.

This hypothetical suggests that the analogy to the dual citizenship of corporations should not be controlling. Instead, the paramount consideration should be whether the purpose of alienage jurisdiction to avoid international discord would be served by recognizing the foreign citizenship of the dual national. Because of the wide variety of situations in which dual nationality can arise, see note 10 supra, perhaps no single rule can be controlling. **Principles establishing the responsibility of nations under**

international law with respect to actions affecting dual nationals, however, suggest by analogy that ordinarily, as the district court held, only the American nationality of the dual citizen should be recognized under 28 U.S.C. §1332(a).

Under international law, a country is responsible for official conduct harming aliens, for example, the expropriation of property without compensation. See Restatement (Second) of the Foreign Relations Law of the United States §§ 164-214 (1965). It is often said, however, that a state is not responsible for conduct which would otherwise be regarded as wrongful if the injured person, although a citizen of a foreign state, is also a national of the state taking the questioned action. See id. at § 171, comments b & c. This rule recognizes that in the usual case a foreign country cannot complain about the treatment received by one of its citizens by a country which also regards that person as a national. This principle suggests that the risk of "entanglements with other sovereigns that might ensue from failure to treat the legal controversies of aliens on a national level," Blair Holdings Corp. v. Rubinstein, 133 F.Supp. at 500, is slight when an American citizen is also a citizen of another country and therefore he ordinarily should only be regarded as an American citizen for purposes of 28 U.S.C. §1332(a). See 13 C. Wright, A. Miller, & E. Cooper, Federal Practice and Procedure §3621 at 760 (1975) (risk of foreign country complaining about treatment of dual national is probably minimal); Currie, The Federal Courts and the American Law Institute, 36 U.Chi.L.Rev. 1, 10 n.50 (1968) ("(D)ual American and foreign citizenship could most simply be dealt with by treating the litigant as an American: . . . fear of foreign embarrassment seems excessive.").

Despite the general rule of nonresponsibility under international law for conduct affecting dual nationals, there are recognized exceptions. One is the concept of effective or dominant nationality. As qualified by the Restatement, this exception provides that a country (respondent state) will be responsible for wrongful conduct against one of its citizens whose dominant nationality is that of a foreign state, that is,

(i) his dominant nationality, by reason of residence or other association subject to his control (or the control of a member of his family whose nationality determines his nationality) is that of the other state and (ii) he (or such member of his family) has manifested an intention to be a national of the other state and has taken all reasonably practicable steps to avoid or terminate his status as a national of the respondent state.

Restatement (Second) of the Foreign Relations Law of the United States § 171(c) (1965). Although, in the ordinary case a foreign country cannot complain about the treatment received by a citizen who is also a national of the respondent state, in certain cases the respondent state's relationship to the person is so remote that the individual is entitled to protection from its actions under international law. Assuming arguendo that a dual national whose dominant nationality is that of a foreign country should be regarded as a "citizen or subject of a foreign state" within the meaning of 28 U.S.C. §1332(a)(2), the record establishes that the plaintiff's Egyptian nationality is not dominant.

Although at the time of the filing of his complaint in 1976 the plaintiff resided in Egypt, his voluntary naturalization in the United States in 1973 indicates that his dominant nationality is not Egyptian.<sup>14</sup> As part of the naturalization process he swore allegiance to the United States and renounced any to foreign states. His actions subsequent to his naturalization evince his resolve to remain a U.S. citizen despite his extended stay abroad. Thus, it cannot be said that he "has taken all reasonably practicable steps to avoid or terminate his status as a national." Restatement (Second) of the Foreign Relations Law of the United States § 171(c)(ii) (1965). The plaintiff registered with the U.S. Embassy during his stays in Lebanon and Egypt. He states that he voted by absentee ballot in the 1976 presidential election. He has insisted that throughout his foreign travels he retained his U.S. citizenship<sup>15</sup> and in fact did not seek employment opportunities that may have been available in Egypt because they might have jeopardized his status as a U.S. citizen. See 8 U.S.C. §1481(a)(4).<sup>16</sup> His actions, therefore, manifest his continued, voluntary association with the United States and his intent to remain an American. Certainly neither he nor the government of Egypt can complain if he is not afforded a federal forum when the same would be denied a similarly situated native-born American.

[. . .]

#### VI. Conclusion

Our decision that this suit is not within the jurisdiction of the federal courts does not necessarily mean that it is outside the constitutional definition of the federal judicial power. Compare *Strawbridge v. Curtiss*, 7 U.S. (3 Cranch) 267, 2 L.Ed. 435 (1806) with *State Farm Fire & Casualty Co. v. Tashire*, 386 U.S. 523, 530-31, 87 S.Ct. 1199, 1203, 18 L.Ed.2d. 270 (1967) (complete diversity is a statutory, not a constitutional requirement). It merely means that the suit is unauthorized by 28 U.S.C. §1332(a) as we have construed it. The statutory terms "citizens of different States" and "citizens or subjects of a foreign state" are presumably amenable to some congressional expansion consistent with the constitutional limitations on the judicial power if Congress sees the need for such expansion. See *National Mutual Insurance Co. v. Tidewater Transfer Co.*, 337 U.S. 582, 69 S.Ct. 1173, 93 L.Ed. 1556 (1949). The judgment of the district court is Affirmed. [*Sadat v. Mertes*, 615 F.2d. 1176 (C.A.7 (Wis.), 1980)]

For those who doubt the analysis in the preceding table relating to the jurisdiction of federal courts either abroad or in a state of the Union, consider two similar cases and how they were treated differently and inconsistently by the U.S. Supreme Court:

1. Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989) was a case about an American born in a constitutional state, domiciled in Venezuela, and therefore what they called a “stateless person” who could not be sued in federal court.
2. Cook v. Tait, 265 U.S. 47 (1924) was about an American domiciled abroad in Mexico but born in a constitutional state of the Union. Instead of calling him a “stateless person” like they did in Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989), they instead:
  - 2.1. Called him a “citizen of the United States”.
  - 2.2. Said they had jurisdiction over the matter, even though he was stateless and immune from federal jurisdiction.
  - 2.3. Said their jurisdiction derived from NEITHER his domicile NOR his nationality.
  - 2.4. Refused to identify WHERE there jurisdiction came from. There was neither a CONSTITUTIONAL source nor even a STATUTORY source to derive it from.
  - 2.5. Allowed and condoned and even protected Cook to commit the crime of impersonating a STATUTORY “citizen of the United States” in violation of 18 U.S.C. §911 before he could even invoke their jurisdiction to speak on the matter. We think Cook was a plant hired by Former President and then Supreme Chief Justice William Howard Taft specifically to extend his newly ratified 16<sup>th</sup> Amendment to the ENTIRE WORLD rather than just within federal territory, as it was previous to Cook v. Tait.
3. Why did they treat two “similarly situated parties” in Cook and Newman-Green completely differently in the context of their jurisdiction? The answer is:
  - 3.1. Money (taxes) was involved, and they wanted an excuse to STEAL it.
  - 3.2. In order to STEAL it, they had to allow Cook to CONSENT or VOLUNTEER for the civil status of a Territorial (8 U.S.C. §1401) citizen, even though he was not one, just in order to get any remedy at all for illegal assessment and collection by a rogue bureau (I.R.S.) that in fact had no lawful authority to even EXIST and is not even part of the U.S. Government nor listed under Title 31 of the U.S. Code. See:
 

*Origins and Authority of the Internal Revenue Service*, Form #05.005  
<http://sedm.org/Forms/FormIndex.htm>
  - 3.3. They knew that Congress could not legislate extraterritorially because of the limitations of the Law of Nations upon their authority.
  - 3.4. They knew that the ONLY way such a bold THEFT could be canonized was for the U.S. Supreme Court, under the auspices of Chief Justice Taft, to essentially violate the separation of powers by essentially WRITING a new law, meaning “case law”, that allowed the tax code to reach any place in the entire world to nonresident foreign domiciled parties.

If you want a detailed analysis of the above SCAM, see:

*Federal Jurisdiction*, Form #05.018, Section 4  
<http://sedm.org/Forms/FormIndex.htm>

Our most revered founding father predicted the courts would be the source of corruption, as they were above, when he said:

*“Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before them, to throw an anchor ahead and grapple further hold for future advances of power. **They are then in fact the corps of sappers and miners, steadily working to undermine the independent rights of the States and to consolidate all power in the hands of that government in which they have so important a freehold estate.**”*  
 [Thomas Jefferson: Autobiography, 1821. ME 1:121 ]

*“We all know that permanent judges acquire an esprit de corps; that, being known, **they are liable to be tempted by bribery; that they are misled by favor, by relationship, by a spirit of party, by a devotion to the executive or legislative;** that it is better to leave a cause to the decision of cross and pile than to that of a judge biased to one side; and that the opinion of twelve honest jurymen gives still a better hope of right than cross and pile does.”*  
 [Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283 ]

*“It is not enough that honest men are appointed judges. All know the influence of interest on the mind of man, and how unconsciously his judgment is warped by that influence. To this bias add that of the esprit de corps, of their peculiar maxim and creed that ‘it is the office of a good judge to enlarge his jurisdiction,’ and the absence of responsibility, and how can we expect impartial decision between the General government, of which they are themselves so eminent a part, and an individual state from which they have nothing to hope or fear?”*  
 [Thomas Jefferson: Autobiography, 1821. ME 1:121 ]

1 "At the establishment of our Constitutions, the judiciary bodies were supposed to be the most helpless and  
 2 harmless members of the government. Experience, however, soon showed in what way they were to become the  
 3 most dangerous; that the insufficiency of the means provided for their removal gave them a freehold and  
 4 irresponsibility in office; that their decisions, seeming to concern individual suitors only, pass silent and  
 5 unheeded by the public at large; that these decisions nevertheless become law by precedent, sapping by little and  
 6 little the foundations of the Constitution and working its change by construction before any one has perceived  
 7 that that invisible and helpless worm has been busily employed in consuming its substance. In truth, man is not  
 8 made to be trusted for life if secured against all liability to account."  
 9 [Thomas Jefferson to A. Coray, 1823. ME 15:486 ]

10 "I do not charge the judges with willful and ill-intentioned error; but honest error must be arrested where its  
 11 toleration leads to public ruin. As for the safety of society, we commit honest maniacs to Bedlam; so judges  
 12 should be withdrawn from their bench whose erroneous biases are leading us to dissolution. It may, indeed,  
 13 injure them in fame or in fortune; but it saves the republic, which is the first and supreme law."  
 14 [Thomas Jefferson: Autobiography, 1821. ME 1:122 ]

15 "The original error [was in] establishing a judiciary independent of the nation, and which, from the citadel of  
 16 the law, can turn its guns on those they were meant to defend, and control and fashion their proceedings to its  
 17 own will."  
 18 [Thomas Jefferson to John Wayles Eppes, 1807. FE 9:68 ]

19 "It is a misnomer to call a government republican in which a branch of the supreme power [the Federal  
 20 Judiciary] is independent of the nation."  
 21 [Thomas Jefferson to James Pleasants, 1821. FE 10:198 ]

22 "It is left... to the juries, if they think the permanent judges are under any bias whatever in any cause, to take  
 23 on themselves to judge the law as well as the fact. They never exercise this power but when they suspect  
 24 partiality in the judges; and by the exercise of this power they have been the firmest bulwarks of English  
 25 liberty."  
 26 [Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283 ]

27 "The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to  
 28 undermine the foundations of our confederated fabric. They are construing our Constitution from a co-ordination  
 29 of a general and special government to a general and supreme one alone. This will lay all things at their feet,  
 30 and they are too well versed in English law to forget the maxim, 'boni iudicis est ampliari jurisdictionem.'"  
 31 [Thomas Jefferson to Thomas Ritchie, 1820. ME 15:297 ]

32 "When all government, domestic and foreign, in little as in great things, shall be drawn to Washington as the  
 33 center of all power, it will render powerless the checks provided of one government on another and will become  
 34 as venal and oppressive as the government from which we separated."  
 35 [Thomas Jefferson to Charles Hammond, 1821. ME 15:332 ]

36 "What an augmentation of the field for jobbing, speculating, plundering, office-building ["trade or business"  
 37 scam] and office-hunting would be produced by an assumption [PRESUMPTION] of all the State powers into the  
 38 hands of the General Government!"  
 39 [Thomas Jefferson to Gideon Granger, 1800. ME 10:168 ]

40 "It has long been my opinion, and I have never shrunk from its expression,... that the germ of dissolution of our  
 41 Federal Government is in the constitution of the Federal Judiciary--an irresponsible body (for impeachment is  
 42 scarcely a scare-crow), working like gravity by night and by day, gaining a little today and a little tomorrow,  
 43 and advancing its noiseless step like a thief over the field of jurisdiction until all shall be usurped from the  
 44 States and the government be consolidated into one. To this I am opposed."  
 45 [Thomas Jefferson to Charles Hammond, 1821. ME 15:331 ]

46 You can read many other wise quotes by Jefferson at:

Thomas Jefferson on Politics and Government

<http://famguardian.org/Subjects/Politics/ThomasJefferson/jeffcont.htm>

47 Finally, the following memorandum of law identifies how to successfully challenge federal jurisdiction as a  
 48 CONSTITUTIONAL citizen or "state citizen" not domiciled in the STATUTORY "United States"/federal territory:

Federal Enforcement Authority Within States of the Union, Form #05.032

<http://sedm.org/Forms/FormIndex.htm>

#### 4.12.15 Citizenship in Government Records

The Great  **IRS Hoax: Why We Don't Owe Income Tax, version 4.54**

**TOP SECRET:** For Official Treasury/IRS Use Only (FOUO)

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<http://famguardian.org/>

The citizenship status of a person is maintained in the Social Security “NUMIDENT” record:

1. The NUMIDENT record derives from what was filled out on the SSA Form SS-5, Block 5. See: <http://www.ssa.gov/online/ss-5.pdf>
2. One’s citizenship status is encoded within the NUMIDENT record using the “CSP code” within the Numident record. This code is called the “citizenship code” by the Social Security administration.
3. Like all government forms, the terms used on the SSA Form SS-5 use the STATUTORY context, not the CONSTITUTIONAL context for all citizenship words. Hence, block 5 of the SSA Form SS-5 should be filled out with “Legal Alien Authorized to Work”, which means you are a STATUTORY but not CONSTITUTIONAL alien. This is consistent with the definition of “individual” found in 26 C.F.R. §1.1441-1(c)(3), which defines the term to include ONLY STATUTORY “aliens”.
4. Those who are not STATUTORY “nationals and citizens of the United States\*\*\*” at birth per 8 U.S.C. §1401 or 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c) have a “CSP code” of B in their NUMIDENT record, which corresponds with a CSP code of “B”. The comment field of the NUMIDENT record should also be annotated with the following to ensure that it is not changed during an audit because of confusion on the part of the SSA employee:

*“CSP Code B not designated in error-- applicant is an American national with a domicile and residence in a foreign state for the purposes of the Social Security Act.”*

5. The local SSA office cannot provide a copy of the NUMIDENT record. Only the central SSA headquarters can provide it by submitting a Privacy Act request rather than a FOIA using the following resource:

*Guide to Freedom of Information Act*, Social Security Administration  
[http://www.ssa.gov/foia/html/foia\\_guide.htm](http://www.ssa.gov/foia/html/foia_guide.htm)

6. Information in the NUMIDENT record is shared with:
  - 6.1. The Department of Homeland Security (DHS).
  - 6.2. State Department of Motor Vehicles in verifying SSNs.
  - 6.3. E-Verify.

*About E-Verify*, Form #04.107

<http://sedm.org/Forms/FormIndex.htm>

7. The procedures for requesting NUMIDENT information using the Freedom of Information Act or Privacy Act are described in:

*Social Security Program Operations Manual System (POMS)*, Section RM 00299.005 Form SSA-L669 Request for Evidence in Support of an SSN Application — U.S.-Born Applicant  
<https://s044a90.ssa.gov/apps10/poms.nsf/lnx/0100299005>

Those who are CONSTITUTIONAL but not STATUTORY citizens and who wish to change the citizenship status reflected in the NUMIDENT record may do so by executing both of the following methods:

1. Visiting the local Social Security Administration office and getting the clerk to change the record. Bring witnesses in case they resist.
2. Sending in the following document:

*Resignation of Compelled Social Security Trustee*, Form #06.002

<http://sedm.org/Forms/FormIndex.htm>

#### **4.12.16 Practical Application: Avoiding Identity Theft and Legal Kidnapping Caused by Confusion of Contexts**

##### **4.12.16.1 How to Describe Your Citizenship on Government Forms and Correspondence**

In the following sections, we will share the results of our collective latest research and how they fit together perfectly in the overall puzzle. We have concluded the following:

1. A Citizen of one of the 50 states is a United States\*\*\* citizen per the Fourteenth Amendment and a "national of the United States\*\*\* of America”.
2. A Citizen of one of the 50 states is a United States\*\*\* citizen per the Fourteenth Amendment and an "An alien authorized to work" for the purposes of U.S.C.I.S. Form I-9 so long as he/she maintains a domicile (actual or declared) in one of the 50 states or outside of the United States\*\*.

1 You will have trouble when you try to explain your citizenship on government forms based on the content of this paper  
2 because:

- 3 1. IRS, SSA, and the Department of State do not put all of the options available for citizenship on their forms.
- 4 2. Most people falsely PRESUME that “United States” as used in the phrase “citizen of the United States” means the  
5 whole country for EVERY enactment of Congress but they won’t expose this presumption.
- 6 3. The use of the term “citizenship” on government forms intentionally confuses “nationality” with “domicile” in an  
7 attempt to make them appear equal, when in fact they are NOT.
- 8 4. Government forms often mix requests for information from multiple titles of the Code and do not distinguish which  
9 title they mean on the form. For instance, “United States” in Title 26 means federal territory (U.S.\*\*\*) while “United  
10 States” in other Titles or in the Constitution itself often means states of the Union (U.S. \*\*\*).

11 We will clarify in the following sections techniques for avoiding the above road blocks.

#### 12 4.12.16.1.1 Overview

13 This section provides some pointers on how to describe your citizenship status on government forms in order to avoid being  
14 confused with a someone who has a domicile on federal territory and therefore no Constitutional rights. Below is a summary  
15 of how we recommend protecting yourself from the prejudicial presumptions of others about your citizenship status:

- 16 1. Keep in mind the following facts about all government forms:
  - 17 1.1. Government forms ALWAYS imply the LEGAL/STATUTORY rather than POLITICAL/CONSTITUTIONAL  
18 status of the party in the context of all franchises, including income taxes and social security.
  - 19 1.2. "Alien" on government forms always means a person born or naturalized in a foreign country.
  - 20 1.3. The Internal Revenue Code does NOT define the term “nonresident alien”. The closest thing to a definition is that  
21 found in 26 U.S.C. §7701(b)(1)(B), which defines what it ISN’T, but NOT what it IS. If you look on IRS Form  
22 W-8BEN, Block 3, you can see that there are many different types of entities that can be nonresident aliens, none  
23 of which are EXPRESSLY included in the definition at 26 U.S.C. §7701(b)(1)(B). It is therefore IMPOSSIBLE to  
24 conclude based on any vague definition in the Internal Revenue Code that a specific person IS or IS NOT a  
25 “nonresident alien.”
  - 26 1.4. On tax forms, the term “nonresident alien” is NOT a subset of the term “alien”, but rather a SUPERSET. It includes  
27 both FOREIGN nationals domiciled in a foreign country and also those in Constitutional states of the Union. A  
28 “national of the United States\*”, for instance, although NOT an “alien” under Title 8 of the U.S. Code, is a  
29 “nonresident alien” under Title 26 of the U.S. Code if engaged in a public office or a “non-resident non-person” if  
30 exclusively PRIVATE and not engaged in a public office. Therefore, a “nonresident alien” is a “word of art”  
31 designed to confuse people, and the fact that uses the word “alien” doesn’t mean it IS an “alien”. This is covered  
32 in:

*Flawed Tax Arguments to Avoid*, Form #08.004, Sections 8.7

<http://sedm.org/Forms/FormIndex.htm>

- 33 2. Anyone who PRESUMES any of the following should promptly be DEMANDED to prove the presumption with legally  
34 admissible evidence from the law. ALL of these presumptions are FALSE and cannot be proven:

- 35 2.1. That you can trust ANYTHING that either a government form OR a government employee says. The courts say  
36 not only that you CANNOT, but that you can be PENALIZED for doing so. See:

*Reasonable Belief About Income Tax Liability*, Form #05.007

<http://sedm.org/Forms/FormIndex.htm>

- 37 2.2. That nationality and domicile are synonymous.
- 38 2.3. That “nonresident aliens” are a SUPERSET of “aliens” within the Internal Revenue Code.
- 39 2.4. That the term “United States” has the SAME meaning in Title 8 of the U.S. Code as it has in Title 26.
- 40 2.5. That a Fourteenth Amendment “citizen of the United States” is equivalent to any of the following:
  - 41 2.5.1. 8 U.S.C. §1401 “national and citizen of the United States”.
  - 42 2.5.2. 26 C.F.R. §1.1-1 “citizen”.
  - 43 2.5.3. 26 U.S.C. §3121(e) “citizen of the United States”.
- 44 All of the above statuses have similar sounding names, but they rely on a DIFFERENT definition of “United States”  
45 from that found in the U.S.A. Constitution.
- 46 2.6. That you can be a statutory “taxpayer” or statutory “citizen” of any kind WITHOUT your consent. See:

*Why Domicile and Becoming a “Taxpayer” Require Your Consent*, Form #05.002

<http://sedm.org/Forms/FormIndex.htm>

3. The safest way to describe oneself is to check “Other” for citizenship or add an “Other” box if the form doesn’t have one and then do one of the following:

3.1. Write in the “Other” box

“See attached mandatory Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001”

and then attach the following completed form:

*Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001  
<http://sedm.org/Forms/FormIndex.htm>

- 3.2. If you don’t want to include an attachment, add the following mandatory language to the form that you are a:

3.2.1. A “Citizen and national of \_\_\_\_\_ (statename)”

3.2.2. NOT a statutory “national and citizen of the United States” or “U.S. citizen” per 8 U.S.C. §1401

3.2.3. A constitutional or Fourteenth Amendment Citizen.

3.2.4. A statutory alien per 26 U.S.C. §7701(b)(1)(A) for the purposes of the federal income tax.

4. If the recipient of the form says they won’t accept attachments or won’t allow you to write explanatory information on the form needed to prevent perjurying the form, then send them an update via certified mail AFTER they accept your submission so that you have legal evidence that they tried to tamper with a federal witness and conspired to commit perjury on the form.

5. For detailed instructions on how to fill out the U.S.C.I.S. Form I-9, See:

*I-9 Form Amended*, Form #06.028

<http://sedm.org/Forms/FormIndex.htm>

6. For detailed instructions on how to participate in E-Verify for the purposes of PRIVATE employment, see:

*About E-Verify*, Form #04.107

<http://sedm.org/Forms/FormIndex.htm>

7. To undo the damage you have done over the years to your status by incorrectly describing your status, send in the following form and submit according to the instructions provided. This form says that all future government forms submitted shall have this form included or attached by reference.

*Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001

<http://sedm.org/Forms/FormIndex.htm>

8. Quit using Taxpayer Identifying Numbers (TINs). 20 C.F.R. §422.104 says that only statutory “U.S. citizens” and “permanent residents” can lawfully apply for Social Security Numbers, both of which share in common a domicile on federal territory such as statutory “U.S. citizens” and “residents” (aliens), can lawfully use such a number. 26 C.F.R. §301.6109-1(b) also indicates that “U.S. persons”, meaning persons with a domicile on federal territory, are required to furnish such a number if they file tax forms. “Foreign persons” are also mentioned in 26 C.F.R. §301.6109-1(b), but these parties also elect to have an effective domicile on federal territory and thereby become “persons” by engaging in federal franchises. See:

- 8.1. *Who are “Taxpayers” and Who Needs a “Taxpayer Identification Number”?*, Form #05.013

<http://sedm.org/Forms/FormIndex.htm>

- 8.2. *Why It is Illegal for Me to Request or Use a “Taxpayer Identification Number”*, Form #04.205-attach this form to every government form that asks for a Social Security Number or Taxpayer Identification Number. Write in the SSN/TIN Box (NONE: See attached form #04.205).

<http://sedm.org/Forms/FormIndex.htm>

- 8.3. *Resignation of Compelled Social Security Trustee*, Form #06.002-use this form to quit Social Security lawfully.

<http://sedm.org/Forms/FormIndex.htm>

9. If you are completing any kind of government form or application to any kind of financial institution other than a tax form and you are asked for your citizenship status, TIN, or Social Security Number, attach the following form and prepare according to the instructions provided:

*Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001

<http://sedm.org/Forms/FormIndex.htm>

10. If you are completing and submitting a government tax form, attach the following form and prepare according to the instructions provided:

*Tax Form Attachment*, Form #04.201

<http://sedm.org/Forms/FormIndex.htm>

11. If you are submitting a voter registration, attach the following form and prepare according to the instructions provided:

*Voter Registration Attachment*, Form #06.003

<http://sedm.org/Forms/FormIndex.htm>



12. If you are applying for a USA passport, attach the following form and prepare according to the instructions provided:

USA Passport Application Attachment, Form #06.007  
<http://sedm.org/Forms/FormIndex.htm>

13. If you are submitting a complaint, response, pleading, or motion to a federal court, you should attach the following form:

Federal Pleading/Motion/Petition Attachment, Litigation Tool #01.002  
<http://sedm.org/Litigation/LitIndex.htm>

14. Use as many of the free forms as you can from the page below. They are very well thought out to avoid traps set by the predators who run the American government:

SEDM Forms Page

<http://sedm.org/Forms/FormIndex.htm>

15. When engaging in correspondence with anyone in the government, legal, or financial profession about your status that occurs on other than a standard government form, use the following guidelines:

15.1. In the return address for the correspondence, place the phrase “(NOT A DOMICILE OR RESIDENCE)”.

15.2. Entirely avoid the use of the words “citizen”, “citizenship”, “resident”, “inhabitant”. Instead, prefer the term “non-resident”, and “transient foreigner”.

15.3. Never describe yourself as an “individual” or “person”. 5 U.S.C. §552a(a)(2) says that this entity is a government employee who is a statutory “U.S. citizen” or “resident” (alien). Instead, refer to yourself as a “transient foreigner” and a “nonresident”. Some forms such as IRS form W-8BEN Block 3 have no block for “transient foreigner” or “non-resident NON-person”, in which case modify the form to add that option. See the following for details:

About IRS Form W-8BEN, Form #04.202

<http://sedm.org/Forms/FormIndex.htm>

- 15.4. Entirely avoid the use of the phrase “United States”, because it has so many different and mutually exclusive meanings in the U.S. code and state law. Instead, replace this phrase with the name of the state you either are physically present within or with “USA” and then define that “USA” includes the states of the Union and excludes federal territory. For instance, you could say “Citizen of California Republic” and then put an asterisk next to it and at the bottom of the page explain the asterisk as follows:

*\* NOT a citizen of the **STATE of** California, which is a corporate extension of the federal government, but instead a sovereign Citizen of the California Republic*

*California Revenue and Taxation Code, Section 6017 defines “State of” as follows:*

*“6017. ‘In this State’ or ‘in the State’ means within the exterior limits of the State of California and includes all territory within these limits owned by or ceded to the United States of America.”*

- 15.5. Never use the word “residence”, “permanent address”, or “domicile” in connection with either the term “United States”, or the name of the state you are in.

15.6. If someone else refers to you improperly, vociferously correct them so that they are prevented from making presumptions that would injure your rights.

15.7. Avoid words that are undefined in statutes that relate to citizenship. Always use words that are statutorily defined and if you can’t find the definition, define it yourself on the form or correspondence you are sending. Use of undefined words encourages false presumptions that will eventually injure your rights and give judges and administrators discretion that they undoubtedly will abuse to their benefit. There isn’t even a common definition of “citizen of the United States” or “U.S. citizen” in the standard dictionary, then the definition of “U.S. citizen” in all the state statutes and on all government forms is up to us! Therefore, once again, whenever you fill out any kind of form that specifies either “U.S. citizen” or “citizen of the United States”, you should be **very** careful to clarify that it means “national” under 8 U.S.C. §1101(a)(21) or you will be “presumed” to be a federal citizen and a “citizen of the United States\*\*\*” under 8 U.S.C. §1401, and this is one of the biggest injuries to your rights that you could ever inflict. Watch out folks! Here is the definition we recommend that you use on any government form that uses these terms that makes the meaning perfectly clear and unambiguous:

***“U.S. \*\*\* citizen” or “citizen of the United States\*\*\*”:** A “National” defined in either 8 U.S.C. §1101(a)(21) who owes their permanent allegiance to the confederation of states called the “United States of America”. Someone who was not born in the federal “United States” as defined in 8 U.S.C. §1101(a)(38) and who is NOT a “citizen of the United States” under 8 U.S.C. §1401.*

1 15.8. Refer them to this pamphlet if they have questions and tell them to do their homework.

2 16. Citizenship status in Social Security NUMIDENT record:

3 16.1. The NUMIDENT record derives from what was filled out on the SSA Form SS-5, Block 5. See:

4 <http://www.ssa.gov/online/ss-5.pdf>

5 16.2. One's citizenship status is encoded within the NUMIDENT record using the "CSP code" within the Numident  
6 record. This code is called the "citizenship code" by the Social Security administration.

7 16.3. Like all government forms, the terms used on the SSA Form SS-5 use the STATUTORY context, not the  
8 CONSTITUTIONAL context for all citizenship words. Hence, block 5 of the SSA Form SS-5 should be filled  
9 out with "Other", which means you are a non-resident. This is consistent with the definition of "individual"  
10 found in 26 C.F.R. §1.1441-1(c)(3), which defines the term to include ONLY STATUTORY "aliens".

11 16.4. Those who are not STATUTORY "nationals and citizens of the United States\*\*" at birth per 8 U.S.C. §1401 or  
12 26 U.S.C. §3121(e), and 26 C.F.R. §1.1-1(c) have a "CSP code" of B in their NUMIDENT record, which  
13 corresponds with a CSP code of "B". The comment field of the NUMIDENT record should also be annotated  
14 with the following to ensure that it is not changed during an audit because of confusion on the part of the SSA  
15 employee:

16 *"CSP Code B not designated in error-- applicant is an American national with a domicile  
17 and residence in a foreign state for the purposes of the Social Security Act."*

18 16.5. The local SSA office cannot provide a copy of the NUMIDENT record. Only the central SSA headquarters can  
19 provide it by submitting a Privacy Act request rather than a FOIA using the following resource:

20 Guide to Freedom of Information Act, Social Security Administration  
21 [http://www.ssa.gov/foia/html/foia\\_guide.htm](http://www.ssa.gov/foia/html/foia_guide.htm)

22 16.6. Information in the NUMIDENT record is shared with:

23 16.6.1. The Department of Homeland Security (DHS).

24 16.6.2. State Department of Motor Vehicles in verifying SSNs.

25 16.6.3. E-Verify.

26 *About E-Verify*, Form #04.107

27 <http://sedm.org/Forms/FormIndex.htm>

28 16.7. The procedures for requesting NUMIDENT information using the Freedom of Information Act or Privacy Act are  
described in:

Social Security Program Operations Manual System (POMS), Section RM 00299.005 Form SSA-L669  
Request for Evidence in Support of an SSN Application — U.S.-Born Applicant  
<https://s044a90.ssa.gov/apps10/poms.nsf/lx/0100299005>

29 **4.12.16.1.2 Tabular summary of citizenship status on all federal forms**

30 The table on the next page presents a tabular summary of each permutation of nationality and domicile as related to the major  
31 federal forms and the Social Security NUMIDENT record.

**Table 4-44: Tabular Summary of Citizenship Status on Government Forms**

#	Citizenship status	Place of birth	Domicile	Defined in	Social Security NUMIDEN T Status	Status on Specific Government Forms			
						<a href="#">Social Security SS-5 Block 5</a>	<a href="#">IRS Form W-8 Block 3</a>	<a href="#">Department of State I-9 Section 1</a>	<a href="#">E-Verify System</a>
1	“national and citizen of the United States** at birth” or “U.S.** citizen” or “Statutory U.S.** citizen”	Statutory “United States” pursuant to 8 U.S.C. §1101(a)(38), (a)(36) and 8 C.F.R. §215.1(f) or in the “outlying possessions of the United States” pursuant to 8 U.S.C. §1101(a)(29)	District of Columbia, Puerto Rico, Guam, Virgin Islands	8 U.S.C. §1401; 8 U.S.C. §1101(a)(22)(A)	CSP=A	”U.S. Citizen”	Can’t use Form W-8	”A citizen of the United States”	See Note 2.
2	“non-citizen national of the United States** at birth” or “U.S.** national”	Statutory “United States” pursuant to 8 U.S.C. §1101(a)(38), (a)(36) and 8 C.F.R. §215.1(f) or in the “outlying possessions of the United States” pursuant to 8 U.S.C. §1101(a)(29)	American Samoa; Swains Island; or abroad to U.S. national parents under 8 U.S.C. §1408(2)	8 U.S.C. §1101(a)(22)(B); 8 U.S.C. §1408; 8 U.S.C. §1452	CSP=B	”Legal alien authorized to work. (statutory)”	“Non-resident NON-person Nontaxpayer” if PRIVATE “Individual” if PUBLIC officer	”A non-citizen national of the United States**”	See Note 2.
3.1	“U.S.A.*** national” or “state national” or “Constitutional but not statutory citizen”	Constitutional Union state	State of the Union	8 U.S.C. §1101(a)(21); 14 <sup>th</sup> Amend., Sect. 1	CSP=D	“Other (8 U.S.C. §1101(a)(21))”	“Non-resident NON-person Nontaxpayer”	”A citizen of the United States***. Not a “citizen of the United States**” under 8 U.S.C. §1101(a)(22)(A) or 8 U.S.C. §1401”	See Note 2.
3.2	“U.S.A.*** national” or “state national” or “Constitutional but not statutory citizen”	Constitutional Union state	Foreign country	8 U.S.C. §1101(a)(21); 14 <sup>th</sup> Amend., Sect. 1	CSP=D	“Other (8 U.S.C. §1101(a)(21))”	“Non-resident NON-person Nontaxpayer”	”A citizen of the United States***. Not a “citizen of the United States**” under 8 U.S.C. §1101(a)(22)(A) or 8 U.S.C. §1401”	See Note 2.

#	Citizenship status	Place of birth	Domicile	Defined in	Social Security NUMIDEN T Status	Status on Specific Government Forms			
						Social Security SS-5 Block 5	IRS Form W-8 Block 3	Department of State I-9 Section 1	E-Verify System
3.3	“U.S.A.*** national” or “state national” or “Constitutional but not statutory citizen”	Constitutional Union state	Foreign country	8 U.S.C. §1101(a)(21); 14 <sup>th</sup> Amend., Sect. 1	CSP=D	“Other (8 U.S.C. §1101(a)(21))”	“Non-resident NON-person Nontaxpayer”	“A citizen of the United States***. Not a “citizen of the United States***” under 8 U.S.C. §1101(a)(22)(A) or 8 U.S.C. §1401”	See Note 2.
3.4	Statutory “citizen of the United States***” or Statutory “U.S.** citizen”	Constitutional Union state	Puerto Rico, Guam, Virgin Islands, American Samoa, Commonwealth of Northern Mariana Islands	8 U.S.C. §1101(a)(21); 14 <sup>th</sup> Amend., Sect. 1; 8 U.S.C. §1101(a)(22)(A)	CSP=A	”U.S. Citizen”	Can’t use Form W-8	”A citizen of the United States***”	See Note 2.
4.1	“alien” or “Foreign national”	Foreign country	Puerto Rico, Guam, Virgin Islands, American Samoa, Commonwealth of Northern Mariana Islands	8 U.S.C. §1101(a)(21); 8 U.S.C. §1101(a)(3)	CSP=B	”Legal alien authorized to work. (statutory)”	“Non-resident NON-person Nontaxpayer” if PRIVATE “Individual” if PUBLIC officer	”A lawful permanent resident” OR “An alien authorized to work”	See Note 2.
4.2	“alien” or “Foreign national”	Foreign country	State of the Union	8 U.S.C. §1101(a)(21); 8 U.S.C. §1101(a)(3)	CSP=B	”Legal alien authorized to work. (statutory)”	“Non-resident NON-person Nontaxpayer”	”A lawful permanent resident” OR “An alien authorized to work”	See Note 2.
4.3	“alien” or “Foreign national”	Foreign country	State of the Union	8 U.S.C. §1101(a)(21); 8 U.S.C. §1101(a)(3)	CSP=B	”Legal alien authorized to work. (statutory)”	“Non-resident NON-person Nontaxpayer”	”A lawful permanent resident” OR “An alien authorized to work”	See Note 2.
4.4	“alien” or “Foreign national”	Foreign country	Foreign country	8 U.S.C. §1101(a)(21)	CSP=B	”Legal alien authorized to work. (statutory)”	“Non-resident NON-person Nontaxpayer”	”A lawful permanent resident” OR “An alien authorized to work”	See Note 2.
4.5	“alien” or “Foreign national”	Foreign country	Foreign country	8 U.S.C. §1101(a)(21)	CSP=B	”Legal alien authorized to work. (statutory)”	“Non-resident NON-person Nontaxpayer”	”A lawful permanent resident” OR “An alien authorized to work”	See Note 2.

**NOTES:**

1. "United States" is described in 8 U.S.C. §1101(a)(38), (a)(36) and 8 C.F.R. §215.1(f) and includes only federal territory and possessions and excludes all Constitutional Union states. This is a product of the separation of powers doctrine that is the heart of the United States Constitution.
2. E-Verify CANNOT be used by those who are a NOT lawfully engaged in a public office in the U.S. government at the time of making application. Its use is VOLUNTARY and cannot be compelled. Those who use it MUST have a Social Security Number or Taxpayer Identification Number and it is ILLEGAL to apply for, use, or disclose said number for those not lawfully engaged in a public office in the U.S. government at the time of application. See:

*Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number"*, Form #04.205  
<http://sedm.org/Forms/FormIndex.htm>

3. For instructions useful in filling out the forms mentioned in the above table, see:

- 3.1. Social Security Form SS-5:

*Why You Aren't Eligible for Social Security*, Form #06.001  
<http://sedm.org/Forms/FormIndex.htm>

- 3.2. IRS Form W-8:

*About IRS Form W-8BEN*, Form #04.202  
<http://sedm.org/Forms/FormIndex.htm>

- 3.3. U.S.C.I.S. Form I-9:

*I-9 Form Amended*, Form #06.028  
<http://sedm.org/Forms/FormIndex.htm>

- 3.4. E-Verify:

*About E-Verify*, Form #04.107  
<http://sedm.org/Forms/FormIndex.htm>

**4.12.16.13 Diagrams of Federal Government processes that relate to citizenship**

The diagrams at the link below show how your citizenship status is used and verified throughout all the various federal government programs.

*Citizenship Diagrams*, Form #10.010

FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

DIRECT LINK: <http://sedm.org/Forms/10-Emancipation/CitizenshipDiagrams.pdf>

Knowledge of these processes is important to ensure that all the government's records are properly updated to reflect your status as:

1. A Constitutional "Citizen" as mentioned in [Article I, Section 2, Clause 2 of the United States Constitution](#).
2. A Constitutional "citizen of the United States" per the [Fourteenth Amendment](#).
3. A state national under [8 U.S.C. §1101\(a\)\(21\)](#).
4. "Subject to THE jurisdiction" of the CONSTITUTIONAL United States, meaning subject to the POLITICAL and not LEGISLATIVE jurisdiction of the Constitutional but not STATUTORY "United States".

*"This section contemplates two sources of citizenship, and two sources only, -birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States, and subject to the jurisdiction thereof.' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their [plural, not singular, meaning states of the Union] political jurisdiction, and owing them [the states of the Union and NOT the national government] direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired."*  
 [U.S. v. Wong Kim Ark, [169 U.S. 649](#), 18 S.Ct. 456; 42 L.Ed. 890 (1898)]

5. With a Social Security NUMIDENT citizenship status of:

1 5.1. OTHER than "CSP=A". Social Security Program Operations Manual System (POMS), Section GN 03313.095  
 2 indicates that those who are NOT STATUTORY "U.S. citizens" have a CSP code value of OTHER than "A".  
 3 See:

*Social Security Program Operations Manual System (POMS), Section GN 03313.095, dated 4/27/2009,*  
 Exhibit #01.012  
<http://sedm.org/Exhibits/ExhibitIndex.htm>

4 5.2. "CSP=D", which correlates with not a "citizen of the United States\*\*\*".

5 6. NOT any of the following:

6 6.1. A "U.S. citizen" or "citizen of the United States" on any federal form. All government forms presume the  
 7 STATUTORY and not CONSTITUTIONAL context for terms. For an enumeration of all the statuses one can  
 8 have and their corresponding status on federal forms, see:

*Citizenship Status v. Tax Status*, Form #10.011, Section 8  
 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
 DIRECT LINK: <http://sedm.org/Forms/10-Emancipation/CitizenshipStatusVTaxStatus/CitizenshipVTaxStatus.htm>

9 6.2. Statutory "U.S. citizen" per [26 U.S.C. §3121](#)(e), and 26 C.F.R. §1.1-1(c).

10 6.3. Statutory "national and citizen" per [8 U.S.C. §1401](#).

11 6.4. Statutory "national but not citizen of the United States AT BIRTH" per [8 U.S.C. §1408](#).

12 6.5. Statutory "[U.S. person](#)" per [26 U.S.C. §7701](#)(a)(30). All STATUTORY "[U.S. persons](#)", "[persons](#)", and  
 13 "[individuals](#)" within the Internal Revenue Code are government instrumentalities and/or offices within the U.S.  
 14 government, and not biological people. This is proven in:

*Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes*, Form #05.008  
 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>  
 DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/WhyThiefOrPubOfficer.pdf>

#### 4.12.16.1.4 How the corrupt government CONCEALS and OBFUSCATES citizenship information on government forms to ENCOURAGE misapplication of federal franchises to states of the Union

The following key omissions from government forms are deliberately implemented universally by federal agencies as a way to encourage and even mandate the MISAPPLICATION of federal law to legislatively foreign jurisdictions and to KIDNAP your legal identity and transport it stealthily and without your knowledge to the District of Criminals:

1. Not describing WHICH context they are using geographical terms within: CONSTITUTIONAL or STATUTORY. These two contexts are mutually exclusive.
2. Refusing to define WHICH of the three "United States" they mean in EACH option presented, as described by the U.S. Supreme Court in *Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945).

In addition, the Social Security Administration (SSA) deliberately conceals key information about citizenship in their Program Operations Manual System (POMS) in order to encourage the misapplication of federal franchises to places they may not be offered or enforced, which is states of the Union. The POMS is available at:

Social Security Program Operations Manual System (POMS) Online  
<https://s044a90.ssa.gov/apps10/poms.nsf/partlist!OpenView>

Here are the obfuscation tactics you will encounter from the SSA:

1. If you ask the Social Security Administration WHAT all of the valid values are for the CSP code in your NUMIDENT record, they will pretend like they don't know AND they will refuse to find out.
2. If you visit a local Social Security Administration office and do demand to see and print out their complete NUMIDENT records on you, they will resist.
3. Key sections of the Program Operations Manual System (POMS) within the Records Manual (RM) are omitted from public view dealing with the meaning of "CSP code" and "IDN" code in their NUMIDENT records.
  - 3.1. The "CSP code", according to the SSA POMS, is a "citizenship code". It is defined in POMS RM 00208.001D.4, which is not available online.
  - 3.2. The "IDN code" appears to be an evidence code that synthesizes the CSP and other factors to determine your exact status. "RM 00202.235, Form SS-5 Evidence (IDN) Codes" describes this code and is not available online.
  - 3.3. BOTH POMS RM 00208.001D.4 AND RM 00202.235 sections are "conveniently omitted" from the online POMS because they are hiding something:

Social Security Program Operations Manual System (POMS), Section RM 002: The Social Security Number, Policy and General Procedures  
<https://s044a90.ssa.gov/apps10/poms.nsf/subchapterlist!openview&restricttocategory=01002>

If you want something to FOIA for, ask for the POMS sections and any other SSA internal documents that define these codes. SCUM BAGS!

Finally, HERE is how the POMS system describes how to request one's records from the SSA:

Social Security Program Operations Manual System (POMS), Section RM 00299.005 Form SSA-L669 Request for Evidence in Support of an SSN Application — U.S.-Born Applicant  
<https://s044a90.ssa.gov/apps10/poms.nsf/lx/0100299005>

#### 4.12.16.1.5 The Social Security Administration and Form SS-5

Let us start with SSA Form SS-5, or what would be the nowadays equivalent of an SS-5 -- an agreement entered into as part of the birth registration process. There are multiple issues here. Each issue must be taken into consideration as this is where the whole tax snare is initiated. We know from *U.S. v. Wong Kim Ark*, 169 U.S. 649 (1898), that a person receives two conditions at birth which describe his complete legal condition -- nationality/political status, and domicile/civil status. SSA Form SS-5 is brilliantly constructed to take both of these issues into consideration by virtue of **Block 3 -- BIRTHPLACE**, and **Block 5 -- CITIZENSHIP**. **Block 3** and **Block 5** work together to paint a complete picture, which can be very unique depending on many factors. For example, there are American Nationals born in one of the 50 states, or born in Germany, or Canada. There are foreign nationals born in China or Italy who have since gone through the process of naturalization -- maybe they are domiciled in the United States\*\* or one of the 50 states (United States\*\*\*). There are former American Nationals

1 who have since expatriated (i.e. surrendered United States\*\*\* nationality). The point, is that **Block 3 -- BIRTHPLACE**  
 2 paints only part of the picture. The total status is only fully established when an applicable domicile is considered. But most  
 3 importantly, the applicable jurisdiction changes depending on whether or not the person in consideration is an American  
 4 National or a foreign national. This is key -- and this concept applies to U.S.C.I.S. Form I-9 also!

5 We know that Congress exercises plenary legislative jurisdiction over a foreign "national" occupying ANY portion of the  
 6 territory of the United States\* (the nation). The nation has two territorial divisions, United States\*\*, and United States\*\*\*. A  
 7 foreign national occupying either territorial subdivision is a LEGAL "alien," NOT TO BE CONFUSED with his status as a  
 8 POLITICAL "alien" who may or may not be in the country LEGALLY. What I mean, is that a "legal alien" or an "illegal  
 9 alien" are both considered to be a LEGAL "alien" within the context of law that is -- a LEGAL appellation. This is what the  
 10 status is communicating. It is simply presenting a LEGAL status that can apply to anyone who happens to be "alien" to the  
 11 jurisdiction at issue, whether here legally or not, or possessing a right-to-work status or not. The issue of whether or not the  
 12 "alien" is here legally or not then commutes a right-to-work status. Conversely, an American National automatically has a  
 13 right-to-work status by virtue of his/her American nationality. But the jurisdiction and the status of the American National is  
 14 considered differently because Congress does not have legislative jurisdiction within the 50 states -- only subject matter  
 15 jurisdiction. Thus, if an American National establishes a domicile in one of the 50 states, then he too is a LEGAL "alien" . .  
 16 . not a POLITICAL "alien," but a LEGAL "alien" domiciled in a territorially foreign legislative jurisdiction with a right-to-  
 17 work status commuted through American nationality, which is either commuted through the Fourteenth Amendment (50  
 18 states), or an Act of Congress (D.C., Federal possessions, or naturalization). The following examples will show how both  
 19 **Block 3 -- BIRTHPLACE**, and **Block 5 -- CITIZENSHIP** on SSA Form SS-5 work in tandem to paint the total picture as  
 20 the Supreme Court said in *Wong Kim Ark*.

21 In the following examples A - E, I will provide 3 data points, 1.POLITICAL STATUS/NATIONALITY, 2. SS-5 **Block 3--**  
 22 **BIRTHPLACE**, 3. CIRCUMSTANCE, and finally, a conclusory civil status 4. SS-5 **Block 5--CITIZENSHIP STATUS**,  
 23 which is determined by taking the first three items into consideration collectively.

- 24 A. 1. Mexican National, 2. BIRTHPLACE -- Mexico City, 3. visiting = 4. "Legal Alien Not Allowed to Work"  
 25 B. 1. American National, 2. BIRTHPLACE -- Phoenix, AZ, 3. work in the U.S.A. with an Arizona domicile = 4. "Other "  
 26 C. 1. American National, 2. BIRTHPLACE -- Phoenix, AZ, 3. work in the U.S.A. with a United States\*\* domicile = 4.  
 27 "U.S. Citizen"  
 28 D. 1. American National, 2. BIRTHPLACE -- American Samoa, 3. work in the U.S.A. with a United States\*\* domicile =  
 29 4. "Other"  
 30 E. 1. German National, 2. BIRTHPLACE -- Frankfurt, Germany, 3. work in the U.S.A. with a work visa = 4. "Legal  
 31 Alien Allowed to Work"

32 Notice how B. and E. have the same civil status, but a different political status. This is not an issue as these differences are  
 33 reconciled within the tax system, as a "U.S. person" is a "citizen" or "resident" of the "United States\*\*\*" with the context of  
 34 the "United States" changing depending on the nationality of the "taxpayer."

35 How do I know the above is true? Because the SSA will not issue an SSA Form SS-1042-S to anyone with a CSP Code of  
 36 "A" (U.S. Citizen). An SSA Form SS-1042-S is an information return issued to a "nonresident alien" under Title 26 who  
 37 receives "United States" sourced payments from the SSA. A "U.S. person" will receive an SSA Form SS-1099R. Furthermore,  
 38 if an "employer" sends "wage" information to the SSA, the SSA will then transmit that "wage" information together with the  
 39 CSP Code of the "individual" to the IRS. If the IRS receives "wage" information with a CSP Code of "A", and the "taxpayer"  
 40 subsequently tries to file a 1040NR, it will be flagged as being an incorrect or fraudulent return-- after all, how can an SS-5  
 41 "U.S. Citizen" file a "nonresident alien" tax return? I think they would call this "frivolous." However, if an "individual" has  
 42 a CSP Code of "B" ("Legal Alien Allowed To Work") on file with the SSA, a CSP Code "B" will be transmitted with the  
 43 "wage" information and the "taxpayer" could file EITHER a 1040 ("resident alien") or a 1040NR ("nonresident alien"), as  
 44 both a "resident alien" and a "nonresident alien" would qualify as a "Legal Alien Allowed To Work" for the purposes of the  
 45 *Social Security Act*. The **Block 5 -- CITIZENSHIP** status on the SSA Form SS-5 is designed to get people to declare a  
 46 federal domicile in the United States\*\*, and thus keep them caged in the "U.S. person" tax status. We know this to be the  
 47 case because we know tax status is based on domicile. And since the SSA issues two types of information returns (SSA Form  
 48 SS-1099R & SSA Form SS-1042-S), and since SSA will not issue an SSA Form SS-1042-S to an "individual" with a CSP  
 49 Code of "A" ("U.S. Citizen"), then we know that the **Block 5 -- CITIZENSHIP** status of "U.S.\*\* Citizen" is not referring to  
 50 political citizenship/nationality, but a civil status based partly on the **Block 3 -- BIRTHPLACE**, nationality, AND domicile  
 51 . . . precisely as pointed out by the Supreme Court in *Wong Kim Ark*.



One of our members who is a state national, armed with the information from this pamphlet, went into the Social Security Administration office to file an SSA Form SS-5 to change their status from "U.S. citizen" is SSA Form SS-5, Block 5 and here is the response they got. Their identity shall remain anonymous, but here is their personal experience. They are among our most informed members and used every vehicle available on our website to prove their position at the SSA office:

*On \_\_\_\_\_ I submitted my "Legal Alien Allowed to Work" SSA Form SS-5 modification pursuant to 20 C.F.R. §422.110(a). I was met with the recalcitrance that one would imagine, and then I "turned it on" in the style that one can only get from an SEDM education!! I was elevated to the local office manager. I insisted she input my information into the SSNAP as I have indicated, as no SSA "employee" can practice law on my behalf by providing me legal advice, mandating my political affiliations, or even sign my SS-5 under penalty of perjury, and that it was against the law for them to do so. She acknowledged that I was correct and proceeded to try.*

*The manager took my information, my passport, disappeared, and then came back about 10 mins later asking for different ID. "Why . . . is my passport not good enough?" I asked. She said, "Well, the system will not let me input you as a 'Legal Alien Allowed to Work' with a U.S. Passport as your ID." I told her that my passport was evidence of nationality and not Block 5 citizenship. She told me I was correct and that "there must be something wrong with the system." She flat-out told me that Block 5 of the SSA Form SS-5 was NOT an inquiry into nationality -- which we know to be the case. It is also not an inquiry into HOW one obtains nationality. Which means it can only be a civil status based on domicile within or without the geographical legislative jurisdiction defined as the "United States\*\*" in 42 U.S.C. §1301(a)(2).*

*She came back a time later, telling me they scanned my Form SS-5 as well as all of the documentation that I brought (case law, diagrams, statutory and regulatory language), and that she had been instructed to send it to Baltimore (ostensibly by Baltimore) as well as my regional office. She was told that the information I wanted reflected in my Numident could only be "hard-coded" at the national level, as only they could bypass certain provisions in the SSNAP that local offices were relegated to adhere to! Well . . . surprise, surprise!!!*

[SOURCE: <http://sedm.org/forums/topic/update-from-a-member-on-how-they-changed-their-ss-5-status-with-the-social-security-administration/>]

#### 4.12.16.1.6 The Department of Homeland Security and Form I-9

U.S.C.I.S. Form I-9 also plays a very important role in protecting the status quo of the tax system. We know that U.S.C.I.S. Form I-9 has a very narrow application under the *Immigration Reform and Control Act of 1986*, as there are a very few number of people who would be in a "position" of "employment" in the agricultural section under an executive "department."

The Department of Homeland Security administers the *E-Verify* program which receives two sources of data input -- the Social Security Numident Record, which is what the SSA has on file based on an applicant's SS-5, and the United States Customs and Immigration Service, which deals with the immigration status of FOREIGN NATIONALS. If U.S.C.I.S. deals with the immigration status of foreign nationals who are political aliens and *ipso facto* legal aliens only, then there is absolutely no information with regard to the legal "alien" status of an American National since they are not politically foreign. Furthermore, the government's regulation of private conduct is repugnant to the Constitution. And since the First Amendment guarantees the right to freedom of association, neither the SSA nor U.S.C.I.S. can even address or regulate the legal "alien" status of an American National when he/she chooses a foreign domicile. Since they cannot regulate it, they simply don't address it -- out of sight, out of mind!!! This has the practical effect of creating a psychological barrier that very few are able to overcome. After all, the thought process is as follows: "*The E-Verify system does not recognize your declared status, therefore you must be wrong.*" It's absolutely brilliant if I do say so myself. We tell you . . . we admire the craftiness of these banksters more and more every day!!!

U.S.C.I.S. Form I-9 offers the following civil status designations which are determined precisely in the same manner in which they are determined for the purposes of SSA Form SS-5.

1. "A citizen of the United States" (this would be someone described by 8 U.S.C. §1401)
2. "A noncitizen national of the United States\*\*", or of the United States\*\* (8 U.S.C. §1408<sup>4</sup>, 8 U.S.C. §1101(a)(22)(B), 8 U.S.C. §1101(a)(21))
3. "A lawful permanent resident"
4. "An alien authorized to work" -- the meaning of which is dependent completely on the applicable definition of "United States"

Now, just like on SSA Form SS-5, status number 4 changes applicability just like 8 U.S.C. §1101(a)(3) can change based on the meaning of the term "United States" which is used. A political "alien" is going to be "alien" to the political nation called

1 the United States\* and legally "alien" to ALL territory within the political jurisdiction of the nation -- United States\*\* and  
2 United States\*\*\*. However, an State National domiciled in any of the 50 states is legally "foreign" to the territorial  
3 subdivision of the United States\* where an Act of Congress is locally applicable, this is otherwise known as United States\*\*  
4 and is comprised of the "States" of 8 U.S.C. §1101(a)(36) and the "outlying possessions of the United States" pursuant to 8  
5 U.S.C. §1101(a)(29). So the civil statuses of Section 1 on U.S.C.I.S. Form I-9 are predicated on BOTH nationality and  
6 domicile -- and again, we see that what the Supreme Court said in *Wong Kim Ark* is true -- both nationality and domicile must  
7 be considered to ascertain the complete legal status of the person in question. Thus, the statuses on U.S.C.I.S. Form I-9 are  
8 determined differently for State Nationals and foreign nationals.

9 Now, here is the rub. Solicitors of U.S.C.I.S. Form I-9 will then take that form and query the DHS *E-Verify* system. If an  
10 American National domiciled in the 50 states correctly declares an I-9 status of "A noncitizen national of the United States\*\*"  
11 commensurate with the "Legal Alien Allowed to Work" status on the SSA's Form SS-5 and with the "nonresident alien"  
12 status under Title 26, a non-conclusory response will come back from the DHS *E-Verify* system. Why? **Because DHS and**  
13 **U.S.C.I.S. deal only with LEGAL aliens who are foreign nationals.** The "alien" status of American Nationals falls 100%  
14 outside of the purview of the Federal government. This is why the reference to an A# or Admission# on U.S.C.I.S. Form I-9  
15 says "if applicable." Notice how a U.S. passport is used as evidence of "identity" and "employment" eligibility -- NOT  
16 CITIZENSHIP. Furthermore, the boxed Anti-Discrimination Notice on page 1 of the U.S.C.I.S. Form I-9 instructions states  
17 in bold, all-caps, that an "employer" CANNOT specify which documents an "employee" may submit in the course of  
18 establishing "employment" eligibility.

19 So, why not just state that you are "A citizen of the United States" and then define the United States to mean the United  
20 States\* or the United States\*\*\*? Two reasons: 1. This would be avoiding the dual-element aspect of a person's legal status  
21 as addressed by the Supreme Court under *Wong Kim Ark*, and 2. An "employer" will not accept a IRS Form W-8 a worker  
22 with an I-9 election of "U.S. citizen" -- I know this first-hand.

23 I believe it is safe to say that the vast majority of Americans have snared themselves in the STATUTORY "U.S. person" (26  
24 U.S.C. §7701(a)(30)) tax trap. The Federal government provides the remedy by stating that a person may change personal  
25 information such as citizenship status in the Social Security Numident record by submitting a corrected SSA Form SS-5. This  
26 is detailed in 20 C.F.R. §422.110(a). We also know that the IRS has stated that an "individual" may change the status of  
27 his/her SSN by following the regulatory guidance of 26 C.F.R. §301.6109-1(g)(1)(i). Since we know the IRS deals with  
28 "taxpayers" and NOT non-"taxpayers," there is ONLY one way to change the status of one's SSN with the IRS, and that is to  
29 file the appropriate Forms that a "nonresident alien" "taxpayer" would file -- namely a IRS Forms W-4, W-8ECI or a W-  
30 8BEN with a SSN included. Had a Citizen of the 50 states NEVER declared the "U.S. citizen" federal domicile in the first  
31 place which most have done in the course of obtaining an SSN, filling out a Bank Signature Card (Substitute IRS W-9), and  
32 filing an IRS Form 1040, this "unwrapping oneself" from the damage done would never have to be done, as one would have  
33 always maintained a legislatively foreign status. But a deceived man does not know that he has been deceived. But once he  
34 figures it out, I believe he must follow the method provided by the government to remedy it. The government does provide  
35 the remedy.

36 A Citizen of Florida who wishes to serve his nation in the Armed Forces would obtain a SSN as "Legal Alien Allowed to  
37 Work" file an IRS Form W-4 as a "wage" earner who is in a "position" of "service" within the "department" of Defense, and  
38 file a 1040NR on or before tax day. Then, upon returning to the private-sector, simply provide the private-sector payer with  
39 a modified W-8BEN without the SSN. The Florida Citizen's status on file with the SSA reflects his foreign civil status to the  
40 United States\*\*, and this is further evidenced in his IRS IMF which would identify him as a "nonresident alien" "taxpayer."  
41 All of the evidence the "United States" (non-geographical sense) would otherwise use against a "U.S. person" claiming a  
42 "nonresident alien" status does not exist. In fact, it all supports his sovereign foreign status as an American National and State  
43 Citizen under the Constitution as well as the various Acts of Congress. Additionally, the private-sector payer is indemnified  
44 by the U.S.C.I.S. Form I-9 submission (which isn't really required anyway in the private-sector) and the W-8BEN. There is  
45 not a voluntary W-4 agreement in place pursuant to 26 U.S.C. §3402(p)(3), thus the worker is not part of "payroll," but is  
46 nothing more than a contractor who receives non-taxable personal payments from the company's 'accounts payable' pot of  
47 money. Of course, this "nonresident alien" may of course still be a "taxpayer" due to "United States" sourced payments  
48 received from a military retirement (IRS Form 1099R), and Social Security Payments (if applied for and received, SSA Form  
49 SS-1042-S). Because he is a "nonresident alien," his "United States" sourced payments are of course taxed, but in his private  
50 life, any payment he receives constitutes a foreign estate, the taxation of which must be accomplished through the process of  
51 apportionment pursuant to Art I, Sec 9, Cl 4.

1 Be certain, the SSA Form SS-5, U.S.C.I.S. Form I-9, and the "U.S. Citizen" ruse is designed to box people into a federal  
 2 "United States\*\*" domicile. 99.99% of the people don't understand the Fourteenth Amendment or the complexities of civil  
 3 status and how it is established based on both nationality and domicile. For this reason, the matrix tax system is protected by  
 4 those who feed off of it. The government has provided everyone with the remedy. But it involves many government agencies  
 5 and a complete understanding of how information is shared between agencies, what applies when and how, and also knowing  
 6 when it doesn't. Furthermore, one has to be able to articulate this to others so that they also feel indemnified in the process.

7 For further information about the subjects in this section, see:

*Developing Evidence of Citizenship and Sovereignty Course*, Form #12.002  
<http://sedm.org/Forms/FormIndex.htm>

8 **4.12.16.1.7 USA Passport**

9 This section deals with describing your status on the USA passport application. We won't go into detail on this subject  
 10 because we have a separate document that addresses this subject in detail below:

*Getting a USA Passport as a "state national"*, Form #10.012  
<http://sedm.org/Forms/FormIndex.htm>

11 **4.12.16.2 Answering Questions from the Government About Your Citizenship So As to Protect Your Sovereign**  
 12 **Status and disallow federal jurisdiction**

13 When a federal officer asks you if you are a "citizen", consider the context! The only basis for him asking this is *federal law*,  
 14 because he isn't bound by state law. If you tell him you are a "citizen" or a "U.S. citizen", then indirectly, you are admitting  
 15 that you are subject to federal law, because that's what it means to be a "citizen" under federal law! Watch out! Therefore,  
 16 as people born in and domiciled within a state of the Union on land that is not federal territory, we need to be very careful  
 17 how we describe ourselves on government forms. Below is what we should say in each of the various contexts to avoid  
 18 misleading those asking the questions on the forms. In this context, let's assume you were born in California and are  
 19 domiciled there. This guidance also applies to questions that officers of the government might ask you in each of the two  
 20 contexts as well:

21 **Table 4-45: Describing your citizenship and status on government forms**

#	Question on form	Context	
		State officer or form	Federal officer or form
1	Are you a "citizen"?	Yes. Of California, but not the "State of California".	No. Not under federal law.
2	Are you a "national"?	Yes. Of California, but not the "State of California".	Yes. I'm a "national of the United States*** of America" under 8 U.S.C. §1101(a)(21) and under Perkins v. Elg, 307 U.S. 325 (1939).
3	Are you a "U.S. citizen"?	No. I'm a California "citizen" or simply a "national"	No. I'm a California citizen or simply a "national". I am <i>not</i> a federal "citizen" because I don't maintain a domicile on federal territory.
4	Are you subject to the political jurisdiction of the United States[**]?	Yes. I'm a state elector who influences federal elections indirectly by the representatives I elect.	Yes. I'm a state elector who influences federal elections indirectly by the representatives I elect.
5	Are you subject to the legislative jurisdiction of the United States[**]?	No. I am only subject to the legislative jurisdiction of California but not the "State of California". The "State of" California is a corporate subdivision of the federal government that only has jurisdiction in federal areas within the state.	No. I am only subject to the laws and police powers of California but not the State of California, and not the federal government, because I don't maintain a domicile on federal territory subject to "its" jurisdiction.

#	Question on form	Context	
		State officer or form	Federal officer or form
6	Are you a "citizen of the United States[***]" under the Fourteenth Amendment?	Yes, but under federal law, I'm a "national". Being a "citizen" under state law doesn't make me subject to federal legislative jurisdiction and police powers. That status qualifies me to vote in any state election, but doesn't make me subject to federal law.	Yes, but under federal law, I'm a "national". Being a "citizen" under state law doesn't make me subject to federal legislative jurisdiction and police powers. That status qualifies me to vote in any state election, but doesn't make me subject to federal law.

Below is a sample interchange from a deposition held by a U.S. Attorney from the U.S. Department of Justice against a sui juris litigant who knows his rights and his citizenship status. The subject is the domicile and citizenship of the litigant. This dialog helps to demonstrate how to keep the discussion focused on the correct issues and to avoid getting too complicated. If you are expecting to be called into a deposition by a U.S. Attorney or any government attorney, we strongly suggest rehearsing the dialog below so that you know it inside and out:

**Questions 1:** Please raise your right hand so you can take the required oath.

**Answer 1:** I'm not allowed to swear an oath as a Christian. Jesus forbid the taking of oaths in Matt. 5:33-37. The courts have said that I can substitute an affirmation for an oath, and that I can freely prescribe whatever I want to go into the affirmation.

[8:222] Affirmation: A witness may testify by affirmation rather than under oath. An affirmation 'is simply a solemn undertaking to tell the truth.' [See FRE 603, Acv. Comm. Notes (1972); FRCP 43(d); and Ferguson v. Commissioner of Internal Revenue (5<sup>th</sup> Cir. 1991) 921 F.2d. 488, 489—affirmation is any form or statement acknowledging 'the necessity for telling the truth']

[. . .]

[8:224] 'Magic words' not required: A person who objects to taking an 'oath' may pledge to tell the truth by any 'form or statement which impresses upon the mind and conscience of a witness the necessity for telling the truth.' [See FRE 603, Adv. Comm. Notes (1972)—'no special verbal formula is required'; United States v. Looper (4<sup>th</sup> Cir. 1969), 419 F.2d. 1405, 1407; United States v. Ward (9<sup>th</sup> Cir. 1992), 989 F.2d. 1015, 1019] [Federal Civil Trials and Evidence (2005), Rutter Group, pp. 8C-1 to 8C-2]

**Questions 2:** Please provide or say your chosen affirmation

**Answer 2:** Here is my affirmation:

"I promise to tell the truth, the whole truth, and nothing but the truth. Do not interrupt me at any point in this deposition or conveniently destroy or omit the exhibits I submit for inclusion in the record because you will cause me to commit subornation of perjury in violation of [18 U.S.C. §1622](#) and be guilty of witness tampering in violation of [18 U.S.C. §1512](#). This deposition constitutes religious and political beliefs and speech that are NOT factual and not admissible as evidence pursuant to Federal Rule of Evidence 610 if any portion of it is redacted or removed from evidence or not allowed to be examined or heard in its entirety by the jury or judge. It is ONLY true if the entire thing can be admitted and talked about and shown to the jury or fact finder at any trial that uses it.

Non-acceptance of this affirmation or refusal to admit all evidence submitted during this deposition into the record by the court shall constitute:

1. Breach of contract (this contract).
2. Compelled association with a foreign tribunal in violation of the First Amendment and in disrespect of the choice of citizenship and domicile of the deponent.
3. Evidence of unlawful duress upon the deponent.
4. Violation of this Copyright/User/Shrink wrap license agreement applying to all materials submitted or obtained herein.

The statements, testimony, and evidence herein provided impose a license agreement against all who use it. The deposer and the government, by using any portion of this deposition as evidence in a civil proceeding, also agree to grant witness immunity to the deponent in the case of any future criminal proceeding which might use it pursuant to [18 U.S.C. §6002](#).

Any threats of retaliation or court sanctions or punishment because of this Affirmation shall also constitute corruptly threatening and tampering with a witness in violation of [18 U.S.C. §1512](#).

This affirmation is an extension of my right to contract guaranteed under [Article I](#), Section 10 of the United States Constitution and may not be interfered with by any court of the United States.

I am appearing here today as a fiduciary, foreign ambassador, minister of a foreign state, and a foreign government, God's government on earth. The ONLY civil laws which apply to this entire proceeding are the laws of my domicile, being God's Kingdom and the Holy Bible New King James Version, pursuant to [Federal Rule of Civil Procedure 17\(b\)](#) and [Federal Rule of Civil Procedure 44.1](#). The Declaration of Independence says that all just powers of government derive from the consent of the governed, and the ONLY laws that I consent to are those found in the Holy Bible. Domicile is the method of describing the laws that a person voluntarily consents to, and the Bible forbids me to consent to the jurisdiction of any laws other than those found in the Holy Bible.

Questions 3: Where do you live

Answer 3: In my body.

Question 4: Where does your body sleep at night?

Answer 4: In a bed.

Question 5: Where is the bed geographically located?

Answer 5: On the territory of my Sovereign, who is God. The Bible says that God owns all the Heavens and the Earth, which leaves nothing for Caesar to rule. See Gen. 1:1, Psalm 89:11-13, Isaiah 45:12, Deut. 10:14. You're trying to create a false presumption that I have allegiance to you and must follow your laws because I live on your territory. It's *not* your territory. God is YOUR landlord, and if my God doesn't exist, then the government doesn't exist either because they are *both* religions and figments of people's imagination. You can't say that God doesn't exist without violating the First Amendment and disestablishing my religion and establishing your own substitute civil religion called "government". What you really mean to ask is what is my domicile because that is the origin of all of your civil jurisdiction over me, now isn't it?

Questions 6: Where is your domicile?

Answer 6: My domicile establishes to whom I owe exclusive allegiance, and that allegiance is exclusively to God, who is my *ONLY* King, Lawgiver, and Judge. Isaiah 33:22. The Bible forbids me to have allegiance to anyone but God or to nominate a King or Ruler to whom I owe allegiance or obedience. See 1 Sam. 8:4-8 and 1 Sam. 12. Consequently, the only place I can have a domicile is in God's Kingdom on Earth, and since God owns all the earth, I'm a citizen of Heaven and not any man-made government, which the Bible confirms in Phil. 3:20. You're trying to recruit me to commit idolatry by placing a civil ruler above my allegiance to God, which is the worst sin of all documented in the Bible and violates the first four commandments of the Ten Commandments. The Bible also says that I am a pilgrim and stranger and sojourner on earth who cannot be conformed to the earth, and therefore cannot have a domicile within any man-made government, but only God's government. Hebrews 11:13, 1 Pet. 2:1, Romans 12:2.

Questions 7: Are you a "U.S. citizen"?

Answer 7: Which of the three "United States" do you mean? The U.S. Supreme Court identified three distinct definitions of "United States" in [Hooven & Allison Co. v. Evatt, 324 U.S. 652 \(1945\)](#)? If there are three different "United States", then it follows that there are three different types of "U.S. citizens", now doesn't it?

Questions 8: You don't know which one of the three are most commonly used on government forms?

Answer 8: That's not the point here. You are the moving party and you have the burden of proof. You are the one who must define exactly what you mean so that I can give you an *unambiguous* answer that is consistent with prevailing law. I'm not going to do your job for you, and I'm not going to encourage injurious presumptions about what you mean by the audience who will undoubtedly read this deposition. Presumption is a biblical sin. See Numbers 15:30, New King James version. I won't sit here and help you manufacture presumptions about my status that will prejudice my God given rights.

Questions 9: Are you a "resident" of the United States?

Answer 9: A "resident" is an alien with a domicile within your territory. I don't have a domicile within any man-made government so I'm not a "resident" ANYWHERE. I am not an "alien" in relation to you because I was born here. That makes me a "national" pursuant to [8 U.S.C. §1101\(a\)\(21\)](#) but not a statutory "citizen" as defined in

1 [8 U.S.C. §1401](#). All statutory citizens are persons born somewhere in the United States and who have a domicile  
2 on federal territory, and I'm NOT a statutory "citizen".

3  
4 Questions 10: What kind of "citizen" are you?

5 Answer 10: I'm not a "citizen" or "resident" or "inhabitant" of any man-made government, and what all those statuses have  
6 in common is domicile within the jurisdiction of the state or forum. I already told you I'm a citizen of God's  
7 Kingdom and not Earth because that is what the Bible requires me to be as a Christian. Being a "citizen" implies  
8 a domicile within the jurisdiction of the government having general jurisdiction over the country or state of my  
9 birth. I can only be a "citizen" of one place at a time because I can only have a domicile in one place at a time.  
10 A human being without a domicile in the place that he is physically located is a transient foreigner, a stranger,  
11 and a stateless person in relation to the government of that place. That is what I am. I can't delegate any of my  
12 God-given sovereignty to you or nominate you as my protector by selecting a domicile within your jurisdiction  
13 because the Bible says I can't conduct commerce with any government and can't nominate a king or protector  
14 over or above me. Rev. 18:4, 1 Sam. 8:4-8 and 1 Sam. 12. The Bible forbids oaths, including perjury oaths,  
15 which means I'm not allowed to participate in any of your franchises or excise taxes, submit any of your forms,  
16 or sign any contracts with you that would cause a surrender of the sovereignty God gave me as his fiduciary  
17 and "public officer". See Matt. 5:33-37. I also can't serve as your "public officer", which is what all of your  
18 franchises do to me, because no man can serve two masters. Luke 16:13. I have no delegated authority from  
19 the sovereign I represent here today, being God, to act as your agent, fiduciary, or public officer, all of which is  
20 what a "taxpayer" is.

21 *"You were bought at a price; **do not become slaves of men** [and remember that government  
22 is made up of men]."*  
23 *[1 Cor. 7:23, Bible, NKJV]*

24 *"We ought to obey God rather than men."*  
25 *[Acts 5:27-29, Bible, NKJV]*

26  
27 Questions 11: Who issued your passport?

28 Answer 11: The "United States **of America**" issued my passport, not the "United States". The Articles of Confederation  
29 identify the United States of America as the confederation of states of the Union, not the government that was  
30 created to serve them called the "United States". See *United States v. Curtiss-Wright Export Corporation*, 299  
31 U.S. 304 (1936). The only thing you need to get a passport is allegiance to "United States" pursuant to [22](#)  
32 [U.S.C. §212](#). The "United States" they mean in that statute isn't defined and it could have one of three different  
33 meanings. Since the specific meaning is not identified, I define "allegiance to the United States" as being  
34 allegiance to the people in the states of the Union and NOT the pagan government that serves them in the District  
35 of Criminals. No provision within the U.S. Code says that I have to be a statutory "U.S. citizen" pursuant to [8](#)  
36 [U.S.C. §1401](#) in order to obtain a passport or that possession of a passport infers or implies that I am a statutory  
37 "U.S. citizen". A passport is *not* proof of citizenship, but only proof of **allegiance**. The only citizenship status  
38 that carries with it exclusively allegiance is that of a "national" but not a "citizen" pursuant to [8 U.S.C.](#)  
39 [§1101\(a\)\(21\)](#). That and **only** that is what I am as far as citizenship. There is no basis to imply or infer anything  
40 more than that about my citizenship. You have the burden of proof if you allege otherwise, and I insist that you  
41 satisfy that burden of proof right here, right now on the public record of this deposition before I can truthfully  
42 and unambiguously answer ANY of your questions about citizenship.

43 *"...the only means by which an American can lawfully leave the country or return to it - absent a Presidentially  
44 granted exception - is with a passport... As a travel control document, **a passport is both proof of identity and**  
45 **proof of allegiance to the United States.** Even under a travel control statute, however, a passport remains in a  
46 sense a document by which the Government vouches for the bearer and for his conduct. "*  
47 *[Haig v. Agee, [453 U.S. 280](#) (1981)]*

48  
49 Questions 12: Are you the "citizen of the United States" described in section 1 of the Fourteenth Amendment?

50 Answer 12: The term "United States" as used in the Constitution signifies the states of the Union and excludes federal  
51 territories and possessions.

52 *"The earliest case is that of *Hepburn v. Ellzey*, 2 Cranch, 445, 2 L.Ed. 332, in which this court held that, under  
53 that clause of the Constitution limiting the jurisdiction of the courts of the United States to controversies between  
54 citizens of different states, a citizen of the District of Columbia could not maintain an action in the circuit court  
55 of the United States. It was argued that the word 'state,' in that connection, was used simply to denote a distinct  
56 political society. 'But,' said the Chief Justice, 'as the act of Congress obviously used the word 'state' in reference*

to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is a state in the sense of that instrument. The result of that examination is a conviction that the members of the American confederacy only are the states contemplated in the Constitution . . . and excludes from the term the signification attached to it by writers on the law of nations.' This case was followed in *Barney v. Baltimore*, 6 Wall. 280, 18 L.Ed. 825, and quite recently in *Hooe v. Jamieson*, 166 U.S. 395, 41 L.Ed. 1049, 17 Sup.Ct.Rep. 596. The same rule was applied to citizens of territories in *New Orleans v. Winter*, 1 Wheat. 91, 4 L.Ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it was said that 'neither of them is a state in the sense in which that term is used in the Constitution.' In *Scott v. Jones*, 5 How. 343, 12 L.Ed. 181, and in *Miners' Bank v. Iowa ex rel. District Prosecuting Attorney*, 12 How. 1, 13 L.Ed. 867, it was held that under the judiciary act, permitting writs of error to the supreme court of a state in cases where the validity of a state statute is drawn in question, an act of a territorial legislature was not within the contemplation of Congress." [Downes v. Bidwell, 182 U.S. 244 (1901) ]

Therefore, the term "citizen of the United States" as used in section 1 of the Fourteenth Amendment implies a citizen of one of the 50 states of the Union who was NOT born within or domiciled within any federal territory or possession and who is NOT therefore subject to any of the civil laws of the national government.

"The 1<sup>st</sup> section of the 14<sup>th</sup> article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[\*\*\*], but citizenship of the states. No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the public journals. It had been said by eminent judges that no man was a citizen of the United States[\*\*\*] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[\*], were not citizens." [Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

"It is impossible to construe the words 'subject to the jurisdiction thereof,' in the opening sentence [of the Fourteenth Amendment, Section 1], as less comprehensive than the words 'within its jurisdiction,' in the concluding sentence of the same section; or to hold that persons 'within the jurisdiction' of one of the states of the Union are not 'subject to the jurisdiction of the United States[\*\*\*].'" [U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898), emphasis added]

A constitutional citizen, which is what you are describing, is not a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 and may not describe himself as a "citizen" of any kind on any federal form. If I have ever done that, I was in error and you should disregard any evidence in your possession that I might have done such a thing because now I know that it was wrong.

#### 4.12.16.3 Arguing or Explaining Your Citizenship in Litigation Against the Government

A very common misconception about citizenship employed by IRS and Department of Justice Attorneys in the course of litigation is the following false statement:

"Constitutional citizens born within states of the Union and domiciled there are statutory "citizens of the United States" pursuant to 8 U.S.C. §1401, the Internal Revenue Code at 26 C.F.R. §1.1-1(c), 26 U.S.C. §911."

The reasons why the above is false are explained elsewhere in this document. An example of such false statements is found in the Department of Justice Criminal Tax Manual (1994), Section 40.05[7]:

40.05[7] Defendant Not A "Person" or "Citizen"; District Court Lacks Jurisdiction Over Non-Persons and State Citizens

40.05[7][a] Generally

Another popular protester argument is the contention that the protester is not subject to federal law because he or she is not a citizen of the United States, but a citizen of a particular "sovereign" state. This argument seems to be based on an erroneous interpretation of 26 U.S.C. §3121(e)(2), which states in part: "The term 'United States' when used in a geographical sense includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa." The "not a citizen" assertion directly contradicts the Fourteenth Amendment, which states "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside." The argument has been rejected time and again by the courts. See *United States v. Cooper*, 170 F.3d 691, 691(7th Cir. 1999) (imposed sanctions on tax protester defendant making "frivolous squared" argument that only residents of Washington, D.C. and other federal enclaves are citizens of United States and subject to federal tax laws); *United States v. Mundt*, 29 F.3d 233, 237 (6th Cir.

1994) (rejected "patently frivolous" argument that defendant was not a resident of any "federal zone" and therefore not subject to federal income tax laws); *United States v. Hilgeford*, 7 F.3d. 1340, 1342 (7th Cir. 1993) (rejected "shop worn" argument that defendant is a citizen of the "Indiana State Republic" and therefore an alien beyond the jurisdictional reach of the federal courts); *United States v. Gerads*, 999 F.2d. 1255, 1256-57 (8th Cir. 1993) (imposed \$1500 sanction for frivolous appeal based on argument that defendants were not citizens of the United States but instead "Free Citizens of the Republic of Minnesota" not subject to taxation); *United States v. Silevan*, 985 F.2d. 962, 970 (8th Cir. 1993) (rejected as "plainly frivolous" defendant's argument that he is not a "federal citizen"); *United States v. Jagim*, 978 F.2d. 1032, 1036 (9th Cir. 1992) (rejected "imaginative" argument that defendant cannot be punished under the tax laws of the United States because he is a citizen of the "Republic" of Idaho currently claiming "asylum" in the "Republic" of Colorado) *United States v. Masat*, 948 F.2d. 923, 934 (5th Cir. 1991); *United States v. Sloan*, 939 F.2d. 499, 500-01 (7th Cir. 1991) ("strange argument" that defendant is not subject to jurisdiction of the laws of the United States because he is a "freeborn natural individual" citizen of the State of Indiana rejected); *United States v. Price*, 798 F.2d. 111, 113 (5th Cir. 1986) (citizens of the State of Texas are subject to the provisions of the Internal Revenue Code).

[SOURCE: [http://www.usdoj.gov/tax/readingroom/2001ctm/40ctax.htm#40.05\[71\]](http://www.usdoj.gov/tax/readingroom/2001ctm/40ctax.htm#40.05[71])]

Notice the self-serving and devious "word or art" games and "word tricks" played by the Dept. of Injustice in the above:

1. They deliberately don't show you the WHOLE definition in 26 U.S.C. §3121(e), which would open up a HUGE can of worms that they could never explain in a way that is consistent with everything that people know other than the way it is explained here.
2. They FALSELY and PREJUDICIALLY "presume" that there is no separation of powers between federal territory and states of the Union, which is a violation of your rights and Treason punishable by death. The separation of powers is the very foundation of the Constitution, in fact. See:
 

[Government Conspiracy to Destroy the Separation of Powers](http://sedm.org/Forms/FormIndex.htm), Form #05.023  
<http://sedm.org/Forms/FormIndex.htm>
3. They deliberately refuse to recognize that the context in which the term "United States" is used determines its meaning.
4. They deliberately refuse to recognize that there are THREE definitions of the term "United States" according to the U.S. Supreme Court.
5. They deliberately refuse to reconcile *which* of the three mutually exclusive and distinct definitions of "United States" applies in each separate context and WHY they apply based on the statutes they seek to enforce.
6. They deliberately refuse to recognize or admit that the term "United States" as used in the Constitution includes states of the Union and excludes federal territory.
7. They deliberately refuse to apply the rules of statutory construction to determine what is "included" within the definition of "United States" found in 26 U.S.C. §3121(e)(2). They don't want to admit that the definition is ALL inclusive and limiting, because then they couldn't collect any tax, even though it is.

[TITLE 26 > Subtitle C > CHAPTER 21 > Subchapter C > § 3121](#)  
[§ 3121. Definitions](#)

(e) State, United States, and citizen

For purposes of this chapter—

(1) State

**The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa. [WHERE are the states of the Union?]**

(2) United States

**The term "United States" when used in a geographical sense includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa. [WHERE are the states of the Union?]**

---

**"When a statute includes an explicit definition, we must follow that definition, even if it varies from that term's ordinary meaning.** *Meese v. Keene*, 481 U.S. 465, 484-485 (1987) ("It is axiomatic that the statutory definition of the term excludes unstated meanings of that term"); *Colausti v. Franklin*, 439 U.S. at 392-393, n. 10 ("As a rule, 'a definition which declares what a term 'means' . . . excludes any meaning that is not stated'"); *Western Union Telegraph Co. v. Lenroot*, 323 U.S. 490, 502 (1945); *Fox v. Standard Oil Co. of N.J.*, 294 U.S. 87, 95-96 (1935) (*Cardozo, J.*); see also 2A N. Singer, *Sutherland on Statutes and Statutory Construction* § 47.07, p. 152,



and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read "as a whole," post at 998 [530 U.S. 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include the Attorney General's restriction -- "the child up to the head." Its words, "substantial portion," indicate the contrary." [*Stenberg v. Carhart*, 530 U.S. 914 (2000)]

"It is axiomatic that the statutory definition of the term excludes unstated meanings of that term. *Colautti v. Franklin*, 439 U.S. 379, 392, and n. 10 (1979). Congress' use of the term "propaganda" in this statute, as indeed in other legislation, has no pejorative connotation. As judges, it is our duty to [481 U.S. 485] construe legislation as it is written, not as it might be read by a layman, or as it might be understood by someone who has not even read it." [*Meese v. Keene*, 481 U.S. 465, 484 (1987)]

"As a rule, a definition which declares what a term "means" . . . excludes any meaning that is not stated" [*Colautti v. Franklin*, 439 U.S. 379 (1979), n. 10]

Therefore, if you are going to argue citizenship in federal court, we STRONGLY suggest the following lessons learned by reading the Department of Justice Criminal Tax Manual article above:

1. Include all the language contained in the following in your pleadings:

*Rules of Presumption and Statutory Interpretation, Litigation Tool #01.006*  
<http://sedm.org/Litigation/LitIndex.htm>

2. If someone from the government asks you whether you are a "citizen of the United States" or a "U.S. citizen":
  - 2.1. Cite the three definitions of the "United States" explained by the Supreme Court and then ask them to identify which of the three definitions of "U.S." they mean. Tell them they can choose ONLY one of the definitions.
    - 2.1.1. The COUNTRY "United States\*\*".
    - 2.1.2. Federal territory and no part of any state of the Union "United States\*\*\*"
    - 2.1.3. States of the Union and no part of federal territory "United States\*\*\*\*"
  - 2.2. Ask them WHICH of the three types of statutory citizenship do they mean in Title 8 of the U.S. Code and tell them they can only choose ONE:
    - 2.2.1. 8 U.S.C. §1401 and 8 U.S.C. §1101(a)(22)(A) statutory "citizen of the United States\*\*\*". Born in and domiciled on a federal territory and possession and NOT a state of the Union.
    - 2.2.2. 8 U.S.C. §1408 and 8 U.S.C. §1101(a)(22)(B) statutory "national of the United States\*\*\*". Born in and domiciled in American Samoa or Swains Island.
    - 2.2.3. 8 U.S.C. §1101(a)(21) state national. Born in and domiciled in a state of the Union and not subject to federal legislative jurisdiction but only subject to political jurisdiction.
  - 2.3. Hand them the following short form printed on double-sided paper and signed by you. Go to section 7 and point to the "national" status in diagram. Tell them you want this in the court record or administrative record and that they agree with it if they can't prove it wrong with evidence.

*Citizenship, Domicile, and Tax Status Options*, Form #10.003  
<http://sedm.org/Forms/FormIndex.htm>

If you want more details on how to field questions about your citizenship, fill out government forms describing your citizenship, or rebut arguments that you are wrong about your citizenship, we recommend sections 11 through 13 of the following:

*Why You are a "national", "state national", and Constitutional but not Statutory Citizen*, Form #05.006  
<http://sedm.org/Forms/FormIndex.htm>

3. If your opponent won't answer the above questions, then forcefully accuse him of engaging in TREASON by trying to destroy the separation of powers that is the foundation of the United States Constitution. Tell them you won't help them engage in treason or undermine the main protection for your constitutional rights, which the Supreme Court said comes from the separation of powers. Then direct them at the following document that proves the existence of such TREASON.

*Government Conspiracy to Destroy the Separation of Powers*, Form #05.023  
<http://sedm.org/Forms/FormIndex.htm>

4. Every time you discuss citizenship with a government representative, emphasize the three definitions of the "United States" explained by the Supreme Court and that respecting and properly applying these definitions consistently is how we respect and preserve the separation of powers.
5. Admit to being a constitutional "citizen of the United States\*\*\*\*" but not a statutory "citizen of the United States\*\*\*". This will invalidate almost all the case law they cite and force them to expose their presumptions about WHICH "United States" they are trying to corn-hole you into.
6. Emphasize that the context in which the term "United States" is used determines WHICH of the three definitions applies and that there are two main contexts.

1 "It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to  
2 its objects, but extending all over the Union: the other, an absolute, exclusive legislative power over the District  
3 of Columbia. The preliminary inquiry in the case now before the Court, is, by virtue of which of these authorities  
4 was the law in question passed?"

5 [[Cohens v. Virginia, 19 U.S. 264, 6 Wheat. 265; 5 L.Ed. 257 \(1821\)](#)]

6 6.1. **The Constitution**: states of the Union and no part of federal territory. This is the "Federal government"

7 6.2. **Federal statutory law**: Community property of the states that includes federal territory and possession that is no  
8 party of any state of the Union. This is the "National government".

9 7. Emphasize that you can only be a "citizen" in ONE of the TWO unique geographical places above at a time because you  
10 can only have a domicile in ONE of the two places at a time. Another way of saying this is that you can only have  
11 allegiance to ONE MASTER at a time and won't serve two masters, and domicile is based on allegiance.

12 "**domicile**. A person's legal home. That place where a man has his true, fixed, and **permanent home** and  
13 principal establishment, and to which whenever he is absent he has **the intention of returning**. *Smith v. Smith*,  
14 206 Pa.Super. 310, 213 A.2d. 94. Generally, physical presence within a state and **the intention** to make it one's  
15 home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place  
16 to which he **intends to** return even though he may actually reside elsewhere. A person may have more than one  
17 residence but only one domicile. **The legal domicile of a person is important since it, rather than the actual**  
18 **residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise**  
19 **the privilege of voting and other legal rights and privileges.**"

20 [*Black's Law Dictionary, Sixth Edition, p. 485*]

21 "**Thus, the Court has frequently held that domicile or residence, more substantial than mere presence in transit**  
22 **or sojourn, is an adequate basis for taxation, including income, property, and death taxes.** Since the Fourteenth  
23 Amendment makes one a citizen of the state wherein he resides, **the fact of residence creates universally**  
24 **reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously**  
25 **includes a duty to pay taxes, and their nature and measure is largely a political matter.** Of course, the situs of  
26 property may tax it regardless of the citizenship, domicile, or residence of the owner, the most obvious illustration  
27 being a tax on realty laid by the state in which the realty is located."

28 [*Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954)* ]

29 8. Emphasize that it is a violation of due process of law and an injury to your rights for anyone to PRESUME anything  
30 about which definition of "United States" applies in a given context or which type of "citizen" you are. EVERYTHING  
31 must be supported with evidence as we have done here.

32 (1) [8:4993] **Conclusive presumptions affecting protected interests**: A conclusive presumption may be defeated  
33 where its application would impair a party's constitutionally-protected liberty or property interests. In such  
34 cases, conclusive presumptions have been held to violate a party's due process and equal protection  
35 rights. [*Vlandis v. Kline (1973) 412 U.S. 441, 449, 93 S.Ct. 2230, 2235; Cleveland Bd. of Ed. v. LaFleur (1974)*  
36 *414 US 632, 639-640, 94 S.Ct. 1208, 1215-presumption under Illinois law that unmarried fathers are unfit*  
37 *violates process*]

38 [[Rutter Group Practice Guide-Federal Civil Trials and Evidence, paragraph 8:4993, page 8K-34](#)]

39 9. Emphasize that applying the CORRECT definition is THE MOST IMPORTANT JOB of the court, as admitted by the  
40 U.S. Supreme Court, in order to maintain the separation of powers between the federal zone and the states of the Union,  
41 and thereby protect your rights:

42 "The idea prevails with some, indeed it has found expression in arguments at the bar, that we have in this country  
43 substantially two national governments; one to be maintained under the Constitution, with all of its restrictions;  
44 the other to be maintained by Congress outside the independently of that instrument, by exercising such powers  
45 [of absolutism] as other nations of the earth are accustomed to. **I take leave to say that, if the principles thus**  
46 **announced should ever receive the sanction of a majority of this court, a radical and mischievous change in**  
47 **our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded**  
48 **and protected by a written constitution into an era of legislative absolutism.. It will be an evil day for American**  
49 **liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional**  
50 **jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of**  
51 **the principles of the Constitution.**"

52 [*Downes v. Bidwell, 182 U.S. 244 (1901)*]

53 10. Emphasize that anything your opponent does not rebut with evidence under penalty of perjury is admitted pursuant to  
54 Federal Rule of Civil Procedure 8(b)(6) and then serve them with a Notice of Default on the court record of what they  
55 have admitted to by their omission in denying.

56 11. Focus on WHICH "United States" is implied in the definitions within the statute being enforced.

- 1 12. Avoid words that are not used in statutes, such as “state citizen” or “sovereign citizen” or “natural born citizen”, etc.  
 2 because they aren’t defined and divert attention away from the core definitions themselves.
- 3 13. Rationally apply the rules of statutory construction so that your opponent can’t use verbicide or word tricks to wiggle  
 4 out of the statutory definitions with the word “includes”. See:
- Legal Deception, Propaganda, and Fraud, Form #05.014  
<http://sedm.org/Forms/FormIndex.htm>
- 5 14. State that all the cases cited in the Department of Justice Criminal Tax Manual are inapposite, because:  
 6 14.1. You aren’t arguing whether you are a “citizen of the United States”, but whether you are a STATUTORY “citizen  
 7 of the United States”.
- 8 14.2. They don’t address the distinctions between the statutory and constitutional definitions nor do they consistently  
 9 apply the rules of statutory construction.
- 10 15. Emphasize that a refusal to stick with the legal definitions and include only what is expressly stated and not “presume”  
 11 or read anything into it that isn’t there is an attempt to destroy the separation of powers and engage in a conspiracy  
 12 against your Constitutionally protected rights.

13 *“Judicial verbicide is calculated to convert the Constitution into a worthless scrap of paper and to replace our  
 14 government of laws with a judicial oligarchy.”*  
 15 *[Senator Sam Ervin, during Watergate hearing]*

17 *“When words lose their meaning [or their CONTEXT WHICH ESTABLISHES THEIR MEANING], people lose  
 18 their freedom.”*  
 19 *[Confucius (551 BCE - 479 BCE) Chinese thinker and social philosopher]*

20 If you would like a more thorough treatment of the subject covered in this section, we recommend section 5.1 of the following:

Flawed Tax Arguments to Avoid, Form #08.004  
<http://sedm.org/Forms/FormIndex.htm>

#### 21 **4.12.16.4 Federal court statutory remedies for those who are “state nationals” injured by government**

22 State nationals domiciled in a constitutional state have RIGHTS protected by the constitution. Statutory “citizens” domiciled  
 23 on federal territory have only PRIVILEGES. If you are a state national who is being COMPELLED to illegally impersonate  
 24 a public officer called a STATUTORY “citizen”, the following remedies are provided to protect your INALIENABLE  
 25 CONSTITUTIONAL RIGHTS as a state national from being converted into STATUTORY PRIVILEGES.

- 26 1. If you are “denied a right or privilege as a national of the United States\*” then you can sue under 8 U.S.C. §1503(a)  
 27 and 8 U.S.C. §1252. See *Hassan v. Holder*, Civil Case No 10-00970 and *Raya v. Clinton*, 703 F.Supp.2d. 569 (2010).  
 28 Under this statute:
- 29 1.1. 8 U.S.C. §1408 “non-citizen nationals of the United States\*\*” in American Samoa and Swain’s Island would sue  
 30 for deprivation of a PRIVILEGE.
- 31 1.2. State nationals domiciled outside the statutory “United States” but physically present on federal territory could  
 32 sue for deprivation of a constitutional right.
- 33 2. If you are a “national of the United States\*” who is victimized by acts of international or domestic terrorism, you can  
 34 sue under 18 U.S.C. §2333. See also *Boim v. Quranic Literacy Institute*, 340 F.Supp.2d. 885 (2004).

35 All the above cases cited refer to people born in constitutional states as “nationals of the United States” under Title 8 of the  
 36 U.S. Code. Therefore, they protect BOTH non-citizen nationals under 8 U.S.C. §1408 and state nationals domiciled outside  
 37 the federal zone and in a state of the Union.

#### 38 **4.12.17 Expatiation**

39 *“Expatiation is the voluntary renunciation or abandonment of nationality and allegiance.”* *Perkins v. Elg*,  
 40 *1939*, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320. *In order to be relieved of the duties of allegiance, consent of*  
 41 *the sovereign is required.* *Mackenzie v. Hare*, 1915, [239 U.S. 299](#), 36 S.Ct. 106, 60 L.Ed. 297. *Congress has*  
 42 *provided that the right of expatriation is a natural and inherent right of all people, and has further made a*  
 43 *legislative declaration as to what acts shall amount to an exercise of such right.”*  
 44 *[Tomoya Kawakita v. United States, 190 F.2d. 506 (1951)]*

#### 4.12.17.1 Definition

Expatriation is the process of eliminating one's *nationality* [e.g. "U.S. National"] but *not* necessarily one's "U.S. citizen" status under federal statutes. You would never learn this by reading any legal dictionary we could find, because the government simply doesn't want you to know this! Here is the definition from the most popular legal dictionary:

**"expatriation.** *The voluntary act of abandoning or renouncing one's country, and becoming the citizen or subject of another.*"  
[Black's Law Dictionary, Sixth Edition, p. 576]

Notice they didn't say a word about "nationality" and "allegiance" in the above definition because the lawyers who wrote this don't want their "tax slaves" to know how to escape the federal plantation! The chains that bind the slaves to the plantation are deceitful "words of art" found in the laws and doctrines of the Pharisees that keep people from learning the truth. The Bible warned us this would happen and we shouldn't be surprised:

*Then Jesus said to them, "**Take heed and beware of the leaven [teachings, laws, doctrine, and publications] of the Pharisees [lawyers] and the Sadducees.**" ....How is it you do not understand that I did not speak to you concerning bread?—but to beware of the leaven of the Pharisees and the Sadducees." Then **they understood that He did not tell them to beware of the leaven of bread, but of the doctrine [legal dictionaries, laws, and teachings] of the Pharisees and Sadducees.**"  
[Matt. 16:6,11,12; Bible, NKJV]*

The supreme court has also said that certain actions other than explicit formal expatriation may result in the equivalent of expatriation:

*"It has long been recognized that citizenship may not only be voluntarily renounced through exercise of the right of expatriation, **but also by other actions in derogation of undivided allegiance to this country.** While the essential qualities of the citizen-state relationship under our Constitution preclude the exercise of governmental power to divest United States citizenship, the establishment of that relationship did not impair the principle that **conduct of a citizen showing a voluntary transfer of allegiance is an abandonment of citizenship. Nearly all sovereignties recognize that acquisition of foreign nationality ordinarily shows a renunciation of citizenship. Nor is this the only act by which the citizen may show a voluntary abandonment of his citizenship. Any action by which he manifests allegiance to a foreign state may be so inconsistent with the retention of citizenship as to result in loss of that status.** In recognizing the consequence of such action, the Government is not taking away United States citizenship to implement its general regulatory powers, for, as previously indicated, in my judgment, citizenship is immune from divestment under these [356 U.S. 69] powers. Rather, the Government is simply giving formal recognition to the inevitable consequence of the citizen's own voluntary surrender of his citizenship."  
[Perez v. Brownell, 356 U.S. 44 (1958)]*

#### 4.12.17.2 Right of expatriation

The courts have ruled that expatriation is a natural right essential to the protection of one's liberty:

*"Almost a century ago, Congress declared that "the right of expatriation [including expatriation from the District of Columbia or "U.S. Inc", the corporation] is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness," and decreed that **any declaration, instruction, opinion, order, or decision of any officers of this government which denies, restricts, impairs, or questions the right of expatriation, is hereby declared inconsistent with the fundamental principles of this government.**" 15 Stat. 223-224 (1868), R.S. §1999, 8 U.S.C. § 800 (1940).<sup>219</sup> Although designed to apply especially to the rights of immigrants to shed their foreign nationalities, that Act of Congress "is also broad enough to cover, and does cover, the corresponding natural and inherent right of American citizens to expatriate themselves." Savorgnan v. United States, 1950, 338 U.S. 491, 498 note 11, 70 S.Ct. 292, 296, 94 L.Ed. 287.<sup>220</sup> The Supreme Court has held that the Citizenship Act of 1907 and the Nationality Act of 1940 "are to be read in the light of the declaration of policy favoring freedom of expatriation which stands unrepealed." *Id.*, 338 U.S. at pages 498-499, 70 S.Ct. at page 296. That same light, I think, illuminates 22 U.S.C.A. § 211a and 8 U.S.C.A. § 1185."  
[Walter Briehl v. John Foster Dulles, 248 F.2d. 561, 583 (1957)]*

<sup>219</sup> See Carrington, Political Questions: The Judicial Check on the Executive, 42 Va.L.Rev. 175 (1956).

<sup>220</sup> 9 Pet. 692, 34 U.S. 692, 699, 9 L.Ed. 276.

As we stated earlier in section 4.9, your citizenship/nationality status is voluntary according to the supreme Court<sup>221</sup>, which means that any type of citizenship or nationality status you may have may be voluntarily abandoned or renounced by you at any time without the permission of anyone in the government, as long as you follow the prescribed procedures in place if there are any. The U.S. supreme Court has also said that the citizenship “contract” is a one way contract. Once the government makes this contract with you, they cannot renege on it and take away your citizenship or nationality because otherwise they could use this ability to politically persecute you and exile you, as so many other countries do throughout the world to their dissenters. Only you can therefore initiate the process of losing your privileged “U.S. citizenship” status as a voluntary act not under compulsion.

***“In our country the people are sovereign and the Government cannot sever its relationship to the people by taking away their citizenship. Our Constitution governs us and we must never forget that our Constitution limits the Government to those powers specifically granted or those that are necessary and proper to carry out the specifically granted ones. The Constitution, of course, grants Congress no express power to strip people of their citizenship, whether in the exercise of the implied power to regulate foreign affairs or in the exercise of any specifically granted power.***

[...]

*“The entire legislative history of the 1868 Act makes it abundantly clear that there was a strong feeling in the Congress that the only way the citizenship it conferred could be lost was by the voluntary renunciation or abandonment by the citizen himself. And this was the unequivocal statement of the Court in the case of United States v. Wong Kim Ark.”*  
[Afroyim v. Rusk, 387 U.S. 253, 87 S.Ct. 1660 (1967)]

#### 4.12.17.3 **Compelled Expatriation as a punishment for a crime**

Likewise, the supreme Court of the United States has also ruled that the government may not pass a penal law for which the punishment is the forfeiture of U.S. citizenship:

***“Citizenship is not a license that expires upon misbehavior. The duties of citizenship are numerous, and the discharge of many of these obligations is essential to the security and well-being of the Nation. The citizen who fails to pay his taxes or to abide by the laws safeguarding the integrity of elections deals a dangerous blow to his country. But could a citizen be deprived of his nationality for evading these basic responsibilities of citizenship? In time of war the citizen's duties include not only the military defense of the Nation but also full participation in the manifold activities of the civilian ranks. Failure to perform any of these obligations may cause the Nation serious injury, and, in appropriate circumstances, the punishing power is available to deal with derelictions of duty. But citizenship is not lost every time a duty of citizenship is shirked. And the deprivation of citizenship [356 U.S. 86, 93] is not a weapon that the Government may use to express its displeasure at a citizen's conduct, however reprehensible that conduct may be. As long as a person does not voluntarily renounce or abandon his citizenship, and this petitioner has done neither, I believe his fundamental right of citizenship is secure. On this ground alone the judgment in this case should be reversed.***

[. . .]

***“We believe, as did Chief Judge Clark in the court below, 33 that use of denationalization as a punishment is barred by the Eighth Amendment. There may be involved no physical mistreatment, no primitive torture. There is instead the total destruction of the individual's status in organized society. It is a form of punishment more primitive than torture, for it destroys for the individual the political existence that was centuries in the development. The punishment strips the citizen of his status in the national and international political community. His very existence is at the sufferance of the country in which he happens to find himself. While any one country may accord him some rights, and presumably as long as he remained in this country he would enjoy the limited rights of an alien, no country need do so because he is stateless. Furthermore, his enjoyment of even the limited rights of an alien might be subject to termination [356 U.S. 86, 102] at any time by reason of deportation. 34 In short, the expatriate has lost the right to have rights.***

*“This punishment is offensive to cardinal principles for which the Constitution stands. It subjects the individual to a fate of ever-increasing fear and distress. He knows not what discriminations may be established against him, what proscriptions may be directed against him, and when and for what cause his existence in his native land may be terminated. He may be subject to banishment, a fate universally decried by civilized people. He is stateless, a condition deplored in the international community of democracies. 35 It is no answer to suggest that all the disastrous consequences of this fate may not be brought to bear on a stateless person. The threat makes the punishment obnoxious. 36*

<sup>221</sup> See United States v. Cruikshank, 92 U.S. 542 (1875)

1 *"The civilized nations of the world are in virtual unanimity that statelessness is not to be imposed as*  
 2 *punishment for crime.* It is true that several countries prescribe expatriation in the event that their nationals  
 3 engage in conduct in derogation of native allegiance. 37 Even statutes of this sort are generally applicable  
 4 primarily [356 U.S. 86, 103] to naturalized citizens. But use of denationalization as punishment for crime is an  
 5 entirely different matter. The United Nations' survey of the nationality laws of 84 nations of the world reveals  
 6 that only two countries, the Philippines and Turkey, impose denationalization as a penalty for desertion. 38 In  
 7 this country the Eighth Amendment forbids this to be done.

8 *"In concluding as we do that the Eighth Amendment forbids Congress to punish by taking away citizenship, we*  
 9 *are mindful of the gravity of the issue inevitably raised whenever the constitutionality of an Act of the National*  
 10 *Legislature is challenged. No member of the Court believes that in this case the statute before us can be construed*  
 11 *to avoid the issue of constitutionality. That issue confronts us, and the task of resolving it is inescapably ours.*  
 12 *This task requires the exercise of judgment, not the reliance upon personal preferences. Courts must not consider*  
 13 *the wisdom of statutes but neither can they sanction as being merely unwise that which the Constitution forbids.*  
 14 *"*

15 [Trop v. Dulles, 358 U.S. 86 (1958)]

#### 16 **4.12.17.4 Amending your citizenship status to regain your rights: Don't expatriate!**

17 Because all "U.S. citizens" are also "nationals" under 8 U.S.C. §1401 (see the beginning of that section, which says "*The*  
 18 *following shall be nationals and citizens of the United States at birth:*"), then if you are a privileged statutory "U.S. citizen"  
 19 under 8 U.S.C. §1401, you actually have two aspects of your statutory citizenship that you can renounce or surrender  
 20 voluntarily. Title 8, Chapter 12, Subchapter III, Part III define the rules for expatriating your nationality, but conspicuously  
 21 say nothing about how to eliminating only one's privileged "U.S. citizen" status without removing your "national" status.  
 22 Knowing what we know now about our covetous politicians and how they try to use your privileged "U.S. citizen" status as  
 23 a justification to have jurisdiction over you and control and tax you, does it then surprise you that that the Master won't tell  
 24 the slaves how to loose their chains? We showed earlier in section 4.12.3 that the only difference between a "citizen" and a  
 25 "national" is one's "domicile". We will also see in section 5.4.8 that domicile is voluntary. Therefore, the primary vehicle  
 26 by which one can change their status from that of a "citizen" to a "national but not a citizen" is to voluntarily change one's  
 27 legal domicile.

28 You will find that there is a lot of confusion in the freedom community over the distinctions between "U.S. citizen" and  
 29 "national" and "state national" status, and the government likes to add as much to this confusion as they can so they can keep  
 30 you from gaining your freedom. It is quite common for "promoters" to try to tell you that you should renounce your  
 31 nationality to become a "state citizen" to regain your sovereignty and stop paying income taxes and they will try to sell you  
 32 an "expatriation" package for upwards of \$2,500 that will eliminate your nationality. However, you don't always need to  
 33 eliminate your "national" status in order to not be a federal "U.S. citizen" under federal statutes and this point is so very  
 34 important that we repeat it in several places in this book. For example, Eddie Kahn used to try to sell people an expatriation  
 35 package for \$495 that he said would eliminate their nationality, but you don't want to do this if you work for the government  
 36 or the military and hold a security clearance. Doing this can be disastrous because you can't hold a federal security clearance  
 37 without being either a "U.S. citizen" or a "national"! If you are an officer in the U.S. military, you also must forfeit your  
 38 commission (10 U.S.C. §532(a)(1)) and your retirement benefits (see Chapter 6 of DOD 7000.14-R, Volume 7B, "Military  
 39 Pay Policy and Procedures for Retired Pay." Chapter 6 is "Foreign Citizenship after Retirement.") if you renounce your "U.S.  
 40 citizen" status! Because some people confuse "U.S. citizen" status with "national" status, they therefore get themselves in a  
 41 heap of trouble. Another way they get themselves in trouble is 26 U.S.C. §877 establishes a penalty for "Expatriation to  
 42 avoid tax", and remember that expatriation, in that context means loss of nationality and not loss of "U.S. citizen" status.  
 43 The government can't penalize you for surrendering your "U.S. citizen" status under this section but they definitely try to  
 44 penalize you for losing your nationality! Watch out because you don't want to make more trouble for yourself!

45 If you want to have your liberties back, the only way you will get them back is to abandon or renounce your privileged federal  
 46 "U.S. citizen" status under 8 U.S.C. §1401 to become a "national but not a citizen" under 8 U.S.C. §1101(a)(21). As we just  
 47 said earlier, this process is effected mainly by changing your legal domicile. It should come as no surprise that the federal  
 48 government will give you absolutely no help and no law or administrative procedure that tells you how to do this because  
 49 they don't quite frankly want you doing it! They want everyone to be tax slaves and subject citizens living on the federal  
 50 plantation, and they are NOT going to help the slaves leave the federal plantation voluntarily. Here are some of the potent  
 51 roadblocks they have put in your way to prevent you from regaining your freedom and returning to your de jure state as a  
 52 "national but not a citizen" under federal law:

- 1 1. They have invented a new word for “domicile” called “residence”, which may only be used to describe “aliens” and not  
2 nationals , and encouraged the misuse of the word to prejudice the rights of citizens. See section 4.9 earlier and section  
3 5.4.8 later.
- 4 2. They have disguised the fact that you are choosing a “domicile” on government forms, by giving it a new name called  
5 “permanent address”, “permanent residence”, etc. instead of simply “domicile”.
- 6 3. They have used the “word of art” called “United States” on government forms without defining its true meaning, which  
7 means the federal zone. Thus, they have encouraged false presumption about the use of the word that ultimately makes  
8 you into a privileged alien “resident” domiciled in the federal zone.
- 9 4. They have defined the word “domicile” in the legal dictionary to remove the requirement of “consent” and replace it  
10 with “intent”. This is not consistent with the purpose behind why the word domicile was established to begin with, which  
11 was to give people a choice and require their consent in choosing the legal system under which they want to be protected.  
12 See section 5.4.8 later.
- 13 5. They have created misleading change of address forms and voter registrations to send to the DMV, tax authorities, etc.  
14 that use the word “residence” instead of “domicile” and not defined the meaning of the word on their forms, knowing  
15 full well that they were making the applicant into privileged aliens in the process. See:  
16 <http://famguardian.org/TaxFreedom/Forms/Emancipation/ChangeOfAddressAttachment.htm>.
- 17 6. They have refused to directly define the term “resident” in any IRS publication, because they don’t want people to know  
18 that only aliens with a domicile in the District of Columbia can be “residents” under the Internal Revenue Code. See  
19 section 4.9 earlier for details.
- 20 7. They have tried to intimidate, harass, and confuse people who send citizenship amendment paperwork to the attorney  
21 general or who try to get their passport updated. Some people who have sent their passport to the Department of State  
22 to get the “U.S. National” endorsement added to page 24 have had the passport held hostage for months and been the  
23 recipients of threatening and harassing correspondence from the Dept. of State that contains frivolous arguments that  
24 don’t address the issues in the amendment request letter.
- 25 8. Those who write the Dept. of State and talk with Sharon Palmer-Royston (202-261-8314), the legal affairs supervisor  
26 there, about their passport are basically lied to and she refuses to address any of the issues appearing in:

*Tax Deposition Questions*, Section 14, Family Guardian Fellowship

<http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section%2014.htm>

27 The only reason the federal government might think you are a statutory “U.S. citizen” under 8 U.S.C. §1401 to begin with is  
28 because of forms you filled out incorrectly over your lifetime and the incorrect “presumptions” that they produce which bias  
29 your rights. These presumptions in most cases are documented in the paperwork they maintain about you, such as passport  
30 applications, voter registrations, driver’s license applications, and tax returns, etc. You are and always have been a “national”  
31 or a “state national”. The only thing you have ever needed to do to maintain that status is change the government’s paperwork  
32 which you submitted in most cases, to properly reflect that fact. Whether you change or amend government records from a  
33 statutory “U.S. citizen” under 8 U.S.C. §1401 to being either a “U.S. national” under 8 U.S.C. §1408 or a “national” under 8  
34 U.S.C. §1101(a)(21) depends on your needs and is up to you. A detailed procedure appears in section 4.5.3.13 of the  
35 *Sovereignty Forms and Instructions Manual*, Form #10.005 for eliminating your “U.S. citizen” status but not your “national”  
36 status. If you want to expatriate your “nationality” instead of remove your domicile from the federal zone to abandon your  
37 “U.S. citizen” status, the procedure is the same but the document is slightly different. It was difficult to develop this procedure  
38 because as we just pointed out, the government gives you absolutely no help, no administrative procedure, no regulations,  
39 and no laws that tell you how to do this for obvious reasons. There is a sample document that corrects government records  
40 documenting your true citizenship status by removing presumptions that you are a privileged “U.S. citizen” under 8 U.S.C.  
41 §1401 below:

*Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States*, Form #10.001

<http://sedm.org/Forms/FormIndex.htm>

42 We don’t provide forms or procedures for expatriating your “nationality” or “national” status under 8 U.S.C. §1101(a)(22)  
43 (for possessions) or the Fourteenth Amendment (for constitutional states) because we have never had an occasion to do it and  
44 we don’t recommend it to anyone anyway.

**WARNING!:** Citizenship status is NOT the primary factor in determining your tax liability. Instead, the following factors primarily determine one's tax liability under Subtitle A of the Internal Revenue Code:

1. Your domicile. See section 5.4.19 entitled "Why all income taxes are based on domicile and are voluntary because domicile is voluntary."
2. The taxable activity you engage in. See sections 5.6.13 through 5.6.13.11.

Changing one's citizenship status DOES NOT result in eliminating an existing liability for 1040 income taxes under Subtitle A of the Internal Revenue Code. We have never made any claim otherwise in any of our materials. The only affect that correcting government records describing one's citizenship can have is:

1. Restoring one's sovereignty. Under the Foreign Sovereign Immunities Act (F.S.I.A.), [28 U.S.C. §1603](#)(b) and under [28 U.S.C. §1332](#)(c) and (d), a legal person *cannot* be classified as an agency or instrumentality of a foreign state if they are a citizen of a [federal] state of the United States, meaning a person born in a federal territory, possession, or the District of Columbia as defined in [4 U.S.C. §110](#)(d). This conclusion is also confirmed on the Department of State website at: [http://travel.state.gov/law/info/judicial/judicial\\_693.html](http://travel.state.gov/law/info/judicial/judicial_693.html)
2. Removing oneself from some aspect of federal legislative jurisdiction. A "citizen" under federal law, is defined as a person subject to federal jurisdiction. This is covered in *Great IRS Hoax*, section 4.11.2, for instance.
3. Making sure that a person's domicile cannot be involuntarily moved to the District of Columbia. Both [26 U.S.C. §7701](#)(a)(39) or [26 U.S.C. §7408](#)(d) allow that a person who is a "citizen" or a "resident" under the Internal Revenue Code, should be treated as having a domicile in the District of Columbia for the purposes of federal jurisdiction. Since kidnapping is illegal under 18 U.S.C. §1201, then a person who is not a "citizen or resident" under federal law needs to take extraordinary efforts to ensure that their citizenship is not misunderstood or misconstrued by the federal government by going back and making sure that all federal forms which indicate one's citizenship status are truthful and unambiguous. The process of correcting government forms relating to citizenship is described in section 4.5.3.13 of the *Sovereignty Forms and Instructions Manual*, Form #10.005.

The reason why the last item above is very important is that the term "United States" is defined in [26 U.S.C. §7701](#)(a)(9) and (a)(10) as being limited to the District of Columbia and the term is not enlarged elsewhere under Subtitle A of the Code. If it ain't defined anywhere in the code to include states of the Union, then under the rule of statutory construction, "Expressio unius, exclusio alterius", what is not specifically included may be excluded by implication. Therefore, if a person is either a "citizen" or a "resident" under federal law, then they are treated as domiciliaries of the main place where Subtitle A of the Internal Revenue Code applies, which is the District of Columbia, and become the proper subjects of the code.

1 When you renounce your privileged "U.S. citizen" status to become a nonprivileged "national", you must keep the following  
2 very important considerations in mind:

- 3 1. Before you institute the process of correcting government records to eliminate false presumptions of federal "U.S.  
4 citizen" status under 8 U.S.C. §1401, you should read and understand this chapter completely, so the government can't  
5 pull any fast ones on you during the process.
- 6 2. Ensure that you have evidence and documentation you can use in court if you ever need it of every step you take in the  
7 renunciation process. You may need it later if you ever end up in court. For instance, everything you send should be  
8 notarized with a proof of service and you should keep the original copy and send the copy to the government. Original  
9 documents are easier to get admitted into evidence in court than are photocopies, and this will become very important in  
10 the future if you ever have to litigate over your citizenship status.
- 11 3. Be careful! The government will go fishing for any excuse they can to call you an 8 U.S.C. §1401 federal "U.S. citizen"  
12 because that is how they draw you into their jurisdictional spider web and suck your blood dry. You should never admit  
13 to ever having been a "U.S. citizen" either verbally or in writing, and every piece of paper they show either you or a  
14 court claiming or indicating that you are a "U.S. citizen" should be rebutted as being mistaken, fraudulent, and submitted  
15 under duress. For instance, if they pull out an old passport application in which you claimed to be a "U.S. CITIZEN",  
16 then you should correct them by saying you are a "national" and say that you were mistaken and misinformed at the time.  
17 Then show them your renunciation document and your birth certificate clearly showing that you were not born on federal  
18 land. If you don't rebut such evidence or offer counter-evidence, then the court and the jury will erroneously assume  
19 that you agree with your opponent that you are a "U.S. citizen", which would be a disaster. Shift the burden of proving



1 that you are a “U.S. citizen” to them when you can. Insist that NOTHING be presumed and everything be proven so that  
 2 your due process rights under the Fifth and Sixth Amendments are respected.

- 3 4. You must abandon your 8 U.S.C. §1401 federal “U.S. citizen” status completely voluntarily and *without* any kind of  
 4 duress or compulsion. This means you can’t be doing it for financial reasons, for instance, to avoid taxes because you  
 5 are in a bind, or the courts will not honor your renunciation. Never admit to being under financial duress in renouncing  
 6 citizenship, even if you indeed are.
- 7 5. You should *never* tell the government you are renouncing your “nationality” in order to avoid paying taxes, because then  
 8 they may try to incorrectly apply [26 U.S.C. §877](#) in order to try penalize you by forcing you to pay taxes for a ten year  
 9 period after you renounce your “U.S. citizenship”.
- 10 6. You aren’t obligated to explain to anyone why you renounced your citizenship but if you get backed into a corner by an  
 11 itinerant judge, for instance, into telling people why you did it, you should always say that you did it in order to protect  
 12 and preserve your liberties by making yourself a nonprivileged person. Remind them that you can’t be a sovereign  
 13 individual if you are receiving government privileges and that personal sovereignty is your goal.
- 14 7. You should emphasize to every government representative during the renunciation process that you are *not* eliminating  
 15 your “national” status or your allegiance to the “United States”, but your “U.S. citizen” status
- 16 8. Don’t let any government agent try to talk you out of the renunciation process or try to confuse you by saying that they  
 17 don’t have any procedures to do it so it must *not* be authorized. They will try to do this because they don’t want you  
 18 doing it or because, more often, they are just plain ignorant of the law, which is why they are government slaves to begin  
 19 with. Of course it is authorized because the courts said you could do it in our cite above from *Briehl* and they even said  
 20 *why* you can do it: to protect your liberties. Remember that you can’t have liberty or live in a free country if citizenship  
 21 status isn’t voluntary, and just tell them you don’t want to volunteer to be a “U.S. citizen” and want to only be a  
 22 “national”, and because all “U.S. citizens” are also “nationals”, they can’t take away your national status and you don’t  
 23 want to lose that.
- 24 9. Because the extortionists in the federal government don’t want to give you your freedom, they are likely to resist  
 25 correcting your citizenship status to that of a “national” but not statutory citizen. Because of this, they are likely to drag  
 26 their feet, conveniently lose your correspondence, and delay providing you your “Certificate of non-Citizen National  
 27 Status” under [8 U.S.C. §1452](#). You may therefore need to use a third party notary to help you and serve them with a  
 28 Notice of Default with a Proof of Service after the time period for responding to your [8 U.S.C. §1452](#) request has expired.
- 29 10. We recommend using our citizenship abandonment/amendment procedure found in section 4.5.3.13 of the *Sovereignty*  
 30 *Forms and Instructions Manual*, Form #10.005 to ensure that you accomplish all the necessary steps properly.
- 31 11. We don’t have a paralegal we can recommend to help you with your citizenship amendment process as documented in  
 32 this book. You will just have to be resourceful and locate your own. Please don’t call us to ask about this either because  
 33 we not only won’t help you, but we will ask you why you didn’t follow our directions.

#### 34 **4.12.18 Duties and Responsibilities of Citizens**

35 So far, we have talked a lot about the “rights” of the various citizens, but what about the responsibilities and duties? What  
 36 are the obligations of being a citizen? That’s the subject of this section.

37 The main responsibility of any good citizen is to enforce the laws of the federal Constitution upon our state and federal  
 38 governments. As they say:

39 *“The price of freedom is eternal vigilance.”*

40 Eternal vigilance for the citizen must take many forms. Here are a few:

- 41 1. Obey all government laws that do not conflict with God’s laws and/or our conscience while disobeying government  
 42 laws that conflict, so that:
  - 43 1.1. We don’t offend God or our moral beliefs by violating His laws.
  - 44 1.2. We don’t hurt our fellow citizens or burden our government in prosecuting or punishing us for our crimes.
- 45 2. Taking complete and personal responsibility for defending our own life, liberty, property, and family as best that we  
 46 can from encroachments by other citizens or especially the government. This will minimize the burden on government  
 47 of defending us.
- 48 3. Taking personal responsibility for completely supporting ourselves so that we never become a burden to either the  
 49 government or our fellow citizens who support the government:

1 *"Make it your ambition to lead a quiet life, to mind your own business and to work with your hands, just as we*  
 2 *told you, so that your daily life may win the respect of outsiders and so that you will not be dependent on*  
 3 *anybody."*

4 *[1 Thess. 4:9-12, Bible, NIV]*

5 4. Recognizing that government is force and that force and charity are fundamentally incompatible.

6 *"Government is not reason. It is not eloquence. It is a force, like fire: a dangerous servant and a terrible master"*

7 *[George Washington]*

8 Therefore, good citizens will:

9 4.1. Vote in such a way that we elect people into public office who do not allow government to involve itself in  
 10 charity or social welfare programs.

11 4.2. Involve themselves in church and charitable causes, and giving to the needy, so that we don't get so selfish that  
 12 government HAS to step in and take over the job of charity that we refuse to do.

13 4.3. Try to keep the tax rates down so that people have maximal control over their own labor and property.

14 4.4. Refuse to pay money to the government in "taxes" that will be used to support anything but the government,  
 15 because this amounts to an abuse of the tax system. The legal definition of "taxes" demands that they may only  
 16 be used to support the government, and not private citizens or private enterprises or private fortunes such as the  
 17 federal reserve:

18 *"To lay with one hand the power of government on the property of the citizen, and with the other to bestow it on*  
 19 *favoured individuals.. is none the less robbery because it is done under the forms of law and is called taxation.*  
 20 *This is not legislation. It is a decree under legislative forms."*

21 *[Loan Association v. Topeka, 20 Wall. 655 (1874)]*

22 *"A tax, in the general understanding of the term and as used in the constitution, signifies an exaction for the*  
 23 *support of the government. The word [tax] has never thought to connote the*  
 24 *expropriation of money from one group for the benefit of another."*

25 *[U.S. v. Butler, 297 U.S. 1 (1936)]*

26 *"Surely the matters in which the public has the most interest are the supplies of food and clothing; yet can it be*  
 27 *that by reason of this interest the state may fix the price at which the butcher must sell his meat, or the vendor of*  
 28 *boots and shoes his goods? Men are endowed by their Creator with certain unalienable rights, -life, liberty, and*  
 29 *the pursuit of happiness; and to 'secure,' not grant or create, these rights, governments are instituted. That*  
 30 *property which a man has honestly acquired he retains full control of, subject to these limitations: First, that*  
 31 *he shall not use it to his neighbor's injury, and that does not mean that he must [can be compelled to] use it*  
 32 *for his neighbor's benefit [e.g. Social Security, Medicare, etc]; second, that if he devotes it to a public use, he*  
 33 *gives to the public a right to control that use; and third, that whenever the public needs require, the public may*  
 34 *take it upon payment of due compensation."*

35 *[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

36 5. Being self-governing within our own families, so that we do not become subject to any type of government jurisdiction  
 37 or laws in our normal everyday affairs. This will minimize the size and power of the government so that they don't  
 38 become oppressive and don't have to become our "parens patriae" or parent. Our free Family Constitution describes  
 39 how to do this at:

40 <http://famguardian.org/Publications/FamilyConst/FamilyConst.htm>

41 6. Continually educating oneself so that we cannot be deceived or controlled by government, or are unable to support  
 42 ourselves and have to depend on government.

42 *"The price of eternal vigilance is eternal education."*

43 *"Knowledge will forever govern ignorance; and a people who mean to be their own governors must arm*  
 44 *themselves with the power which knowledge gives."*

45 *[James Madison (Letter to W.T. Barry, August 4, 1822)]*

46 7. Enforcing the U.S. Constitution upon the state and federal governments, and especially the Bill of Rights.

47 7.1. Amendments 1 through 10 and 13 establish several rights that the federal government may not invade.

48 7.2. The Fourteenth Amendment says the states may also not violate these rights either.

49 8. The way citizens enforce the U.S. Constitution against the federal and state governments are as follows:

1 8.1 Voting consistently in elections and picking the candidates who are honorable and will follow the Constitution and  
2 honor their promises. (the Ballot Box)

3 *"A share in the sovereignty of the state, which is exercised by the citizens at large, in voting at elections is one of*  
4 *the most important rights of the subject, and in a republic ought to stand foremost in the estimation of the law. "*  
5 *[Alexander Hamilton, The Papers of Alexander Hamilton, Harold C. Syrett, ed. (New York, Columbia University*  
6 *Press, 1962), Vol III, pp. 544-545.]*

7 8.2 If candidates get elected who are not honorable, serving enthusiastically as a juror to nullify the bad laws they  
8 write. (the Jury Box)

9 8.3 If jury nullification doesn't work, defend your property against government tyranny using your right to own  
10 firearms (the Cartridge Box)

11 9. Making sure that our government doesn't become fiscally irresponsible and load us down with debt, and later use that  
12 as a justification to oppressively tax us:

13 *"Funding I consider as limited, rightfully, to a redemption of the debt within the lives of a majority of the*  
14 *generation contracting it; every generation coming equally, by the laws of the Creator of the world, to the free*  
15 *possession of the earth He made for their subsistence, unincumbered by their predecessors, who, like them, were*  
16 *but tenants for life."*  
17 *[Thomas Jefferson to John Taylor, 1816. ME 15:18 ]*

18 *"[The natural right to be free of the debts of a previous generation is] a salutary curb on the spirit of war and*  
19 *indebtment, which, since the modern theory of the perpetuation of debt, has drenched the earth with blood, and*  
20 *crushed its inhabitants under burdens ever accumulating."*  
21 *[Thomas Jefferson to John Wayles Eppes, 1813. ME 13:272 ]*

22 *"We believe--or we act as if we believed--that although an individual father cannot alienate the labor of his son,*  
23 *the aggregate body of fathers may alienate the labor of all their sons, of their posterity, in the aggregate, and*  
24 *oblige them to pay for all the enterprises, just or unjust, profitable or ruinous, into which our vices, our passions*  
25 *or our personal interests may lead us. But I trust that this proposition needs only to be looked at by an American*  
26 *to be seen in its true point of view, and that we shall all consider ourselves unauthorized to saddle posterity with*  
27 *our debts, and morally bound to pay them ourselves; and consequently within what may be deemed the period of*  
28 *a generation, or the life of the majority."*  
29 *[Thomas Jefferson to John Wayles Eppes, 1813. ME 13:357 ]*

30 *"It is incumbent on every generation to pay its own debts as it goes. A principle which if acted on would save one-*  
31 *half the wars of the world."*  
32 *[Thomas Jefferson to A. L. C. Destutt de Tracy, 1820. FE 10:175 ]*

33 *To preserve [the] independence [of the people,] we must not let our rulers load us with perpetual debt. We must*  
34 *make our election between economy and liberty, or profusion and servitude. If we run into such debts as that we*  
35 *must be taxed in our meat and in our drink, in our necessaries and our comforts, in our labors and our*  
36 *amusements, for our callings and our creeds, as the people of England are, our people, like them, must come to*  
37 *labor sixteen hours in the twenty-four, give the earnings of fifteen of these to the government for their debts and*  
38 *daily expenses, and the sixteenth being insufficient to afford us bread, we must live, as they now do, on oatmeal*  
39 *and potatoes, have no time to think, no means of calling the mismanagers to account, but be glad to obtain*  
40 *subsistence by hiring ourselves to rivet their chains on the necks of our fellow-sufferers."*  
41 *[Thomas Jefferson to Samuel Kercheval, 1816. ME 15:39 ]*

42 10. Watching what our government does like a hawk and:

43 10.1. Publicizing violations of the Constitution whenever you see them. This is what we do in Chapter 6 of this book  
44 by showing the history of how our civil servants have corrupted and debased our de jure government to make an  
45 unlawful de facto government.

46 10.2. Prosecuting specific wrongdoers working in government who violate the Constitutional rights of individuals  
47 using a Bivens action or a civil rights or discrimination lawsuit.

48 In America, the Republic, we most assuredly have separation of church and state, the First Amendment and the last paragraph,  
49 last sentence, of Article VI of the federal Constitution ensure this.

50 *"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof"*  
51 *[U.S. Constitution, First Amendment]*

52 *"...no religious Test shall ever be required as a Qualification to any Office or public Trust under the United*  
53 *States."*

1 [U.S. Constitution, Article VI]

2 A good government, however, is one whose laws do not conflict in any way with God's laws so that it does not expect citizens  
3 to violate their religious beliefs in order to obey its laws. Citizens do not enforce God's law directly on anyone but perhaps  
4 themselves, individually, and perhaps also within their own families, if they are believers. Nor do Constitutional governments  
5 enforce God's law directly on anyone or anything. No one in America, the Republic, is required to belong to any religious  
6 organization, or even believe if any God, to be a good person and a good citizen.

7 Governments are not ruled by God nor God's law but by the Law of the federal and state Constitutions. In fact, the  
8 Constitution is the only law that government has to obey and was established exclusively to obey. It says that right in the  
9 Constitution itself:

10 *"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties*  
11 *made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land;*  
12 *and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any state to the*  
13 *Contrary notwithstanding."*  
14 [U.S. Constitution, Article VI, Section 2]

15 The federal and state Constitutions express the will of the sovereign people as individuals ("We The People") and delegate  
16 specific but not exclusive authority to the federal and state governments. Any act by specific public servants in the  
17 government that is not authorized by either the federal or state Constitutions is an illegal act and good citizens will  
18 conscientiously prosecute government officials privately for such illegal acts if they injure the rights of anyone.

19 *"Unlawful. That which is contrary to, prohibited, or unauthorized by law. That which is not lawful. The acting*  
20 *contrary to, or in defiance of the law; disobeying or disregarding the law. Term is equivalent to "without excuse*  
21 *or justification."* State v. Noble, 90 N.M. 360, 563 P.2d. 1153, 1157. While necessarily not implying the element  
22 *of criminality, it is broad enough to include it."*  
23 [Black's Law Dictionary, Sixth Edition, p. 1536]

24 When such an injury or violation of law occurs, the remedy is not to sue "the government", but to sue the public official  
25 personally because he was not acting under the authority of law and was abusing his public office for personal gain to the  
26 injury of sovereign Americans.

27 God and His law may be enforced against natural persons primarily and we ought to avoid applying them to the government  
28 in order to promote separation of church and state. However, when a government servant violates his authority delegated  
29 through the Constitution and has thereby acted as a private individual to injure a fellow citizen, then we as the sovereigns  
30 sitting on a jury can and should apply God's moral laws or our conscience to determine how to punish the errant public  
31 servant and thereby protect our fellow aggrieved citizen. In exercising their duties as jurors, sovereign Americans may  
32 completely ignore all Supreme Court decisions and question the righteousness of any legislation and disregard any they feel  
33 unjust.

34 When we apply God's laws and/or our conscience as jurors, we should do so with much discretion by not publicizing exactly  
35 how or why we are doing this, but simply quietly do our best based on our behavior and our decision to ensure that a just  
36 result occurs that is consistent with our conscience and with God's moral laws. Remember that jurors do not have to explain  
37 or justify to a judge why they arrived at a decision. The only time that jurors might be called upon to explain their decision  
38 is to fellow jurors during deliberations. We shouldn't thump the Bible or get pious or become a missionary as a jurist, but  
39 simply talk about what is right and wrong in a generic sense.

40 *"But our rulers can have no authority over such natural rights, only as we have submitted to them. The rights of*  
41 *conscience we never submitted, we could not submit. We are answerable for them to our God. The legitimate*  
42 *powers of government extend to such acts as are injurious to others."*  
43 [Thomas Jefferson in "Notes on Virginia"]

44 Good citizens are constantly aware that government is a "business", or more properly, a "corporation" (see 28 U.S.C.  
45 §3002(15)(A)), and they know that the sinful and selfish tendency of those in government is to get into every business except  
46 the constitutional purpose of its creation, so they watch their government like a hawk.

47 *"Nothing is more essential to the establishment of manners in a State than that all persons employed in places of*  
48 *power and trust be men of unexceptionable characters. The public cannot be too curious concerning the character*  
49 *of public men."*

1 [Samuel Adams, The Writings of Samuel Adams, Harry Alonzo Cushing, editor (New York: G.P. Putnam's Sons,  
2 1907), Vol. III, p. 236-237]

3 "Experience should teach us to be most on our guard to protect liberty when the Government's purposes are  
4 beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The  
5 greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without  
6 understanding."

7 [Justice Louis D. Brandeis, dissenting, *Olmstead v. United States*, 277 U.S. 438 (1928)]

8 The reason to be a citizen is to have liberty, which is simply freedom with personal responsibility. People who are free MUST  
9 govern and support themselves entirely and can be beholden to no man. In America, unlike in Europe, the "state" consists of  
10 the people and not some king or dictator who rules over them, and they govern themselves through their elected  
11 representatives.

12 "State. A people permanently occupying a fixed territory bound together by common-law habits and custom  
13 into one body politic exercising, through the medium of an organized government, independent sovereignty  
14 and control over all persons and things within its boundaries, capable of making war and peace and of entering  
15 into international relations with other communities of the globe. *United States v. Kusche*, D.C.Cal., 56 F.Supp.  
16 201 207, 208. The organization of social life which exercises sovereign power in behalf of the people. *Delany v.*  
17 *Moralitis*, C.C.A.Md., 136 F.2d. 129, 130. In its largest sense, a "state" is a body politic or a society of men.  
18 *Beagle v. Motor Vehicle Acc. Indemnification Corp.*, 44 Misc.2d. 636, 254 N.Y.S.2d. 763, 765. A **body of people**  
19 **occupying a definite territory and politically organized under one government.** *State ex re. Maisano v. Mitchell*,  
20 155 Conn. 256, 231 A.2d. 539, 542. A territorial unit with a distinct general body of law. *Restatement, Second,*  
21 *Conflicts*, §3. Term may refer either to body politic of a nation (e.g. *United States*) or to an individual government  
22 unit of such nation (e.g. *California*)."

23 [*Black's Law Dictionary, Sixth Edition, p. 1407*]

24 In our constitutional Republic, citizens as their own governors protect each other from government abuse and abuse by other  
25 citizens using legislation (laws) and the courts. In particular, citizens protect each other from government abuse when serving  
26 on a jury and when voting for a candidate. Christians cannot correctly disregard the duties of citizenship, such as voting and  
27 jury service, and at the same time obey Christ's command to love your neighbor, because the purpose of being a good citizen  
28 is to protect your neighbor from abuse by the government and other fellow citizens.

29 The only constitutional reason citizens vote for, or elect, any candidate to public office is with the understanding that the  
30 candidate will honor the oath of office. They do this in the name of preserving their liberty. The voter cannot rightly/correctly  
31 demand or "will" the candidate to do anything else simply because it is a Law of the Constitution the oath be taken before  
32 entering the office elected to as found in Article VI of the federal Constitution, last paragraph:

33 "The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all  
34 executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or  
35 Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any  
36 Office or public Trust under the United States."

37 [*U.S. Constitution, Article VI*]

38 This oath is also found in Article II, Section 1 of the Constitution:

39 "Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: -- "I do solemnly  
40 swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of  
41 my Ability, preserve, protect and defend the Constitution of the United States."

42 [*U.S. Constitution, Article II, Section 1*]

43 New citizens pledge allegiance to the Constitution when they are naturalized, and rightly so. See immigrant oath to become  
44 an American. The process of naturalization, in fact, is defined as the process of conferring nationality, which is then defined  
45 as someone who has allegiance:

46 [TITLE 8 > CHAPTER 12 > SUBCHAPTER 1 > Sec. 1101.](#)  
47 [Sec. 1101. - Definitions](#)

48 (a) As used in this chapter -

49 (23) The term "**naturalization**" means the conferring of nationality of a state upon a person after birth, by any  
50 means whatsoever.

[TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.](#)  
[Sec. 1101. - Definitions](#)

(a) As used in this chapter -

(21) The term "**national**" means **a person owing permanent allegiance to a state.**

As a matter of fact the definition of an American is a constitutional "citizen of the United States" under the Fourteenth Amendment, Section 1 and a "national" under 8 U.S.C. §1101(a)(21) who pledges allegiance to the Constitution, and renounces any allegiance to any foreign country and or any King of any country. His duty as a citizen is the same as that of the Constitution, which is to promote the "general welfare":

*"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America. "*  
*[Preamble to the Constitution]*

The above phrase means exactly what it says, "the general welfare, ...of the UNITED STATES", where "State" means the collection of people within a territory. It does not mean the government of that region, because that government may not be obeying the Constitution and to obey tyrants who are in violation of the Constitution is to commit treason.

Also in the body of the Constitution at Article I, Section 8 says; "general Welfare of the United States". "Welfare" in this case does **NOT** mean charity or socialism by any means. The Constitution, in fact, does **not** authorize the government to involve itself in any insurance or welfare program such as Medicare, Social Security, Food stamps, or any other program. Such programs are anathema to the legislative intent of the Constitution and result in government **dependence**, not personal sovereignty. The purpose of the Constitution is to ensure a separation of powers and the sovereignty and independence of the people as individuals from the government. Sovereignty and government-dependency are mutually exclusive. The original Articles of Confederation that preceded the Constitution, in fact, said that freeloaders were not entitled to the privileges and immunities of citizens!

*"The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, **paupers, vagabonds and fugitives from justice excepted**, shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each state shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restriction shall not extend so far as to prevent the removal of property imported into any state, to any other state of which the Owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any state, on the property of the United States, or either of them."*  
*[Articles of Confederation, Article IV]*

Here is the definition of "paupers and vagabonds":

**"Vagabond.** A vagrant or homeless wanderer **without means of honest livelihood.** *Neering v. Illinois Cent. R. Co.*, 383 Ill. 366, 50 N.E.2d. 497, 502. **One who wanders from place to place, having no fixed dwelling, or, if he has one, not abiding in it; a wanderer, especially such a person who is lazy and generally worthless without means of honest livelihood.**  
*[Black's Law Dictionary, Sixth Edition, p. 1548]*

**"Vagrant.** At common law, wandering or going about from place to place by idle person who had **no lawful or visible means of support and who subsisted on charity and did not work, though able to do so.** *State v. Harlowe*, 174 Wash. 227, 24 P.2d. 601. A general term, including, in English law, the several classes of idle and disorderly persons, rogues, and vagabonds, and incorrigible rogues. **One who wanders from place to place; an idle wanderer, specifically, one who has no settled habitation, nor any fixed income or livelihood.** A vagabond; a tramp. **A person able to work who spends his time in idleness or immorality, having no property to support him and without some visible and known means of fair, honest, and reputable livelihood.** *State v. Oldham*, 224 N.C. 415, 30 S.E.2d. 318, 319. **One who is apt to become a public charge through his own laziness.** *People, on Complaint of McDonough, v. Gesino, Sp.Sess.*, 22 N.Y.S.2d. 284, 285. *See Vagabond; Vagrancy.*  
*[Black's Law Dictionary, Sixth Edition, p. 1548]*

Incidentally, the above also happens to describe most of the people who work for the government. We know, because some of us worked for the federal government and were always frustrated with the irresponsible attitudes of government coworkers! Most are do-nothing no-loads who effectively are "retired on duty" (R.O.D.). Hee...hee...hee. Based on the above, those who

1 must draw from the government through charity or socialist welfare programs as a private citizen cannot have the rights or  
2 privileges of citizenship under the original Articles of Confederation, and that is exactly what happens to those who participate  
3 in our present Social Security or the government's tax system.

4 **4.12.19 Citizenship Summary**

5 Having thoroughly covered all aspects of citizenship in this section, we will now summarize what we have learned by showing  
6 you how to practically apply it. Based on the previous section, we emphasize again the following important facts:

- 7 1. A "citizen of the United States" in the context of the Constitution and the rulings of the Supreme Court is equivalent to  
8 a "national" or "non-resident non-person" in federal statutes, as defined in 8 U.S.C. §1101(a)(21).
- 9 2. A "U.S. citizen" in the context of federal statutes is equivalent to a "national and citizen of the United States" as defined  
10 in 8 U.S.C. §1401.
- 11 3. People who are "nationals" under Title 8 of the U.S. Code are:
  - 12 3.1. "nonresident aliens" as defined under 26 U.S.C. §7701(b)(1)(B) if they occupy a public office.
  - 13 3.2. Statutory "non-resident non-persons" if they do not occupy a public office.

14 We will also summarize our findings using a table to help you understand the types of citizenship and how they relate to  
15 where you were born or naturalized. Choose the place you were born on the left and then go across the row to the columns  
16 that indicate "Yes". The "Yes" columns indicate a type of citizenship that you have the right to choose under federal and  
17 state law. If more than one column indicates "Yes", then you have multiple choices of which type of citizen you want to be.

**Table 4-46: Citizenship status based on place of birth or naturalization**

#	Place where born	Reference(s)	“U.S. citizen” (see 8 U.S.C. §1401)	“U.S. national” (see 8 U.S.C. §§1408, 1452)	“state national” or “national” (see 8 U.S.C. §1101(a)(21))	Notes
<b>1</b>	<b>Federal zone:</b>	Section 4.5.3	<b>NA</b>	<b>NA</b>	<b>NA</b>	
1.1	Federal enclave within a state	Sections 4.12.8.1, 4.12.12.1	No	Yes	No	You can choose to be either a “non-citizen U.S. national” or a “state national”
1.2	District of Columbia	8 U.S.C. §1401 (a)	Yes	No	No	
1.3	Federal territories	1. 8 U.S.C. §1401 (a) 2. 48 U.S.C.	Yes	No	No	Includes Puerto Rico, Guam, and the Virgin Islands.
1.4	Federal possessions	1. 8 U.S.C. §1408(1) 2. 48 U.S.C.	No	Yes	No	Includes American Samoa and Swains Island.
2	State of the Union (outside of federal enclave)	1. 8 U.S.C. §1101(a)(21) 2. 8 U.S.C. §1101(a)(21) 3. 40 U.S.C. §255 4. <i>Law of Nations, Book I, section 215</i>	No	No	Yes	You can choose to be either a “national” or a “state national”
3	Foreign country	1. 8 U.S.C. §1408(2) 2. <i>Law of Nations, Book I, section 215</i>	No	Yes (if either or both parents are “nationals”)	Yes (if either or both parents are “nationals”)	Under the doctrine of “ <i>jus sanguinis</i> ”, an American, either one or both of whose parents are “nationals of the United States” who is born in a foreign country is treated as a “national” or “national of the United States”

**NOTES:**

- Throughout this book, the terms “national” and “state national” are used interchangeably.
- The table above makes the simplifying assumption that at least one of your parents have the same citizenship status as you.
- In practice, the law requires that at least one of your parents must have the same citizenship status as the one you choose.
- In all cases, “non-resident” status and “state national” status are equivalent from a legal perspective.

You can also change your citizenship based on domicile and intent to be other than what you were born with. For instance, if you were born as a STATUTORY “U.S. citizen”, you can choose to be a “non-resident non-person”. Recall that the state you are a citizen of can also change based on your domicile and intent. For instance, if you were born in California but you later move to Texas, and if you meet the Texas requirements for residency and live there with the *intent* to become a Texas national/citizen, then at that point, you become a Texas national.

Another important thing to remember is that your residency can change your citizenship status as a “U.S. citizen”.<sup>222</sup> If you were born in a federal territory like Puerto Rico, which is “subject to **its** jurisdiction” (federal zone), then you are a “U.S. citizen” under 8 U.S.C. §1401 and 26 C.F.R. §1.1-1(c). Because all “U.S. citizens” under 8 U.S.C. §1401 are also “nationals of the United States”, you can leave Puerto Rico and move to a state of the Union and become naturalized there and forfeit your Puerto

<sup>222</sup> See Sharon v. Hill, 26 F. 337 (1885).



1 Rican citizenship. At the point that you move from a U.S. territory to a state of the Union and become naturalized in your new state, you can forfeit your STATUTORY  
2 “U.S.\*\* citizen” status and revert to being “national” or a “state national”.

3 We would like to close this section by summarizing the privileges and rights that go with each of the three citizenship statuses described in section 4.9 and following.

4 This table is also repeated later in section 4.5.3.13 of the *Sovereignty Forms and Instructions Manual*, Form #10.005.

1 **Table 4-47: Rights and privileges associated with each citizenship alternative**

#	Description	Section(s) where discussed	Applicable laws and regulations	"U.S. citizen"	"U.S. national"	"national" or "state national"
1	Can hold a U.S. security clearance?	5.6.12.5	<a href="#">SECNAVINST 5510.30A, Department of the Navy</a> , Appendix I, page I-1	Yes	Yes	Yes
2	Can collect Social Security benefits?	5.6.12.5	<a href="#">Social Security Program Operations Manual System (POMS), Section GN 00303.001</a> <a href="#">Social Security Program Operations Manual System (POMS), Section GN 00303.001</a> (Local PDF, in case SSA removes this section to HIDE the truth and obstruct justice. <a href="#">Click here for details</a> )	Yes	Yes	No
3	Can vote?	4.12.6.2	<a href="#">Voting laws in most states</a>	Yes	Yes	Yes
4	Can serve on jury duty?	4.12.6.3	<a href="#">Jury service laws in most states</a>	Yes	Yes	Yes
5	Must register for the military draft/Selective Service System?		See <a href="http://www.sss.gov/FSwho.htm">http://www.sss.gov/FSwho.htm</a>	Yes	Yes	No
6	Can serve in U.S. military?		<a href="#">32 C.F.R. §1602.3(b)(1)</a>	Yes	Yes	Yes
7	Can serve as officer in U.S. military?	4.12.3	<a href="#">10 U.S.C. §532</a>	Yes	No	No
8	Can collect U.S. military retirement benefits?	3.5.3.13 of <a href="#">Tax Fraud Prevention Manual</a> , Form #06.008	<a href="#">Chapter 6 of DOD 7000.14-R, Volume 7B</a>	Yes	Yes	Yes
9	Can get a U.S. passport?	3.5.3.13 of <a href="#">Tax Fraud Prevention Manual</a> , Form #06.008		Yes	Yes	Yes
10	Can hold a position in the civil service of the United States?		<a href="#">5 C.F.R. §331.101</a>	Yes	Yes	Yes

2 Finally, we've prepared a table showing the relationship between your "citizenship status" under Title 8 of the U.S. Code and  
3 your "tax status" under Title 26 of the U.S. Code.

Table 4-48: "Citizenship status" vs. "Income tax status"

#	Citizenship status	Place of birth	Domicile	Accepting tax treaty benefits?	Defined in	Tax Status under 26 U.S.C./Internal Revenue Code			
						"Citizen" (defined in 26 C.F.R. §1.1-1)	"Resident alien" (defined in 26 U.S.C. §7701(b)(1)(A), 26 C.F.R. §1.1441-1(c)(3)(i) and 26 C.F.R. §1.1-1(a)(2)(ii))	"Nonresident alien INDIVIDUAL" (defined in 26 U.S.C. §7701(b)(1)(B) and 26 C.F.R. §1.1441-1(c)(3))	"Non-resident NON-person" (NOT defined)
1	"national and citizen of the United States** at birth" or "U.S.** citizen" or Statutory "U.S.** citizen"	Statutory "United States" pursuant to 8 U.S.C. §1101(a)(38), (a)(36) and 8 C.F.R. §215.1(f) or in the "outlying possessions of the United States" pursuant to 8 U.S.C. §1101(a)(29)	District of Columbia, Puerto Rico, Guam, Virgin Islands	NA	8 U.S.C. §1401; 8 U.S.C. §1101(a)(22)(A)	Yes (only pay income tax abroad with IRS Forms 1040/2555. See Cook v. Tait, 265 U.S. 47 (1924))	No	No	No
2	"non-citizen national of the United States** at birth" or "U.S.** national"	Statutory "United States" pursuant to 8 U.S.C. §1101(a)(38), (a)(36) and 8 C.F.R. §215.1(f) or in the "outlying possessions of the United States" pursuant to 8 U.S.C. §1101(a)(29)	American Samoa; Swain's Island; or abroad to U.S. national parents under 8 U.S.C. §1408(2)	NA	8 U.S.C. §1408 8 U.S.C. §1101(a)(22)(B); 8 U.S.C. §1452	No (see 26 U.S.C. §7701(b)(1)(B))	No	Yes (see IRS Form 1040NR for proof)	No
3.1	"U.S.A.*** national" or "state national" or "Constitutional but not statutory U.S.**** citizen"	Constitutional Union state	State of the Union	NA (ACTA agreement)	8 U.S.C. §1101(a)(21); 14 <sup>th</sup> Amend., Sect. 1	No	No	No	Yes
3.2	"U.S.A.*** national" or "state national" or "Constitutional but not statutory U.S.**** citizen"	Constitutional Union state	Foreign country	Yes	8 U.S.C. §1101(a)(21); 14 <sup>th</sup> Amend., Sect. 1	No	No	Yes	No
3.3	"U.S.A.*** national" or "state national" or "Constitutional but not statutory U.S.**** citizen"	Constitutional Union state	Foreign country	No	8 U.S.C. §1101(a)(21); 14 <sup>th</sup> Amend., Sect. 1	No	No	No	Yes

#	Citizenship status	Place of birth	Domicile	Accepting tax treaty benefits?	Defined in	Tax Status under 26 U.S.C./Internal Revenue Code			
						"Citizen" (defined in 26 C.F.R. §1.1-1)	"Resident alien" (defined in 26 U.S.C. §7701(b)(1)(A), 26 C.F.R. §1.1441-1(c)(3)(i) and 26 C.F.R. §1.1-1(a)(2)(ii))	"Nonresident alien INDIVIDUAL" (defined in 26 U.S.C. §7701(b)(1)(B) and 26 C.F.R. §1.1441-1(c)(3))	"Non-resident NON-person" (NOT defined)
3.4	Statutory "citizen of the United States**" or Statutory "U.S.* citizen"	Constitutional Union state	Puerto Rico, Guam, Virgin Islands, Commonwealth of Northern Mariana Islands	NA (ACTA agreement)	8 U.S.C. §1101(a)(21); 14 <sup>th</sup> Amend., Sect. 1 ; 8 U.S.C. §1101(a)(22)(A)	No	Yes	No	No
4.1	"alien" or "Foreign national"	Foreign country	Puerto Rico, Guam, Virgin Islands, Commonwealth of Northern Mariana Islands	NA	8 U.S.C. §1101(a)(21); 8 U.S.C. §1101(a)(3)	No	Yes	No	No
4.2	"alien" or "Foreign national"	Foreign country	State of the Union	Yes	8 U.S.C. §1101(a)(21); 8 U.S.C. §1101(a)(3)	No	No	Yes	No
4.3	"alien" or "Foreign national"	Foreign country	State of the Union	No	8 U.S.C. §1101(a)(21); 8 U.S.C. §1101(a)(3)	No	No	No	Yes
4.4	"alien" or "Foreign national"	Foreign country	Foreign country	Yes	8 U.S.C. §1101(a)(21)	No	No	Yes	No
4.5	"alien" or "Foreign national"	Foreign country	Foreign country	No	8 U.S.C. §1101(a)(21)	No	No	No	Yes

**NOTES:**

1. Domicile is a prerequisite to having any civil status per Federal Rule of Civil Procedure 17. One therefore cannot be a statutory "alien" under 8 U.S.C. §1101(a)(3) without a domicile on federal territory. Without such a domicile, you are a transient foreigner and neither an "alien" nor a "nonresident alien".
2. "United States" is described in 8 U.S.C. §1101(a)(38), (a)(36) and 8 C.F.R. §215.1(f) and includes only federal territory and possessions and excludes all Constitutional Union states. This is a product of the separation of powers doctrine that is the heart of the United States Constitution. A "nonresident alien individual" who has made an election under 26 U.S.C. §6013(g) and (h) to be treated as a "resident alien" is treated as a "nonresident alien" for the purposes of withholding under I.R.C. Subtitle C but retains their status as a "resident alien" under I.R.C. Subtitle A. See 26 C.F.R. §1.1441-1(c)(3) for the definition of "individual", which means "alien".
3. A "nonresident alien individual" who has made an election under 26 U.S.C. §6013(g) and (h) to be treated as a "resident alien" is treated as a "nonresident alien" for the purposes of withholding under I.R.C. Subtitle C but retains their status as a "resident alien" under I.R.C. Subtitle A. See 26 C.F.R. §1.1441-1(c)(3) for the definition of "individual", which means "alien".
4. A "non-person" is really just a transient foreigner who is not "purposefully availing themselves" of commerce within the legislative jurisdiction of the United States on federal territory under the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97. The real transition from a "NON-individual" to an "individual" occurs when one:
  - 4.1. "Purposefully avails himself" of commerce on federal territory and thus waives sovereign immunity. Examples of such purposeful availment are the next three items.
  - 4.2. Lawfully and consensually occupying a public office in the U.S. government and thereby being an "officer and individual" as identified in 5 U.S.C. §2105(a). Otherwise, you are PRIVATE and therefore beyond the civil legislative jurisdiction of the national government.

- 1 4.3. Voluntarily files an IRS Form 1040 as a citizen or resident abroad and takes the foreign tax deduction under 26 U.S.C. §911. This too is essentially an act of  
 2 "purposeful availment". Nonresidents are not mentioned in section 911. The upper left corner of the form identifies the filer as a "U.S. individual". You  
 3 cannot be an "U.S. individual" without ALSO being an "individual". All the "trade or business" deductions on the form presume the applicant is a public  
 4 officer, and therefore the "individual" on the form is REALLY a public officer in the government and would be committing FRAUD if he or she was NOT.
- 5 4.4. VOLUNTARILY fills out an IRS Form W-7 ITIN Application (IRS identifies the applicant as an "individual") AND only uses the assigned number in  
 6 connection with their compensation as an elected or appointed public officer. Using it in connection with PRIVATE earnings is FRAUD.
- 7 5. What turns a "non-resident non-person" into a "nonresident alien individual" is meeting one or more of the following two criteria:
- 8 5.1. Residence/domicile in a foreign country under the residence article of an income tax treaty and 26 C.F.R. §301.7701(b)-7(a)(1).  
 9 5.2. Residence/domicile as an alien in Puerto Rico, Guam, the Commonwealth of Northern Mariana Islands, the U.S. Virgin Islands, or American Samoa as  
 10 determined under 26 C.F.R. §301.7701(b)-1(d).
- 11 6. If you were born in a state of the Union and maintain a domicile there, then you are described in item 3.1 of the table.
- 12 7. All "taxpayers" are STATUTORY "aliens". The definition of "individual" found in 26 C.F.R. §1.1441-1(c)(3) does NOT include "citizens". The only occasion  
 13 where a "citizen" can also be an "individual" is when they are abroad under 26 U.S.C. §911 and interface to the I.R.C. under a tax treaty with a foreign country as an  
 14 alien pursuant to 26 C.F.R. §301.7701(b)-7(a)(1)

15 *And when he had come into the house, Jesus anticipated him, saying, "What do you think, Simon? From whom do the kings [governments] of the earth [lawfully] take*  
 16 *customs or [taxes](#), from their sons [citizens and subjects] or from strangers [["aliens"](#)], which are synonymous with ["residents"](#) in the tax code, and exclude ["citizens"](#)?"*

17 *Peter said to Him, "From strangers [["aliens"](#)]/["residents"](#) ONLY. See [26 C.F.R. §1.1-1\(a\)\(2\)\(ii\)](#) and [26 C.F.R. §1.1441-1\(c\)\(3\)](#)."*

18 *Jesus said to him, "Then the sons [["citizens"](#) of the Republic, who are all sovereign ["nationals"](#) and ["nonresident aliens"](#) under federal law] are free [sovereign over their*  
 19 *own person and labor. e.g. [SOVEREIGN IMMUNITY](#)]. "*  
 20 *[[Matt. 17:24-27](#), Bible, NKJV]*

1 If we are a person born in a state of the Union, then what is the most accurate and unambiguous way to describe our citizenship  
 2 status and our rights? Below is what we recommend, and we have stated it several ways to make it as unambiguous as  
 3 possible. You are:

- 4 1. A “citizen of the United States” under the Fourteenth Amendment.
- 5 2. Not a “national and citizen of the United States” under federal statutes such as 8 U.S.C. §1401, because this is a person  
 6 born only in the District of Columbia, Puerto Rico, Guam, and the Virgin Islands.
- 7 3. A “National” under 8 U.S.C. §1101(a)(21).
- 8 4. A “national” of the state you were born in. Being a “national” simply means that you owe allegiance to your state. For  
 9 instance, if you were born in California, you are a “California national”, because the states of the Union are treated as  
 10 independent nations by our constitution.
- 11 5. “subject to **the** jurisdiction” of the confederation of states called **the** “United States”, but not necessarily to the  
 12 jurisdiction of federal statutes or “acts of Congress”. The term “subject to the jurisdiction” simply means the **political**,  
 13 but not necessarily **legislative** jurisdiction.
- 14 6. Not subject to federal government legislative jurisdiction under most “acts of Congress” so long as you are domiciled in  
 15 a state of the Union and not living on federal territory ceded by the state to the federal government.
- 16 7. A sovereign individual whose rights are protected from federal encroachment by the Constitution and from State  
 17 encroachment by the Fourteenth Amendment and your state constitution.

18 If you would like to know more about correcting your citizenship status, we invite you to read and study section 4.5.3.13 of  
 19 the *Sovereignty Forms and Instructions Manual*, Form #10.005.

#### 20 **4.13 Contracts**

21 Article 1, Section 10 of the U.S. Constitution says:

22 *No State shall...pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or*  
 23 *grant any Title of Nobility.*

24 This clause is important, as it establishes the foundation of how to protect one’s assets from taxes and government seizure  
 25 using trusts.

26 The Uniform Commercial Code (UCC) recognizes that it is possible for any one of us to be commercially coerced into signing  
 27 a contract that we would not sign had we true free agency. The UCC provides that if we sign a contract under such adverse  
 28 conditions, and if we do so “without prejudice” or “under protest,” then we preserve all our rights. You can read the UCC  
 29 for yourself at the following address:

30 <http://www.law.cornell.edu/ucc/ucc.table.html>

31 The Uniform Commercial Code, Section 1-308, states: Performance or Acceptance Under Reservation of Rights

32 *(a) A party that with explicit reservation of rights performs or promises performance or assents to performance*  
 33 *in a manner demanded or offered by the other party does not thereby prejudice the rights reserved. Such words*  
 34 *as “without prejudice,” “under protest,” or the like are sufficient.*

35 If it is necessary to assert your rights in court, when the point is raised, here is a suggested testimony to offer when explaining  
 36 what you meant when you claimed “without prejudice”:

37 *“It indicates I have exercised the remedy provided for me in the Uniform Commercial Code by which I might*  
 38 *reserve the Common Law Right not to be compelled to perform under any contract that I have not entered*  
 39 *knowingly, voluntarily, and intentionally. And furthermore, that notifies all administrative agencies of*  
 40 *government that I do not accept the liability associated with the compelled benefits of any unrevealed commercial*  
 41 *agreement.”*

42 The Uniform Commercial Code is Admiralty Law, which has come on shore. The “without prejudice” clause is the window  
 43 which enables one to assert their 7th Amendment guarantee of access to the Common Law.

1 Some people are putting the words, “without prejudice” on everything they sign, above their signature. E.g. they are putting  
 2 it on applications for driver's license, tax returns, voter registration, bank checks, gun purchases, etc. According to  
 3 Anderson's UCC annotated, you can only reserve those rights which you have. Whenever you sign anything you will give to  
 4 the government, it's a good idea to be explicit about your domicile/citizenship (capitalize Citizenship).

#### 5 **4.14 Our Private Constitutional Rights**

6 *“Statesmen, my dear Sir, may plan and speculate for liberty, but it is Religion and Morality alone, which can*  
 7 *establish the Principles upon which Freedom can securely stand.*

8 *“The only foundation of a free Constitution is pure Virtue, and if this cannot be inspired into our People in a*  
 9 *greater Measure, than they have it now, they may change their Rulers and the forms of Government, but they*  
 10 *will not obtain a lasting liberty.”*  
 11 *[John Adams, June 21, 1776]*  
 12

13 *“The smallest minority on earth is the individual. Those who deny individual rights, cannot claim to be defenders*  
 14 *of minorities.”*  
 15 *[Ayn Rand]*

16 Based on the above discussion, we now proceed to define and explain our rights in detail.

#### 17 **4.14.1 No forced participation in Labor Unions or Occupational Licenses**

18 *“Among these unalienable rights, as proclaimed in that great document, is the right of men to pursue their*  
 19 *happiness, by which is meant the right to pursue any lawful business or vocation, in any manner not inconsistent*  
 20 *with the equal rights of others, which may increase their prosperity or develop their faculties, so as to give to*  
 21 *them their highest enjoyment. The common business and callings of life, the ordinary trades and pursuits, which*  
 22 *are innocuous in themselves, and have been followed in all communities from time immemorial, must therefore*  
 23 *be free in this country to all alike upon the same conditions. The right to pursue them, without let or hindrance,*  
 24 *except that which is applied to all persons of the same age, sex, and condition, is a distinguishing privilege of*  
 25 *citizens of the United States, and an essential element of that freedom which they claim as their birthright. It has*  
 26 *been well said that THE PROPERTY WHICH EVERY MAN HAS IN HIS OWN LABOR, AS IT IS THE ORIGINAL*  
 27 *FOUNDATION OF ALL OTHER PROPERTY, SO IT IS THE MOST SACRED AND INVOLABLE. The*  
 28 *patrimony of the poor man lies in the strength and dexterity of his own hands, and to hinder his employing this*  
 29 *strength and dexterity in what manner he thinks proper, without injury to his neighbor, is a plain violation of this*  
 30 *most sacred property. It is a manifest encroachment upon the just liberty both of the workman and of those who*  
 31 *might be disposed to employ him. . . The right to follow any of the common occupations of life is an inalienable*  
 32 *right, it was formulated as such under the phrase 'pursuit of happiness' in the declaration of independence, which*  
 33 *commenced with the fundamental proposition that 'all men are created equal; that they are endowed by their*  
 34 *Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness.' This right*  
 35 *is a large ingredient in the civil liberty of the citizen. To deny it to all but a few favored individuals, by investing*  
 36 *the latter with a monopoly, is to invade one of the fundamental privileges of the citizen, contrary not only to*  
 37 *common right, but, as I think, to the express words of the constitution. It is what no legislature has a right to do;*  
 38 *and no contract to that end can be binding on subsequent legislatures. . .”*  
 39 *[Butchers' Union Co. v. Crescent City Co., 111 U.S. 746 (1884) ]*

40 The supreme Court, in the above finding, makes it very clear that granting a monopoly to a few favored individuals or a  
 41 government organization over the right to pursue certain occupations violates our fundamental civil liberties and the  
 42 constitution. This has the following implications, when you think about it:

- 43 1. The government should not and may not restrict entrance into certain occupations of individuals by laws requiring
- 44 licenses, or by restricting who may obtain a license.
- 45 2. The government should not and may not allow labor unions who have a majority in any given employer to compel
- 46 workers at that employer to join the union or be discriminated against because they won't join.

#### 47 **4.14.2 Property Rights**

48 *“Men are endowed by their Creator with certain unalienable rights, -'life, liberty, and the pursuit of happiness;'*  
 49 *and to 'secure, ' not grant or create, these rights, governments are instituted. That property which a man has*  
 50 *honestly acquired he retains full control of, subject to these limitations: First, that he shall not use it to his*  
 51 *neighbor's injury, and that does not mean that he must use it for his neighbor's benefit; second, that if he devotes*  
 52 *it to a public use, he gives to the public a right to control that use; and third, that whenever the public needs*  
 53 *require, the public may take it upon payment of due compensation.”*  
 54 *[Budd v. People of State of New York, 143 U.S. 517 (1892)]*

### 4.14.3 No IRS Taxes

In the IRS 1040 Tax Guide Kit, it asks, “who is required to file a 1040 form?” The IRS's answer states, “all citizens of the United States no matter where they are located”. Here then is how the IRS defines the United States:

*TITLE 26, Subtitle F, CHAPTER 79, Sec. 7701(a)(9):*

*United States: The term "United States" when used in a geographical sense includes only the States and the District of Columbia.*

*TITLE 26, Subtitle F, CHAPTER 79, Sec. 7701(a)(10)*

*State: The term "State" shall be construed to include the District of Columbia, where such construction is necessary to carry out provisions of this title.*

Substituting the definition for the term State into the definition for United States we arrive at what can only be described as a totally different meaning than what you and I have thought all along.

*The term "United States" when used in a geographical sense includes only the District of Columbia and the District of Columbia. [emphasis added to illustrate substitution]*

If you weren't born in the District of Columbia then you are not a “citizen of the United States” and you are not required to file an IRS 1040 Tax Return.

However, remember the part that said, “no matter where they are located.” If you have ever declared yourself to be a “citizen of the United States” (that legislative entity - a statutory “person” - a federal corporation), usually under penalty of perjury, then you are and you must file an IRS 1040 Tax Return (see SOLUTIONS).

### 4.14.4 No Gun Control

*Bill of Rights - Article II (Second Amendment)*

*A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed. [Underlines added]*

We all know that the Militia is the People and every State Constitution I have read so states this. It is also clear that the Second Amendment is not a Right of the State. It states that this Right is merely "... necessary to the security of a free state, ..."

Further, it is often stated that the Bill of Rights limits the Federal Government in its attempts to govern (rule) the States and the People. It should be noted however, that the mere title is self-explanatory "Bill of Rights". These articles of Rights (Amendments) are Rights of the People and/or the States. By implication, yes, they are limits of the Federal Government, including the State Governments in certain cases. The Second Amendment is one of those Rights, which limits both Federal and State Governments. Note it states "... the Right of the People ..." this is clearly not a Right of the State and is therefore a limit of the State as well as the Federal Government.

So, how is it that our various levels of government can pass what seems to be unconstitutional laws and get away with it in the courts?

One day, while searching for further insight into the laws, which we have come to accept as governing our access and use of arms (and our lives), I made a startling discovery, while rereading portions of the United States Code (USC) pertaining to the Gun Control Act of 1968 (Public Law 90-618) (GCA), I noticed for the first time a table of definitions. The table included a definition for the term "interstate or foreign commerce," which in turn describes the geographic boundaries for which the GCA has jurisdiction. The following is the pertinent text: (If you have a FFL, see your Federal Firearms Guidebook)

*US Code: Title 18, Section 921(a)(2) - Definitions:*



The term "interstate or foreign commerce" includes commerce between any place in a State and any place outside of that State, or within any possession of the United States (not including the Canal Zone) or the District of Columbia, but such term does not include commerce between places within the same State but through any place outside of that State.

The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone).

The geographic boundaries of the United States are clearly described in the Constitution as the District of Columbia, its possessions and territories:

Article 1, Section 8, Clause 17

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;--And

Note: the term, United States, is a noun, a proper name and title, describing the Federal (Central) Government, a separate corporate entity, housed in the District of Columbia and is the offspring of the "We the People...".

However, in the above 921(a)(2) definition, the USC, in effect, has redefined the United States to only include the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States. What happened to the "Territories" (Guam, Virgin Islands, the Northern Mariana Islands, the American Samoa, etc.)? By this self-proclaimed-redefinition, the "Territories" have, in effect, become the "any place outside that state" and as such satisfies the term "foreign commerce".

Leaving the term "interstate commerce" to mean the District of Columbia, the Commonwealth of Puerto Rico and the possessions.

As we then substitute the definition for the term "State" from the second sentence and the term "Territories", into the first sentence, the passage then reads:

The term "interstate or foreign commerce" includes commerce between any place in the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone) and the Territories of that District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone), or within any possession of the United States (not including the Canal Zone) or the District of Columbia, but such term does not include commerce between places within the same District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone) but through the Territories of that District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States (not including the Canal Zone). [emphasis added to illustrate substitution]

At first, this seems nonsensical. Nevertheless, note that nowhere is Iowa, Illinois, Indiana or any one of the other several States mentioned (the reason for this overt omission I leave to the reader). However, at this point, it is safe to assume that you are as surprised as I to discover that the Gun Control Act of 1968 applies only to the District of Columbia, the possessions and territories of the United States, and not to any one of the several States.

To further demonstrate that the Federal Government, purposely and knowingly redefines ordinary words, consider another definition found in C.F.R. 27. This is the Bureau of Alcohol, Tobacco and Firearms (BATF) section on the IMPORTATION OF ARMS, AMMUNITION AND IMPLEMENTS OF WAR:

Title 27, Chapter I, Part 47, Section 47.11, Subpart B-Meaning of items

United States. When used in the geographical sense, includes the several States, the Commonwealth of Puerto Rico, the insular possessions of the United States, the District of Columbia, and any territory over which the United States exercises any powers of administration, legislation, and jurisdiction. [underline added]

Clearly, the Federal Government recognizes the several States as a separate entity, as it should and as is enumerate in the Constitution. However, in this instance the term United States is being used in a collective sense, because this section of the C.F.R. is talking about the importation of arms from foreign countries, not the use or sale of firearms within the several States.

1 Notice the use of the term "Arms" in the title of this Chapter of the BATF Code. In other definitions and codes  
2 they use the term "Firearm". There is a legal distinction between the term "Arms" as used in the Second  
3 Amendment and the term "Firearm" which infers a Federal privilege.

4 If Congress wanted to apply these various Codes and Acts to all the several States and the People, they need only include the  
5 statement "several States and the People." But, this they did not do, because to do so would be in clear violation of the  
6 intended restrictions of the Constitution of the United States of America.

7 At this point, you might ask, how is it that the Federal Government can claim jurisdiction over me? With respect to firearms,  
8 the process was as simple as writing "Yes" when answering the question "are you a citizen of the United States?" when  
9 completing form 4473 (9)(L) (the "yellow sheet") when purchasing a firearm from a Federally licensed dealer. Note however,  
10 that it is not required to answer "yes" on the 4473 form. You can answer "no" and still purchase the gun. Read the box at the  
11 bottom of the front page, it DOES NOT mention item (9)(L) as having to be answered "yes or no" to purchase a firearm.

12 Recall the definition for the United States as examined earlier. Were you born in the District of Columbia, the Commonwealth  
13 of Puerto Rico, or any of the Possessions or Territories of the United States? If not, you have just asserted your own United  
14 States citizenship by answering "Yes" to the question on form 4473. Now that you have legally declared yourself a citizen of  
15 the United States, and have signed the document, you have accepted its "terms and conditions", which includes the entire  
16 USC and the C.F.R. and are now subject to the jurisdiction of the Federal Government.

17 Were you ever curious about why, as individuals, we can buy and sell firearms between each other without completing a form  
18 4473? Well, the answer is that the 4473 form is a requirement only of the dealer who holds a Federal Firearms License, not  
19 the People. The Federal Government has no authority over a sovereign American and must rely on our ignorance and  
20 complicity to persuade and trick us to complete the form. Ironically, the dealer is not required to do so either, nor is he  
21 required to have an FFL, but has also been misled and influenced by the practice of redefining commonly used words. Once  
22 again, the Federal Codes only applies to the United States (the District of Columbia, the possessions and territories) and to  
23 the federal citizens thereof (no matter where they are located), not the several States or the People.

24 While the Constitution does enumerate congressional power and authority to the United States to govern itself [Article 1,  
25 Section 8, Clause 17], it has no exclusive legislative authority over the several States or the People thereof.

26 However, the Constitution also states that, "No State shall enter into any...law impairing the Obligation of Contracts...". By  
27 asserting United States citizenship on form 4473 and signing it, we enter into a private contract with the Federal Government  
28 and agree to the terms and conditions of that contract. A contract being an agreement between two or more people and their  
29 signatures, serve both to affirm the contract and to obligate them to the terms, conditions and performances therein.

30 *Article 1, Section 10*

31 No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin  
32 Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any  
33 Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.  
34 *[underlines added]*

35 Again, we are not doing the right thing when we sign these documents in our involvement with the government. We need to  
36 protect our Rights under the Constitution according to the laws which govern them. Once we enter them without reserving  
37 our Rights we have lost them (See SOLUTIONS).

38 One last thought for our FFL Dealer friends out there, moving a few pages over we find:

39 *BATF Title 27 Part 178 - Commerce in Firearms and Ammunition*

40 *Subpart D - Licenses*

41 *§178.41 - General.*

42 *(a) "Each person intending to engage in business as an importer or manufacturer of firearms or ammunition, or*  
43 *a dealer in firearms shall, before the commencing such business, obtain the license required by this subpart for*  
44 *the business to be operated..." [Underlines added]*

1 Remember our earlier coverage of the word “citizen”? That's right, if you are not a statutory “U.S. citizen” domiciled on  
 2 federal territory pursuant to 8 U.S.C. §1401, then you can't be a statutory "person" and you weren't required to get an FFL.  
 3 That includes people domiciled in a foreign state such as a state of the Union.

4 *"The supreme power in America cannot enforce unjust laws by the sword; because the body of the people are*  
 5 *armed, and constitute a force superior to any band of regular troops that can be, on any pretense, raised in the*  
 6 *United States."*

7 *"Before a standing army can rule, the people must be disarmed; as they are in almost every kingdom in Europe.*  
 8 *The supreme power in America cannot enforce unjust laws by the sword; because the whole body of the people*  
 9 *are armed, and constitute a force superior to any band of regular troops that can be, on any pretense, raised in*  
 10 *the United States. A military force, at the command of Congress, can execute no laws, but such as the people*  
 11 *perceive to be just and constitutional; for they will possess the power, and jealousy will instantly inspire the*  
 12 *inclination, to resist the execution of a law which appears to them unjust and oppressive."*  
 13 *[Noah Webster]*

#### 14 **FOR THE RECORD**

15  
 16 In 1929, the Soviet Union established gun control. From 1929 to 1953, approximately 20 million dissidents, unable to defend  
 17 themselves, were rounded up and exterminated.

18 In 1911, Turkey established gun control. From 1915 to 1917, 1.5 million Armenians, unable to defend themselves, were  
 19 rounded up and exterminated.

20 In 1928, Germany established gun control. From 1939 to 1945, 13 million Jews, gypsies, homosexuals, the mentally ill, and  
 21 others, who were unable to defend themselves, were rounded up and exterminated.

22 In 1935, China established gun control. From 1948 to 1952, 20 million political dissidents were unable to defend themselves  
 23 and were rounded up and exterminated.

24 In 1964, Guatemala established gun control. From 1964 to 1981, 100,000 Mayan Indians, unable to defend themselves, were  
 25 rounded up and exterminated.

26 In 1970, Uganda established gun control. From 1971 to 1979, 300,000 Christians, unable to defend themselves, were rounded  
 27 up and exterminated.

28 In 1956, Cambodia established gun control. From 1975 to 1977, one million “educated” people, unable to defend themselves,  
 29 were rounded up and exterminated.

30 That places total victims who lost their lives—because they were unable to defend their liberty—at approximately 56 million  
 31 in the 20<sup>th</sup> century.

#### 32 **4.14.5 Motor Vehicle Driving**

#### 33 **DESPITE ACTIONS OF POLICE AND LOCAL COURTS,** 34 **HIGHER COURTS HAVE RULED THAT AMERICAN CITIZENS** 35 **HAVE A RIGHT TO TRAVEL WITHOUT STATE PERMITS**

36 By  
 37 Jack McLamb

38 (from Aid & Abet Newsletter)

39 For years professionals within the criminal justice system have acted on the belief that traveling by motor vehicle was a  
 40 privilege that was given to a citizen only after approval by their state government in the form of a permit or license to drive.  
 41 In other words, the individual must be granted the privilege before his use of the state highways was considered legal.  
 42 Legislators, police officers, and court officials are becoming aware that there are court decisions that disprove the belief that  
 43 driving is a privilege and therefore requires government approval in the form of a license. Presented here are some of these  
 44 cases:

1 CASE #1: "The use of the highway for the purpose of travel and transportation is not a mere privilege, but a common  
2 fundamental right of which the public and individuals cannot rightfully be deprived." *Chicago Motor Coach v. Chicago*, 169  
3 N.E. 221.

4 CASE #2: "The right of the citizen to travel upon the public highways and to transport his property thereon, either by carriage  
5 or by automobile, is not a mere privilege which a city may prohibit or permit at will, but a common law right which he has  
6 under the right to life, liberty, and the pursuit of happiness." *Thompson v. Smith*, 154 S.E. 579. It could not be stated more  
7 directly or conclusively that citizens of the states have a common law right to travel, without approval or restriction (license),  
8 and that this right is protected under the U.S Constitution.

9 CASE #3: "The right to travel is a part of the liberty of which the citizen cannot be deprived without due process of law under  
10 the Fifth Amendment." *Kent v. Dulles*, 357 U.S. 116, 125 (1958). CASE #4: "The right to travel is a well-established common  
11 right that does not owe its existence to the federal government. It is recognized by the courts as a natural right." *Schactman*  
12 *v. Dulles* 96 App.D.C. 287, 225 F.2d. 938, at 941.

13 As hard as it is for those of us in law enforcement to believe, there is no room for speculation in these court decisions.  
14 American citizens do indeed have the inalienable right to use the roadways unrestricted in any manner as long as they are not  
15 damaging or violating property or rights of others. Government -- in requiring the people to obtain drivers licenses, and  
16 accepting vehicle inspections and DUI/DWI roadblocks without question -- is restricting, and therefore violating, the people's  
17 common law right to travel.

18 Is this a new legal interpretation on this subject? Apparently not. This means that the beliefs and opinions our state legislators,  
19 the courts, and those in law enforcement have acted upon for years have been in error. Researchers armed with actual facts  
20 state that case law is overwhelming in determining that to restrict the movement of the individual in the free exercise of his  
21 right to travel is a serious breach of those freedoms secured by the U.S. Constitution and most state constitutions. That means  
22 it is unlawful. The revelation that the American Citizen has always had the inalienable right to travel raises profound questions  
23 for those who are involved in making and enforcing state laws. The first of such questions may very well be this: If the states  
24 have been enforcing laws that are unconstitutional on their face, it would seem that there must be some way that a state can  
25 legally put restrictions -- such as licensing requirements, mandatory insurance, vehicle registration, vehicle inspections to  
26 name just a few -- on a Citizen's constitutionally protected rights. Is that so?

27 For the answer, let us look, once again, to the U.S. courts for a determination of this very issue. In *Hertado v. California*, 110  
28 U.S. 516 (1884), the U.S Supreme Court states very plainly: "The state cannot diminish rights of the people." And in *Bennett*  
29 *v. Boggs*, 1 Baldw 60, "Statutes that violate the plain and obvious principles of common right and common reason are null  
30 and void." Would we not say that these judicial decisions are straight to the point -- that there is no lawful method for  
31 government to put restrictions or limitations on rights belonging to the people? Other cases are even more straight forward:

32 "The assertion of federal rights, when plainly and reasonably made, is not to be defeated under the name of local practice."  
33 *Davis v. Wechsler*, 263 U.S. 22, at 24 (1923) "Where rights secured by the Constitution are involved, there can be no rule  
34 making or legislation which would abrogate them." *Miranda v. Arizona*, 384 U.S. 436, 491 (1966). "The claim and exercise  
35 of a constitutional right cannot be converted into a crime." *Miller v. U.S.*, 230 F. 486, at 489. There can be no sanction or  
36 penalty imposed upon one because of this exercise of constitutional rights." *Sherer v. Cullen*, 481 F 946. We could go on,  
37 quoting court decision after court decision; however, the Constitution itself answers our question - Can a government legally  
38 put restrictions on the rights of the American people at any time, for any reason? The answer is found in Article Six of the  
39 U.S. Constitution:

40 *"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof;...shall be the*  
41 *supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or*  
42 *laws of any State to the Contrary not one word withstanding."*

43 In the same Article, it says just who within our government that is bound by this Supreme Law:

44 *"The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all*  
45 *executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or*  
46 *Affirmation, to support this Constitution..."*

47 Here's an interesting question. Is ignorance of these laws an excuse for such acts by officials? If we are to follow the letter of  
48 the law, (as we are sworn to do), this places officials who involve themselves in such unlawful acts in an unfavorable legal

1 situation. For it is a felony and federal crime to violate or deprive citizens of their constitutionally protected rights. Our system  
2 of law dictates that there are only two ways to legally remove a right belonging to the people. These are (1) by lawfully  
3 amending the constitution, or (2) by a person knowingly waiving a particular right. Some of the confusion on our present  
4 system has arisen because many millions of people have waived their right to travel unrestricted and volunteered into the  
5 jurisdiction of the state. Those who have knowingly given up these rights are now legally regulated by state law and must  
6 acquire the proper permits and registrations. There are basically two groups of people in this category: (1) Citizens who  
7 involve themselves in commerce upon the highways of the state. Here is what the courts have said about this:

8 *"...For while a citizen has the right to travel upon the public highways and to transport his property thereon, that*  
9 *right does not extend to the use of the highways...as a place for private gain. For the latter purpose, no person*  
10 *has a vested right to use the highways of this state, but it is a privilege...which the (state) may grant or withhold*  
11 *at its discretion..."*  
12 *[State v. Johnson, 245 P. 1073]*

13 There are many court cases that confirm and point out the difference between the right of the citizen to travel and a government  
14 privilege and there are numerous other court decisions that spell out the jurisdiction issue in these two distinctly different  
15 activities.

16 However, because of space restrictions, we will leave it to officers to research it further for themselves. (2) The second group  
17 of citizens that is legally under the jurisdiction of the state are those citizens who have voluntarily and knowingly waived  
18 their right to travel unregulated and unrestricted by requesting placement under such jurisdiction through the acquisition of a  
19 state driver's license, vehicle registration, mandatory insurance, etc. (In other words, by contract.) We should remember what  
20 makes this legal and not a violation of the common law right to travel is that they knowingly volunteer by contract to waive  
21 their rights. If they were forced, coerced or unknowingly placed under the state's powers, the courts have said it is a clear  
22 violation of their rights. This in itself raises a very interesting question. What percentage of the people in each state have  
23 applied for and received licenses, registrations and obtained insurance after erroneously being advised by their government  
24 that it was mandatory?

25 Many of our courts, attorneys and police officials are just becoming informed about this important issue and the difference  
26 between privileges and rights. We can assume that the majority of those Americans carrying state licenses and vehicle  
27 registrations have no knowledge of the rights they waived in obeying laws such as these that the U.S. Constitution clearly  
28 states are unlawful, i.e. laws of no effect - laws that are not laws at all. An area of serious consideration for every police  
29 officer is to understand that the most important law in our land which he has taken an oath to protect, defend, and enforce, is  
30 not state laws and city or county ordinances, but the law that supersedes all other laws -- the U.S. Constitution. If laws in a  
31 particular state or local community conflict with the supreme law of our country, there is no question that the officer's duty  
32 is to uphold the U.S. Constitution. Every police officer should keep the following U.S. court ruling -- discussed earlier -- in  
33 mind before issuing citations concerning licensing, registration, and insurance:

34 *"The claim and exercise of a constitutional right cannot be converted into a crime."*  
35 *[Miller v. U.S., 230 F. 486, 489]*

36 And as we have seen, traveling freely, going about one's daily activities, is the exercise of a most basic right. Some of our  
37 readers, upon reading this book, have attempted to avoid surrendering their rights in obtaining driver's licenses. Below is an  
38 email one of our readers sent on this subject, so you know what you are up against. It reveals the extreme lengths to which  
39 our corrupt government "servants" will go to impinge on our God-given rights:

40 *Dear Sir,*

41 *Thought I'd let you know what happened to a friend of mine here in Indiana. While attempting to renew his*  
42 *driver's license, he wanted to "reserve his rights" by signing the license with "all rights reserved UCC 1-308".*  
43 *He was flatly denied being able to do this by the BMV. At this point I haven't heard what the outcome of this is. I*  
44 *just found it incredible that they would deny someone the right to reserve their rights. Like everything else, when*  
45 *dealing with banks, or any other "rights abusers", the only recourse seems to be the courts. Too bad we must*  
46 *always have to fight and be inconvenienced to the extreme just to have what should normally come to us.*

47 *Ken*

#### 4.14.6 No Marriage Licenses<sup>223</sup>

*"Marriage is the only sport in which the trapped animal has to buy the license."*

Every year thousands of people amble down to their local county courthouse and obtain a marriage license from the State in order to marry their future spouse. They do this unquestioningly. They do it possibly because their pastor or their parents have told them to go get one, and besides, "everybody else gets one." This section attempts to answer the question - *why should we not get one?*

The contents of this section are actually an abbreviated version of a much larger 150+ page book at:

*Sovereign Christian Marriage*, Form #06.009  
<http://sedm.org/ItemInfo/Ebooks/SovChristianMarriage/SovChristianMarriage.htm>

This book is a very detailed and authoritative study into state marriage law and licensing. It documents why God created marriage and what he intended it to be, and then shows how the government has corrupted and destroyed and perverted its true and noble and Godly purpose.

##### 4.14.6.1 Reason #1: The definition of a "license" demands that we **NOT** obtain one to marry.

Black's Law Dictionary defines "license" as,

*"The permission by competent authority to do an act which without such permission, would be illegal."*

We need to ask ourselves- why should it be illegal to marry without the State's permission? More importantly, why should we *need* the State's permission to participate in something which God instituted (Gen. 2:18-24)? We should not need the State's permission to marry nor should we grovel before state officials to seek it. What if you apply and the State says "no"? You must understand that the authority to license implies the power to prohibit. A license by definition "confers a right" to do something. The State cannot grant the right to marry. It is a God-given right. Likewise, there isn't a state in the union that can or does prohibit marriage either.

One might say that there is *one* thing that the marriage license *does* allow which would otherwise be illegal, and that one thing is the right of one greedy and selfish spouse to hide community property under the care of someone else, drag the other spouse into court, and then make false allegations (lies) of domestic abuse to engender court sympathy. Is this the only kind of thing you want to license by giving the state control over your marriage? These vindictive spouses then have their spouse kicked out of his or her own house based on the unwarranted presumption of domestic violence and then use the legal system to vindictively destroy them financially by enslaving that spouse financially to their lawyer (family law attorneys cost about \$225/hour). Then they use the court to legally steal all the remaining unhidden assets by dividing separate property and the appreciation on that separate property in half. This process sets a very bad example for the children, creates fear and anxiety in both spouses, and enriches family law attorneys and the spouses for lying about each other to gain a financial and legal advantage, but accomplishes no good whatsoever.

Another interesting outcome of divorce is that the anxiety and fear it creates in spouses who have gone through it has the effect of preventing people from ever being willing to marry again in order to avoid a very painful repetition of this kind of insane experience. These divorced spouses who don't remarry then are encouraged to seek means other than marriage to get their sexual and emotional needs met. The only option available to them is then to fornicate and live in sin without a commitment or a marriage license. The media and our worldly culture promotes this stereotypical lifestyle, so they get trapped in it and end up unhappy, feeling guilty, and defensive and combative over their choice of lifestyle. Fornication as a cure for not getting married is worse than the disease (of divorce) from a biblical perspective, especially for any illegitimate children and abortions (murder) that might result from such a choice of sinful lifestyle, because the bible says fornication is a sin.

If these discouraged divorcees do take the chance and get remarried, the divorce rate is actually higher for second marriages than it is for first marriages! First marriages end in divorce approximately 55% of the time in California. Second marriages

<sup>223</sup> This section is an excerpt from a book entitled *Family Constitution*, available for free download from our website at <http://famguardian.org/>.

1 end in divorce 60% of the time! To make things worse, who wants to raise someone else's children and not have any of their  
 2 own? That is why we say that people don't learn anything from divorce after they have their first one. They don't use that  
 3 experience as a way to grow spiritually and become less selfish and prideful. Instead, they just get more selfish, arrogant,  
 4 and argumentative because they are more adept at playing the litigation game and using marriage to gain financial advantage.  
 5 Marriage for them then turns into another "career" they use to extort money out of their more wealthy spouse. How can we  
 6 say that people more often than not use marriage to gain financial advantage and that their inordinate focus on money is at  
 7 the root of the divorce problem? Because statistics point to the fact that the number one cause of arguments and divorce is  
 8 related to arguments over money in the marriage! The number two cause of arguments and divorce is related to sex, and they  
 9 probably argue about that, I'm guessing, because men like sex more than women, so men feel unfulfilled in marriage when  
 10 they marry a spouse who won't submit in the biblical sense.

11 We don't want to paint such a gloomy picture here, but we're trying to use the truth to emphasize that your character and that  
 12 of the person you marry is the most important predictor of whether the two of you will stay married, and that character has  
 13 to be based on a shared faith and strong and equal commitment to godly principles if your relationship is to survive the test  
 14 of time!

#### 15 **4.14.6.2 Reason #2: When you marry with a marriage license, you grant the State jurisdiction over your marriage.**

16 When you marry with a marriage license, your marriage is a creature of the State. It is a corporation of the State! As a matter  
 17 of fact, most states treat married spouses as the equivalent of business partners with a fiduciary duty towards each other  
 18 insofar as property and custody issues are concerned. Therefore, they have jurisdiction over your marriage including the *fruit*  
 19 of your marriage. What is the fruit of your marriage? Your children and every piece of property you own. There is plenty of  
 20 case law in American jurisprudence which declares this to be true.

21 In 1993, parents were upset here in Wisconsin because a test was being administered to their children in the government  
 22 schools which was very invasive of the family's privacy. When parents complained, they were shocked by the school  
 23 bureaucrats who informed them that their children were required to take the test by law and that they would *have* to take the  
 24 test because they (the government school) had jurisdiction over their children. When parents asked the bureaucrats what gave  
 25 them jurisdiction, the bureaucrats answered, "your marriage license and their birth certificates." Judicially, and in increasing  
 26 fashion, practically, your state marriage license has far-reaching implications.

#### 27 **4.14.6.3 Reason #3: When you marry with a marriage license, you place yourself under a body of law which is** 28 **immoral.**

29 By obtaining a marriage license, you place yourself under the jurisdiction of Family Court which is governed by unbiblical  
 30 and immoral laws. **Under these laws, you can divorce for any reason.** Often, the courts  
 31 side with the spouse who is in rebellion to God, and castigate the spouse who remains faithful by ordering him or her not to  
 32 speak about the Bible or other matters of faith when present with the children, even if those matters of faith promote  
 33 continuance and strengthening of the marriage.

34 Ministers cannot in good conscience perform a marriage which would place people under this immoral body of laws. They  
 35 also cannot marry someone with a marriage license because to do so they have to act as an agent of the State, and this violates  
 36 the law regarding separation of church and state! The minister would have to sign the marriage license, and then have to mail  
 37 it into the State. Given the State's demand to usurp the place of God and family regarding marriage, and given it's unbiblical,  
 38 immoral laws to govern marriage, it would be an act of treason for ministers to do so.

#### 39 **4.14.6.4 Reason #4: The marriage license invades and removes God-given parental authority.**

40 When you read the Bible, you see that God intended for children to have their father's blessing regarding whom they married.  
 41 Daughters were to be *given* in marriage *by their fathers* (Deut. 22:16; Exodus 22:17; I Cor. 7:38). We have a vestige of this  
 42 in our culture today in that the father takes his daughter to the front of the altar and the minister asks, "Who *gives* this woman  
 43 to be married to this man?"

44 Historically, there was no requirement to obtain a marriage license in colonial America. When you read the laws of the  
 45 colonies and then the states, you see only two requirements for marriage. First, you had to obtain your parents' permission to  
 46 marry, and second, you had to post public notice of the marriage 5-15 days before the ceremony.

1 Notice you had to obtain your *parents' permission*. Back then you saw godly government displayed in that the State  
2 recognized the parents authority by demanding that the parents' permission be obtained. Today, the all-encompassing ungodly  
3 State demands that *their* permission be obtained to marry.

4 By issuing marriage licenses, the State is saying, "You don't need your parents' permission, you need *our* permission." If  
5 parents are opposed to their child's marrying a certain person and refuse to give their permission, the child can do an end run  
6 around the parents authority by obtaining the State's permission, and marry anyway. This is an invasion and removal of God-  
7 given parental authority by the State.

#### 8 **4.14.6.5 Reason #5: When you marry with a marriage license, you are like a polygamist.**

9 From the State's point of view, when you marry with a marriage license, you are not just marrying your spouse, but you are  
10 also marrying the State.

11 The most blatant declaration of this fact that I have ever found is a brochure entitled "With This Ring I Thee Wed." It is found  
12 in county courthouses across Ohio where people go to obtain their marriage licenses. It is published by the Ohio State Bar  
13 Association. The opening paragraph under the subtitle "Marriage Vows" states, "*Actually, when you repeat your marriage  
14 vows you enter into a legal contract. There are three parties to that contract. 1.You; 2. Your husband or wife, as the case  
15 may be; and 3. the State of Ohio.*"

16 You see, the State and the lawyers know that when you marry with a marriage license, you are not just marrying your spouse,  
17 you are marrying the State! You are like a polygamist! You are not just making a vow to your spouse, but you are making a  
18 vow to the State **and** your spouse. You are also giving undue jurisdiction to the State.

#### 19 **4.14.6.6 When Does the State Have Jurisdiction Over a Marriage?**

20 God intended the State to have jurisdiction over a marriage for two reasons - 1). in the case of divorce, and 2). when crimes  
21 are committed i.e., adultery, bigamy, etc. Unfortunately, the State now allows divorce for any reason, and it does not prosecute  
22 for adultery.

23 In either case, divorce or crime, a marriage license is *not* necessary for the courts to determine whether a marriage existed or  
24 not. What is needed are witnesses. This is why you have a best man and a maid of honor. They should sign the marriage  
25 certificate in your family Bible, and the wedding day guest book should be kept.

26 Marriage was instituted by God; therefore it is a God-given right. According to Scripture, it is to be governed by the family,  
27 and the State only has jurisdiction in the cases of divorce or crime.

#### 28 **4.14.6.7 History of Marriage Licenses in America**

29 George Washington was married *without* a marriage license. Abraham Lincoln was married *without* a marriage license. So,  
30 how did we come to this place in America where marriage licenses are issued?

31 Historically, all the states in America had laws outlawing the marriage of blacks and whites. In the mid-1800's, certain states  
32 began allowing interracial marriages or miscegenation as long as those marrying received a license from the state. In other  
33 words they had to receive *permission to do an act which without such permission would have been illegal.*

34 Black's Law Dictionary points to this historical fact when it defines "marriage license" as, "*A license or permission granted  
35 by public authority to persons who intend to intermarry.*" "Intermarry" is defined in Black's Law Dictionary as

36 "*Miscegenation; mixed or interracial marriages.*"

37 Give the State an inch and they will take a 100 miles (or as one elderly woman once said to me "10,000 miles.") Not long  
38 after these licenses were issued, some states began requiring *all* people who marry to obtain a marriage license. In 1923, the  
39 Federal Government established the Uniform Marriage and Marriage License Act (they later established the Uniform  
40 Marriage and Divorce Act). By 1929, every state in the Union had adopted marriage license laws.



**4.14.6.8     What Should We Do?**

Christian couples should not be marrying with State marriage licenses, nor should ministers be marrying people with State marriage licenses. Some have said, "If someone is married without a marriage license, then they aren't really married." Given the fact that states may soon legalize same-sex marriages, we need to ask ourselves, "If a man and a man marry *with* a State marriage license, and a man and woman marry *without* a State marriage license - *who's really married?* Is it the two men *with* a marriage license, or the man and woman *without* a marriage license? In reality, this contention that people are not really married unless they obtain a marriage license simply reveals how Statist we are in our thinking. We need to think biblically.

You should not have to obtain a license from the State to marry someone any more than you should have to obtain a license from the State to be a parent, which some in academic and legislative circles are currently pushing to be made law.

When I marry a couple, I always buy them a Family Bible which contains birth and death records, and a marriage certificate. We record the marriage in the Family Bible. What's recorded in a Family Bible will stand up as legal evidence in any court of law in America. Both George Washington and Abraham Lincoln were married without a marriage license. They simply recorded their marriages in their Family Bibles. So should we.

(Pastor Trehwella has been marrying couples without marriage licenses for ten years. Many other pastors also refuse to marry couples with State marriage licenses.

This section is not comprehensive in scope. Rather, the purpose of this section is to make you think and give you a starting point to do further study of your own. **If you would like an audio sermon regarding this matter, just send a gift of at least five dollars in cash to: Mercy Seat Christian Church, Pastor Matt Trehwella, 10240 W. National Ave. PMB #129 Milwaukee, Wisconsin 53227.**

**4.14.7     Church Rights****A Church With "Tax Exemption" is not a "Tax-Exempt" Church!**

By Art Fisher

During the recent Senate hearings on Senate Bill 557 (the so-called "Civil Rights Restoration Act"), it was noted that Sen. Kennedy and other supporters consistently referred to "religious or church organizations", whereas opponents spoke of defending "religious freedom" and "rights" of the church. The term "organizations" may be the key to understanding governmental meddling in the affairs of the church.

A "religious or church organization" is a CORPORATION that functions in a legal capacity, doing business as a church. The IRS is fully aware of this distinction, and their publications reinforce that status. Nowhere do they define "tax exempt churches" -- they always refer to religious or church "organizations". Surely Congress, in writing the tax code, understands this distinction as well!

A church that voluntarily initiates an application to the state for corporate status expects "limited liability" and "tax exemption" It in turn owes to the state its right to exist and prosper. It is obvious that its legal status and that of its "flock" has been drastically altered.

Churches do NOT have rights granted by the state. They enjoy INALIENABLE rights granted by God, which are secured by the Constitution. Incorporated churches, in contrast, are artificial entities which may have such "privileges and immunities" as are granted by the state.

The U.S. Supreme Court well understands the artificial status of corporations:

1.) A corporation is a creature of the state. It is presumed to be incorporated for the benefit of the public. It receives certain special privileges and franchises ... Its powers are limited by law. Its rights to act as a corporation are only preserved to it so long as it obeys the laws of its creation. [*Wilson v. U.S., 221 U.S. 382 (1911)*]

- 1 2.) Corporations are not citizens... The term citizen... applies only to natural persons... not to artificial persons created by  
2 the legislature... [*Paul v. Virginia*, 8 Wall 168,17] [see also, *Opinion Field*, 16 Wall 36, 99]
- 3 3.) Whenever a corporation makes a contract it is the contract of the legal entity... The only rights it can claim are the  
4 rights which are given to it in that character, and not the rights which belong to its members as citizens of a state. [*Bank*  
5 *of Augusta v. Earle*, 13 Pet 519]

6 According to IRS Publication 557, the instruction manual for organizations seeking recognition of tax exemption under  
7 Section 501(c)(3); in order to be an "organization" in the legal sense, it is necessary to incorporate.

8 Black's Law Dictionary, 5th Ed. defines "organization" as:

9 *"... a corporation or governmental subdivision or agency, business trust, partnership or association, two or more*  
10 *persons having a joint or common interest, or any other legal or commercial entity." UCC 1- 201(2B).*

11 Notice ALL of the entities in this definition are government franchised, and therefore under the jurisdiction of the Uniform  
12 Commercial Code. The definition shows that a corporation (even if it functions as a church) is recognized by law as  
13 commercial and public; an incorporated church is legally interpreted as a commercial, public entity. Didn't Christ say that  
14 His house was NOT to be a house of merchandise? John 2:16.

15 Most states will not "permit" exempt status until a church applies for and obtains an IRS 501(c)(3) status ruling. This means,  
16 of course, that the church must willingly incorporate and submit itself to state jurisdiction.

17 IRS Publication 557 Sec. 508(c) provides that churches are not REQUIRED to apply for recognition of section 501(c)(3)  
18 status in order to be exempt from federal taxation or to receive tax-deductible contributions. The IRS fundamentally has no  
19 authority!

20 This would raise many ethical questions: Why are the churches of today almost always found to be incorporated? Why would  
21 the churches elect to place themselves under such jurisdiction; to find regulation under governmental franchise preferable to  
22 their own Divine Law?

23 Are they not in fact serving two masters?

24 [Edited from "CBA Bulletin", Aug. 1988]

#### 25 **4.15 Sources of government authority to interfere with your rights**

26 Now that we know what our rights are, we must then clearly understand the specific circumstances under which the  
27 government has lawful authority to interfere with the exercise of those rights and the source from which the authority derives.  
28 Recall from section 3.3 when we talked about "The Purpose of Law" that we established the only legitimate purpose of either  
29 law or government is public protection which consists in preventing and punishing injustice. Injustice occurs when public  
30 health, safety, morals, peace, or order are adversely affected or injured. Below is a succinct table summarizing the only  
31 circumstances under which the government can lawfully and properly assert jurisdiction to deny you your rights as described  
32 in this chapter:

33

Table 4-49: Legitimate reasons to impinge on rights

#	Legitimate Reason for interfering with rights	Source of authority
1	Issue of public health	Common law
2	Issue of public safety	Common law
3	Issue of public morality	Common law
4	Adversely affects interstate commerce	Article 1, Section 8, Clause 3 of the United States Constitution

The content of this section is very important, because we can use it as a basis for many different types of lawsuits, and especially those involving regulating and licensing of certain trades and industries. We can, for instance, file a lawsuit against the government if we are prosecuted or fined for not getting a license to practice in a given field if the government's laws:

1. Violate the rights of persons in the field regulated.
2. Do not provide evidence that the trade or business would be injurious to public health if not licensed or regulated.
3. Charge more in licensing fees than is required to administrate the regulation of the field or endeavor.

#### 4.16 A Citizens Guide to Jury Duty

*"People have not yet discovered they have been disenfranchised. Even lawyers can't stand to admit it. In any nation in which people's rights have been subordinated to the rights of the few, in any totalitarian nation, the first institution to be dismantled is the jury. I was, I am, afraid"*  
[Gerry Spence]

Fully Informed Jury Association, P.O. Box 59, Helmsville, Montana, 59403, Tel (406) 793-5550. <http://www.fija.org/>

Did you know that you qualify for another, much more powerful vote than the one which you cast on election day? This opportunity comes when you are selected for jury duty, a position of honor for over 700 years. The principle of a Common Law Jury or Trial by the Country was first established on June 15, 1215 at Runnymede, England when King John signed the Magna Carta, or Great Charter of our Liberties. It created the basis for our Constitutional, system of Justice.

##### 4.16.1 Jury Power in the System of Checks and Balances:

*"The law itself is on trial, quite as much as the cause which is to be decided."*  
[HARLAN F. STONE, *The Common Law in the United States*, 50 Harv. L. Rev. 4 (1936)]

In a Constitutional system of justice, such as ours, there is a judicial body with more power than Congress, the President, or even the Supreme Court. Yes, the trial jury protected under our Constitution has more power than all these government officials. This is because it has the final veto power over all "acts of the legislature" that may come to be called "laws".

In fact, the power of jury nullification predates our Constitution. In November of 1734, a printer named John Peter Zenger was arrested for seditious libel against his Majesty's government. At that time, a law of the Colony of New York forbid any publication without prior government approval. Freedom of the press was not enjoyed by the early colonialists! Zenger, however, defied this censorship and published articles strongly critical of New York colonial rule. When brought to trial in August of 1735, Zenger admitted publishing the offending articles, but argued that the truth of the facts stated justified their publication. The judge instructed the jury that truth is not justification for libel. Rather, truth makes the libel more vicious, for public unrest is more likely to follow true, rather than false claims of bad governance. And since the defendant had admitted to the "fact" of publication, only a question of "law" remained.

Then, as now, the judge said the "issue of law" was for the court to determine, and he instructed the jury to find the defendant guilty. It took only ten minutes for the jury to disregard the judge's instructions on the law and find Zenger NOT GUILTY. That is the power of the jury at work; the power to decide the issues of law under which the defendant is charged, as well as the facts. In our system of checks and balances, the jury is our final check, the people's last safeguard against unjust law and tyranny.

##### 4.16.2 A Jury's Rights, Powers, and Duties:

1 But does the jury's power to veto bad laws exist under our Constitution? It certainly does! At the time the Constitution was  
 2 written, the definition of the term "jury" referred to a group of citizens empowered to judge both the law and the evidence in  
 3 the case before it. Then, in the February term of 1794, the Supreme Court conducted a jury trial in the case of the state of  
 4 Georgia vs. Brailsford (3 Dall 1). The instructions to the jury in the first jury trial before the Supreme Court of the United  
 5 States illustrate the true power of the jury. Chief Justice John Jay said:

6 *"It is presumed, that juries are the best judges of facts; it is, on the other hand, presumed that courts are the best*  
 7 *judges of law. But still both objects are within your power of decision." (emphasis added) "...you have a right to*  
 8 *take it upon yourselves to judge of both, and to determine the law as well as the fact in controversy".*

9 So you see, in an American courtroom there are in a sense twelve judges in attendance, not just one. And they are there with  
 10 the power to review the "law" as well as the "facts"! Actually, the "judge" is there to conduct the proceedings in an orderly  
 11 fashion and maintain the safety of all parties involved.

12 As recently as 1972, the U.S. Court of Appeals for the District of Columbia said that the jury has an " unreviewable and  
 13 irreversible power... to acquit in disregard of the instructions on the law given by the trial judge.... [U.S. v. Dougherty, 473  
 14 F.2d. 1113, 1139 (1972)]

15 Or as this same truth was stated in an earlier decision by the United States Court of Appeals for the District of Maryland:  
 16 "We recognize, as appellants urge, the undisputed power of the jury to acquit, even if its verdict is contrary to the law as  
 17 given by the judge, and contrary to the evidence. This is a power that must exist as long as we adhere to the general verdict  
 18 in criminal cases, for the courts cannot search the minds of the jurors to find the basis upon which they judge. If the jury feels  
 19 that the law under which the defendant is accused, is unjust, or that exigent circumstances justified the actions of the accused,  
 20 or for any reason which appeals to their logic of passion, the jury has the power to acquit, and the courts must abide by that  
 21 decision." (U.S. v. Moylan, 417 F.2d. 1002, 1006 (1969)).

22 YOU, as a juror armed with the knowledge of the purpose of a jury trial, and the knowledge of what your Rights, powers,  
 23 and duties really are, can with your single vote of not guilty nullify or invalidate any law involved in that case. Because a  
 24 jury's guilty decision must be unanimous, it takes only one vote to effectively nullify a bad "act of the legislature". Your one  
 25 vote can "hang" a jury; and although it won't be an acquittal, at least the defendant will not be convicted of violating an unjust  
 26 or unconstitutional law.

27 The government cannot deprive anyone of "Liberty", without your consent! If you feel the statute involved in any criminal  
 28 case being tried before you is unfair, or that it infringes upon the defendant's God-given inalienable or Constitutional rights,  
 29 you can affirm that the offending statute is really no law at all and that the violation of it is no crime; for no man is bound to  
 30 obey an unjust command. In other words, if the defendant has disobeyed some man-made criminal statute, and the statute is  
 31 unjust, the defendant has in substance, committed no crime. Jurors, having ruled then on the justice of the law involved and  
 32 finding it opposed in whole or in part to their own natural concept of what is basically right, are bound to hold for the acquittal  
 33 of said defendant.

34 It is your responsibility to insist that your vote of not guilty be respected by all other members of the jury. For you are not  
 35 there as a fool, merely to agree with the majority, but as a qualified judge in your right to see that justice is done. Regardless  
 36 of the pressures or abuse that may be applied to you by any or all members of the jury with whom you may in good conscience  
 37 disagree, you can await the reading of the verdict secure in the knowledge you have voted your conscience and convictions,  
 38 not those of someone else. So you see, as a juror, you are one of a panel of twelve judges with the responsibility of protecting  
 39 all innocent Americans from unjust laws.

#### 40 **4.16.3 Jurors Must Know Their Rights:**

41 You must know your rights! Because, once selected for jury duty, nobody will inform you of your power to judge both law  
 42 and fact. In fact, the judge's instructions to the jury may be to the contrary. Another quote from U.S. v. Dougherty (cited  
 43 earlier):

44 *The fact that there is widespread existence of the jury's prerogative, and approval of its existence as a necessary*  
 45 *counter to case-hardened judges and arbitrary prosecutors, does not establish as an imperative that the jury must*  
 46 *be informed by the judge of that power".*

1 Look at that quote again. the court ruled jurors have the right to decide the law, but they don't have to be told about it. It may  
2 sound hypocritical, but the Dougherty decision conforms to an 1895 Supreme Court decision that held the same thing. In  
3 *Sparf v. U.S.* (156 U.S. 51), the court ruled that although juries have the right to ignore a judge's instructions on the law, they  
4 don't have to be made aware of the right to do so. Is this Supreme Court ruling as unfair as it appears on the surface? It may  
5 be, but the logic behind such a decision is plain enough.

6 In our Constitutional Republic (note I didn't say democracy) the people have granted certain limited powers to government,  
7 preserving and retaining their God-given inalienable rights. So, if it is indeed the juror's right to decide the law, then the  
8 citizens should know what their rights are. They need not be told by the courts. After all, the Constitution makes us the  
9 masters of the public servants. Should a servant have to tell a master what his rights are? Of course not, it's our responsibility  
10 to know what our rights are! The idea that juries are to judge only the "facts" is absurd and contrary to historical fact and law.  
11 Are juries present only as mere pawns to rubber stamp tyrannical acts of the government? We The People wrote the supreme  
12 law of the land, the Constitution, to "secure the blessings of liberty to ourselves and our posterity." Who better to decide the  
13 fairness of the laws, or whether the laws conform to the Constitution?

#### 14 **4.16.4 Our Defense - Jury Power:**

15 Sometime in the future, you may be called upon to sit in judgment of a sincere individual being prosecuted (persecuted?) for  
16 trying to exercise his or her Rights, or trying to defend the Constitution. If so, remember that in 1804, Samuel Chase, Supreme  
17 Court Justice and signer of the Declaration of Independence said: "The jury has the Right to judge both the law and the facts".  
18 And also keep in mind that "either we all hang together, or we most assuredly will all hang separately".

19 You now understand how the average American can help keep in check the power of government and bring to a halt the  
20 enforcement of tyrannical laws. Unfortunately, very few people know or understand this power which they as Americans  
21 possess to nullify oppressive acts of the legislature.

22 America, the Constitution and your individual rights are under attack! Will you defend them? READ THE CONSTITUTION,  
23 KNOW YOUR RIGHTS! Remember, if you don't know what your Rights are, you haven't got any!

#### 24 **4.17 Conflicts of Law: Violations of God's Laws by Man's Laws**

25 We started off this chapter in section 4.1 by saying that God and His Law must take precedence at all times over man's vain  
26 laws, and we mentioned in section 3.2 that when there is a conflict between man's (god's) law and God's law, we should  
27 disobey man's law. We would be remiss if we did not point out at least a few of the conflicts between these two laws in order  
28 to give you concrete examples of what we mean. We will therefore list a few violations of God's laws by man's laws in the  
29 table below:  
30

Table 4-50: Violations of God's laws by Man's laws

#	Subject	Further details found in	God's law	Man's law or court ruling
1	Socialism	This book in section: 1.9.2: Socialism is incompatible with Christianity	1 Thess. 2:9, 1 Thess 4:12, Prov. 10:26; Prov. 20:4, Prov. 21:25, Eph. 4:28, Acts 14:22, Luke 19:26, 2 Cor. 11:9, 2 Cor. 7:2, Prov. 13:4	All court rulings in favor of Subtitles A through C income taxes or Social Security Taxes
2	Citizenship	This book in section: 4.9 Citizenship	Philippians 3:20 Ephesians 2:19 Hebrews 11:13 1 Peter 2:1	8 U.S.C. §1401: When judges or any government official lies by saying that a sovereign State citizen is a "U.S. citizen" or that they were born in the "United States", which is a lie 8 C.F.R. §215.1: When judges interpret "State" to mean "Union State", which is a fraud.
3	Divorce	<a href="#">Family Constitution</a> , section 4.14	Mark 10:1-12	Various state laws allowing it and even rewarding women financially for it.
4	Abortion	<a href="#">Family Constitution</a> , section 8.3.1	Exodus 20:13 Prov. 31:8	<i>Roe v. Wade</i> , 410 U.S. 113 (1973)
5	Income tax	This book in: Chapter 5 mainly	Matt. 4:10 1 Cor. 7:23	Federal law says that natural persons do not owe Subtitles A through C income taxes but can volunteer. Judges, on the other hand, refuse to recognize this and by so doing, make slaves of men.
6	Homosexuality	<a href="#">Family Constitution</a> , section 8.3.7	Eph. 5:3-5 Lev. 18:22	Laws prohibiting discrimination on the basis of sexual orientation.
7	Prayer in the schools	<a href="#">Family Constitution</a> , section 9.2	Matt. 19:14 Matt. 18:6-10	<i>McCullum v. Board of Education</i> , 333 U.S. 203 (1948) <i>Engel v. Vitale</i> , 370 U.S. 431 (1962) <i>Abington Sch. Dist. v. Schempp</i> , 374 U.S. 203 (1963) <i>Lemon v. Kurtzman</i> , 403 U.S. 602 (1971) <i>Wallace v. Jaffree</i> , 472 U.S. 38 (1985) <i>Edwards v. Aguillard</i> , 482 U.S. 38 (1985) <i>Board of Educ. v. Mergens</i> , 496 U.S. 226 (1990)
8	Marriage licenses	This book in section 4.14.6 No Marriage Licenses	1. Bible <i>only</i> permits divorce because of sexual immorality (Matt. 5:31-32), death of spouse (Rom. 7:2-3), unequally yoked (1 Cor. 7:15). 2. When you get a marriage license, you are a polygamist because the state is a party to the marriage also.	State laws permit divorce for <i>any</i> reason.
9	Federal judges	This book in sections: 2.8.13 Judicial Tyranny 6.6 Judicial Conspiracy to Protect the Income Tax	Exodus 23:8	Federal judges and other government servants are bribed by sanctions they impose and by the income taxes that they illegally enforce upon sovereign Americans.
10	Gun control	This book in section: 4.14.4 No Gun Control	Prov. 21:7: You can't do justice unless you can defend yourself!	Gun control laws
11	Church tax exemptions	4.14.7 Church Rights	Churches ask for tax exempt status and thereby become government franchises and government becomes their "god".	IRS Publication 557, Section 501(c ) says churches are not required to obtain tax exempt status. Only charitable organizations need to do this.
12	Women's liberation	<a href="#">Website: Family Ministries and Feminism</a>	Prov. 31:3 Eph. 5:22-25	1. Women in the military. 2. Abuse of domestic violence laws by women as an offensive weapon against men.

#	Subject	Further details found in	God's law	Man's law or court ruling
13	Federal reserve (debt)	This book in sections: 2.8.9 Paper Money 2.8.10 Federal Reserve	Pro. 22:7 Borrower [government] is servant to lender Rom. 13:8: Owe nothing to anyone except love. Deut. 15:6, Deut. 28:12: Can't borrow Deut. 23:19-20: Can't charge interest Prov. 6:1-5, 11:15, 17:8: Don't be surety for debt	Federal reserve created by the Federal Reserve Act of 1913. This was an act of Treason, because it unconstitutionally delegated public health and morals to a private consortium of banks and put our government in servitude to that consortium.
14	Deception	This book in section: 2.8.1: Deception: The religion of SATAN and our government 2.8.4: Propaganda and political warfare	John 8:44, Prov. 13:5, James 1:26, Prov. 14:3, Prov. 12:17-22, Prov. 16:18-19, 2 Tim. 3:1-9, 2 Thess. 2:3-17, Col. 2:8, Col. 3:9, Psalm 52, 2 Tim. 2:15-17	1. Treasonous actions of our courts to protect and encourage lies about the income tax committed by the executive branch, thus obstructing of justice. 2. Government propaganda and political warfare.
15	Presumption	This book in section: 2.8.2: Presumption 5.6.15: Guilty Until Proven Innocent: False Presumptions of Liability Based on Treacherous Definitions 8.4.6: The Law of Presumption	Psalm 19:12-13, Numbers 15:30	1. 26 C.F.R. §301.6109-1(g) 2. Assumptions by courts that we are all "U.S. citizens" until we prove we are NOT. 3. Bull v. United States, 295 U.S. 247 (1935) 4. 26 U.S.C. §7491.

**NOTES:**

- Most of the conflicts in law in our present system have occurred because of judicial corruption rather than actual law. In effect, the federal judiciary has become an ongoing "constitutional convention", and has taken upon itself to "legislate from the bench" to undermine the sovereignty of the states and the people. This trend was predicted by Thomas Jefferson as we revealed earlier in section 2.8.13.
- Refer to the respective references in column 3 above for more details on the exact conflicts in each of the laws mentioned.
- All references to the *Family Constitution* above relate to the document found at the following web address on our website:

<http://famguardian.org/Publications/FamilyConst/FamilyConst.htm>

Not surprisingly, most of the subjects listed in the table above are subjects to which we have devoted an area on the home page of our website (<http://famguardian.org/>). We have 28 areas on our website home page devoted to situations or subjects in which there is a conflict between man's law and God's law. In each area, we try to explain the conflict and suggest ways to reform that will make man's law for that subject area once again in harmony with God's law.

**4.18 How Do We Assert our First Amendment Rights and How Does the Government Undermine Them?**

*"The Supreme Court ruled in 1892 that 'this is a religious nation.' [Footnoted, and quoting from Church of the Holy Trinity v. U.S. (1892) (143 U.S. 457, 470, 12 S.Ct. 511).] It reiterated this holding, more recently (1951), when it stated: 'We are a religious people whose institutions presuppose a supreme being.' [Footnoted, and quoting from Zorach v. Clauson (1951) (343 U.S. 306, 313, 72 S.Ct. 679).] U.S. Code Congressional and Administrative News, Vol. 2, pp. 1671-3646, 83<sup>rd</sup> Congress, Second Session, 1954.*

Much of this book is based on the assertion of First Amendment Rights. If you want to assert your First Amendment rights to freedom of religion, you must do so properly within the limits prescribed by the courts. We will show in this section how to lawfully assert a First Amendment right and how the government can justify undermining or negating it.

Here is the basis for asserting a First Amendment right to freedom of religion:

- The religious belief need not be reasonable or rational, necessarily. The cite below establishes this:

*"Reasonableness of religious beliefs of an individual has no bearing on this right to "religious liberty" guaranteed by state and federal Constitutions, so long as individual's acts or refusal to act are not directly harmful to the public."*  
[*Bolling v. Superior Court For Clallam County, 133 P.2d. 803 (1943)*]

- 1 2. You should be careful not to directly incite violence or lawlessness when you speak, because this type of free speech  
2 may not be protected:

3 “These later decisions have fashioned the principle that the constitutional guarantees of free speech and free  
4 press do not permit a State to forbid or proscribe advocacy of the use of force or of law violation except where  
5 such advocacy is directed to inciting or producing imminent lawless action and is likely to incite or produce such  
6 action. As we said in *Noto v. United States*, 367 U.S. 290, 297-298, 6 L.Ed.2d. 836, 841, 81 S.Ct. 1517 (1961),  
7 ‘the mere abstract teaching...of the moral propriety or even moral necessity for a resort of force and violence, is  
8 not the same as preparing a group for violent action and steeling it to such action.’ See also *Herndon v. Lowry*,  
9 310 U.S. 242, 259-261, 81 L.Ed. 1066, 1075, 1076, 57 S.Ct. 732 (1937); *Bond v. Floyd*, 385 U.S. 116, 134.  
10 L.Ed.2d. 235, 246, 87 S.Ct. 339 (1966). A statute which fails to draw this distinction impermissibly intrudes upon  
11 the freedoms guaranteed by the First and Fourteenth Amendments. It sweeps within its condemnation speech  
12 which our Constitution has immunized from governmental control.”  
13 [*Brandenburg v. Ohio*, 395 U.S. 444, 89 S.Ct. 1827, 23 L.Ed.2d. 430 (1969)]

- 14 3. The right of individuals to freely practice their religious beliefs does not encompass the right to use government to that  
15 end:

16 “Violation of free exercise clause of the First Amendment is predicated on coercion. **Right of individuals to**  
17 **freely practice their religious beliefs does not encompass right to use government to that end.**”

18 “Very purpose of religion clauses of First Amendment was to insure that sensitive issues of individual religious  
19 beliefs would be beyond majority control.”

20 “This court must, of course, follow the decisions of the Supreme Court, but much has been written by the Court  
21 concerning the ‘establishment of religion’ since the decision on *Zorach*; and, ‘there are occasional situations in  
22 which subsequent Supreme Court opinions have so eroded an older case, without explicitly overruling it, as to  
23 warrant a subordinate court in pursuing what it conceives to be a clearly defined new lead from the Supreme  
24 Court to a conclusion inconsistent with an older Supreme Court case.’”

25 “In the face of establishment clause challenges the court has upheld Sunday Closing Laws, *McGowan v.*  
26 *Maryland*, 366 U.S. 420, 81 S.Ct. 1101, 6 L.Ed.2d. 393 (1961); the loaning of books on secular subjects to students  
27 attending sectarian school, *Board of Education v. Allen*, 392 U.S. 236, 88 S.Ct. 1923, 20 L.Ed.2d. 1060 (1968)”  
28 [*Smith v. Smith*, 391 F.Supp. 443 (1975)]

- 29 4. So long as faith is religiously based at the time it is asserted, it doesn’t matter where the faith originates:

30 “So long as one’s faith is religiously based at time it is asserted, it does not matter, for free exercise clause  
31 purposes, whether that faith derives from revelation, study, upbringing, gradual evolution or some source that  
32 appears entirely incomprehensible and constitution protection cannot be denied simply because early experience  
33 has left one particularly open to current religious beliefs.”  
34 [*Callahan v. Woods*, 658 F.2d. 679 (1981)]

- 35 5. Once a bona fide First Amendment issue is joined, burden that must be shouldered by the government to defend a  
36 regulation with impact on that religious action is a heavy one, and the standard is that a “compelling state interest must  
37 be demonstrated.”

38 “Once bona fide First Amendment issue is joined, burden that must be shouldered by government to defend a  
39 regulation with impact on religious actions is a heavy one, and basic standards is that a compelling state interest  
40 must be demonstrated.”  
41 [*Stevens v. Berger*, 428 F.Supp. 896 (1977)]

42 Along the lines of that last item, we think it is important before you sue the government for First Amendment violations to  
43 anticipate and identify each of the “compelling public interests” you expect the state to assert in the case at hand and to  
44 disprove each one in advance using evidence, in your initial pleading. This will immunize yourself from losing your case  
45 when you go to trial and make the burden of proof even greater for the government.

46 Probably the most common area where people assert their First Amendment rights is in the area of refusing to accept or give  
47 or use Social Security Numbers or to pay Social Security taxes. The most famous case along these lines was *U.S. v. Lee*, 455  
48 U.S. 252 (1982), in which an Amish farmer and carpenter claimed that it was against his religious beliefs to be forced to pay  
49 Social Security taxes to the government, because he thought it was a personal responsibility within the family to support  
50 yourself and your parents, as we advocate in this book. Here is what the U.S. supreme Court said in denying him the free  
51 exercise of his religious rights:



The District Court held the statutes requiring appellee to pay social security and unemployment insurance taxes unconstitutional as applied. 497 F.Supp. 180 (1980). The court noted that the Amish believe it sinful not to provide for their own elderly and needy and therefore are religiously opposed to the national social security system. 3 The court also accepted appellee's contention that the Amish religion not only prohibits the acceptance of social security benefits, but also bars all contributions by Amish to the social security system. The District Court observed that in light of their beliefs, Congress has accommodated self-employed Amish and self-employed members of other religious groups with similar beliefs by providing exemptions from social security taxes. 26 U.S.C. 1402(g). 4 The Court's holding was based on both [455 U.S. 252, 256] the exemption statute for the self-employed and the First Amendment; appellee and others "who fall within the carefully circumscribed definition provided in 1402(g) are relieved from paying the employer's share of [social security taxes] as it is an unconstitutional infringement upon the free exercise of their religion." 5 497 F.Supp., at 184.

Direct appeal from the judgment of the District Court was taken pursuant to 28 U.S.C. 1252.

The exemption provided by 1402(g) is available only to self-employed individuals and does not apply to employers or employees. Consequently, appellee and his employees are not within the express provisions of 1402(g). Thus any exemption from payment of the employer's share of social security taxes must come from a constitutionally required exemption.

The preliminary inquiry in determining the existence of a constitutionally required exemption is whether the payment [455 U.S. 252, 257] of social security taxes and the receipt of benefits interferes with the free exercise rights of the Amish. The Amish believe that there is a religiously based obligation to provide for their fellow members the kind of assistance contemplated by the social security system. Although the Government does not challenge the sincerity of this belief, the Government does contend that payment of social security taxes will not threaten the integrity of the Amish religious belief or observance. It is not within "the judicial function and judicial competence," however, to determine whether appellee or the Government has the proper interpretation of the Amish faith; "[c]ourts are not arbiters of scriptural interpretation." *Thomas v. Review Bd. of Indiana Employment Security Div.*, 450 U.S. 707, 716 (1981). 6 We therefore accept appellee's contention that both payment and receipt of social security benefits is forbidden by the Amish faith. Because the payment of the taxes or receipt of benefits violates Amish religious beliefs, compulsory participation in the social security system interferes with their free exercise rights.

The conclusion that there is a conflict between the Amish faith and the obligations imposed by the social security system is only the beginning, however, and not the end of the inquiry. Not all burdens on religion are unconstitutional. See, e. g., *Prince v. Massachusetts*, 321 U.S. 158 (1944); *Reynolds v. United States*, 98 U.S. 145 (1879). The state may justify a limitation on religious liberty by showing that it is essential to accomplish an overriding governmental interest. [455 U.S. 252, 258] *Thomas, supra*; *Wisconsin v. Yoder*, 406 U.S. 205 (1972); *Gillette v. United States*, 401 U.S. 437 (1971); *Sherbert v. Verner*, 374 U.S. 398 (1963).

Because the social security system is nationwide, the governmental interest is apparent. **The social security system in the United States serves the public interest** by providing a comprehensive insurance system with a variety of benefits available to all participants, with costs shared by employers and employees. 7 The social security system is by far the largest domestic governmental program in the United States today, distributing approximately \$11 billion monthly to 36 million Americans. 8 The design of the system requires support by mandatory contributions from covered employers and employees. This mandatory participation is indispensable to the fiscal vitality of the social security system. "[W]idespread individual voluntary coverage under social security . . . would undermine the soundness of the social security program." S. Rep. No. 404, 89th Cong., 1st Sess., pt. 1, p. 116 (1965). Moreover, a comprehensive national social security system providing for voluntary participation would be almost a contradiction in terms and difficult, if not impossible, to administer. Thus, the Government's interest in assuring [455 U.S. 252, 259] mandatory and continuous participation in and contribution to the social security system is very high. 9

The remaining inquiry is whether accommodating the Amish belief will unduly interfere with fulfillment of the governmental interest. In *Braunfeld v. Brown*, 366 U.S. 599, 605 (1961), this Court noted that "to make accommodation between the religious action and an exercise of state authority is a particularly delicate task. . . because resolution in favor of the State results in the choice to the individual of either abandoning his religious principle or facing . . . prosecution." The difficulty in attempting to accommodate religious beliefs in the area of taxation is that "we are a cosmopolitan nation made up of people of almost every conceivable religious preference." *Braunfeld, supra*, at 606. The Court has long recognized that balance must be struck between the values of the comprehensive social security system, which rests on a complex of actuarial factors, and the consequences of allowing religiously based exemptions. To maintain an organized society that guarantees religious freedom to a great variety of faiths requires that some religious practices yield to the common good. Religious beliefs can be accommodated, see, e. g., Thomas, supra; Sherbert, supra, but there is a point at which accommodation would "radically restrict the operating latitude of the legislature." *Braunfeld, supra*, at 606. 10

Unlike the situation presented in *Wisconsin v. Yoder, supra*, it would be difficult to accommodate the comprehensive [455 U.S. 252, 260] social security system with myriad exceptions flowing from a wide variety

of religious beliefs. The obligation to pay the social security tax initially is not fundamentally different from the obligation to pay income taxes; the difference - in theory at least - is that the social security tax revenues are segregated for use only in furtherance of the statutory program. There is no principled way, however, for purposes of this case, to distinguish between general taxes and those imposed under the Social Security Act. If, for example, a religious adherent believes war is a sin, and if a certain percentage of the federal budget can be identified as devoted to war-related activities, such individuals would have a similarly valid claim to be exempt from paying that percentage of the income tax. The tax system could not function if denominations were allowed to challenge the tax system because tax payments were spent in a manner that violates their religious belief. See, e. g., *Lull v. Commissioner*, 602 F.2d. 1166 (CA4 1979), cert. denied, [444 U.S. 1014](#) (1980); *Autenrieth v. Cullen*, 418 F.2d. 586 (CA9 1969), cert. denied, [397 U.S. 1036](#) (1970). **Because the broad public interest in maintaining a sound tax system is of such a high order, religious belief in conflict with the payment of taxes affords no basis for resisting the tax.**

Congress has accommodated, to the extent compatible with a comprehensive national program, the practices of those who believe it a violation of their faith to participate in the social security system. In 1402(g) Congress granted an exemption, on religious grounds, to self-employed Amish and others. [11](#) Confining the 1402(g) exemption to the self-employed [455 U.S. 252, 261] provided for a narrow category which was readily identifiable. Self-employed persons in a religious community having its own "welfare" system are distinguishable from the generality of wage earners employed by others.

Congress and the courts have been sensitive to the needs flowing from the Free Exercise Clause, but every person cannot be shielded from all the burdens incident to exercising every aspect of the right to practice religious beliefs. When followers of a particular sect enter into commercial activity as a matter of choice, the limits they accept on their own conduct as a matter of conscience and faith are not to be superimposed on the statutory schemes which are binding on others in that activity. Granting an exemption from social security taxes to an employer operates to impose the employer's religious faith on the employees. Congress drew a line in 1402(g), exempting the self-employed Amish but not all persons working for an Amish employer. The tax imposed on employers to support the social security system must be uniformly applicable to all, except as Congress provides explicitly otherwise. [12](#)

Accordingly, the judgment of the District Court is reversed, and the case is remanded for proceedings consistent with this opinion.  
[U.S. v. Lee, 455 U.S. 252 (1982)]

Basically, what the court said is that "the public interest" or "government interest" outweighs our religious rights and that the government can deprive us of our *individual* life, liberty, and property in the name of the "political correctness" or "public interest" or "majority vote", all of which are synonymous. This is just a fancy way to say that the *majority or collective* is *sovereign* over and above the *individual*, and that our republican government based on *individual* rights no longer exists because it has been replaced by a monolithic, gargantuan, totalitarian socialist democracy as we clearly described in section 4.5.2. In making this treasonous ruling, the Supreme Court has negated the whole basis of law, which is to *prevent harm* and has thereby transformed the function of law into promoting the "perceived" good decided by majority vote, which is the essence of socialism. I would most certainly hope that the highest court in this, the greatest country on earth, doesn't mean to imply that the fraud, waste, and abuse represented by the grossly mismanaged Social Security program as extensively documented earlier in section 2.9 successfully *serves* the "public interest" as a whole, because we have found no evidence whatsoever of that. If it had, then why does our own government continue to talk about privatizing social security? Granted, it would be political suicide for any politician in this country to advocate an end to the most massive entitlement system fraud and extortion program in the history of the planet, but that is a matter of the private interests of individual politicians rather than public interest.

"The government that robs Peter to pay Paul can always depend on the support of Paul [the older people who have no income because they never bothered to save for their own retirement]."  
[George Bernard Shaw]

**Are we simply rewarding the abuse of individual elective franchise (the right to vote or the sovereign power of Congressional office) as a legal *mandate* to government officials (an unconstitutional and unlawful abuse of power) to rob a minority group of employed individuals at the point of a gun and force them into slavery to subsidize older people who don't want to work? Are we enticing and encouraging older people to vote the first politician into office who will promise them a new social(ist) security benefit increase? This is clearly a distortion of the original intent of Congress and a conflict of interest. It also happens to be highly illegal under federal law, 18 U.S.C. §597. Here is what that section says:**

TITLE 18 > PART I > CHAPTER 29 > Sec. 591. > Sec. 597.  
 Sec. 597. - Expenditures to influence voting

Whoever makes or offers to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate; and

Whoever solicits, accepts, or receives any such expenditure in consideration of his vote or the withholding of his vote -

Shall be fined under this title or imprisoned not more than one year, or both; and if the violation was willful, shall be fined under this title or imprisoned not more than two years, or both

Even the bible agrees that this kind of scandal is not to be tolerated or allowed:

"Thou shalt not steal."  
 [Exodus 20:15, Bible]

But my, how quickly things change. Only 100 years before, that very same Supreme Court said the following, which is completely opposite of the ruling in the *Lee* case:

"To lay with one hand the power of government on the property of the citizen, and with the other to bestow it on favored individuals.. is none the less robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms."  
 [Loan Association v. Topeka, 20 Wall. 655 (1874)]

I therefore have some questions for the chief justice communists who made this ruling:

- How can robbery done in the name of taxation be in the public interest?
- How can organized crime, racketeering, and robbery implemented through Social Security and on that large a scale ever be in the "public interest"?
- How can punishing people who work for the sake of people who don't work be in the "public interest"?
- How can stealing people's money and forcing them to allow the government to manage it rather than taking responsibility for their own retirement ever be in the "public interest"? Doesn't such an approach presume that people are incapable or incompetent at managing and saving for their own retirement and "government" paternalistically knows what's best for people better than they do? This cannot be in a country where the people are the sovereigns, can it?
- Exactly what aspect of the effectively mandatory Social Security System is in the public interest?
- If the government rules against Microsoft for having a monopoly, how about IT'S monopoly in the retirement insurance business? Isn't it time to privatize this beast too and let people manage their own retirement savings plan?
- How can the justices who ruled on this issue call themselves free of conflict of interest if it would mean political suicide for most politicians to end the socialist security program?

The government will lie by saying that the program is "voluntary", but since they provide no way to quit the program or have your money refunded or your social security number rescinded, and because many employers won't hire you without a number, the program is, for all intents and purposes, mandatory. Consequently, the whole Social Security system is based on fraud and duress and a false promise: it's a mandatory program that they "pretend" is voluntary so that politicians who want to force us to participate don't look like the tyrants and dictators that they really are. It's the "politically correct" way to be a tyrant dictator!

The ruling from *U.S. v. Lee* above therefore directly contradicts the very purpose why the founders gave us a Bill of Rights to begin with and why the Constitution guarantees us a "Republican Form of Government", as we described earlier in section 4.7:

"The very purpose of the Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts. One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections.[for Congressional statutes or laws either, as was the case above]"  
 [West Virginia State Board of Education v. Barnette, 319 U.S. 624, 63 S.Ct. 1178 (1943)]

1 Based on the *Lee* precedent, however, it wouldn't surprise me to see the communist judges in the Supreme Court rule in the  
2 not too distant future that:

3 *"It is in the 'public interest' and 'government interest' to eliminate the Bill of Rights and the Thirteenth*  
4 *Amendment and thereby force people into government slavery using a mandatory direct tax on wages, because it*  
5 *we don't, the financial solvency of our country would be threatened. Maintaining the full faith and credit of the*  
6 *United States in the presence of massive debt to a private corporation called the Federal Reserve is more*  
7 *important than having individual rights. Furthermore, people with rights are just too defiant and difficult to*  
8 *govern economically or efficiently, so we have decided that all you idiots out there who are ignorant wards of the*  
9 *state anyway don't need rights anymore because we (the government) know better than you what is in your best*  
10 *interests. Now shut up, boy, or we'll whoop you with 40 lashes and send you to bed without dinner or a*  
11 *paycheck because we'll seize it all to pay for the next Congressional pay raise and Social Security cost of living*  
12 *increase."*

13 Does this sound like a chicken little, sky is falling triage-dominated mandate to overlook abuses of the government as we  
14 predicted would happen earlier in section 2.8.12? Who is the servant and who is the master (sovereign) here? Your  
15 government would have you believe that you are the Master, but this too is a LIE and simply can't be the case based on the  
16 way our government is presently behaving as evidenced by the above ruling of a communist Supreme Court.

#### 17 **4.19 The Solution**

18 In conclusion, one must understand that this is all a matter of perspective. Since the Federal Government has little direct  
19 authority over the several States or the People, we then must be the ones to initiate these contracts. They then assume we are  
20 truly "citizens of the United States" (or "residents / aliens of the State") not only because we answered "YES" on these  
21 government application forms, but because we DID NOT reserve any of our Rights as Sovereign Americans to the contrary  
22 under our Constitutional Rights to Common Law.

23 Here is what the court has stated happens to us when we sign-up for any Federal Program (benefit or privilege).

24 *"Anyone who partakes of the benefits or privileges of a given statute, or anyone who even places himself into a*  
25 *position where he may avail himself of those benefits at will, cannot reach constitutional grounds to redress*  
26 *grievances in the courts against the given statute."*  
27 *[Ashwander v. T.V.A., 297 U.S. 288, 346, 56 S.Ct. 466, 482, 80 L.Ed. 688 (1936)][underlines added]*

28 Since these applications are actually contracts we must invoke our Rights under the Uniform Commercial Code (UCC). The  
29 UCC is statute law regulating contracts dealing in commerce (remember, the Federal Government gets what little authority  
30 it does have over the several States and the People from the Commerce Clause of the Constitution [Article 1, Section 8,  
31 Clause 3]). Now that all the courts are Admiralty Courts and under Federal Jurisdiction, Common Law has been placed "in  
32 harmony with" the UCC.

33 In the ANDERSON version of the Uniform Commercial Code (Lawyers Cooperative Publishing Co.), it states the following:

34 *"The Code is complimentary to the Common Law, WHICH REMAINS IN FORCE, except where displaced by the*  
35 *code. A statute should be construed in harmony with the Common Law, unless there is a clear legislative intent*  
36 *to abrogate the Common Law."*  
37 *[UCC 1-103.6]*

38 Here then is what one should do in order to reserve their Rights under the Constitution and the Seventh Amendment.

#### 39 Uniform Commercial Code, Section 1-308

##### 40 *Performance or Acceptance Under Reservation of Rights*

41 *(a) A party that with explicit reservation of rights performs or promises performance or assents to performance*  
42 *in a manner demanded or offered by the other party does not thereby prejudice the rights reserved. Such words*  
43 *as "without prejudice," "under protest," or the like are sufficient. [underlines added]*

44 The "without prejudice" clause is the means which enables one to assert his Seventh Amendment guarantee of access to the  
45 Common Law and the Constitution.

#### 46 Bill of Rights - Article VII (Seventh Amendment)

1 *In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall*  
 2 *be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than*  
 3 *according to the rules of the common law.*

4 What this all means is this, whenever you sign any legal document, whether it is dealing with the Federal Government, State  
 5 Government, BATF, IRS, Social Security, Driver's License Bureau, Voter Registration or anything to do with Federal  
 6 Reserve Notes, etc. ( in any way, shape or manner), over your signature you must write: "Without Prejudice" UCC 1-308 or  
 7 "under Protest" or the like, e.g. "with reservation of rights".

8 By the way, a true sovereign American of any one of the several States is actually a non-resident alien to the United States.  
 9 Guess who isn't required to file an IRS 1040 Income Tax Returns? You guessed it, non-resident aliens. Why? Because, we  
 10 are foreign to the United States. We were not born in the District of Columbia and we are not residents of the District of  
 11 Columbia.

12 Volume 20 of "Corpus Juris Secundum" at 1758 states:

13 *"The United States Government is a foreign corporation with respect to a state,"*  
 14 *[N.Y. v. re Merriam, 36 N.E. 505, 141 N.Y. 479, affirmed 16 S.Ct. 1073, 41 L.Ed. 287] [underlines added]*

15 However, there are certain conditions and circumstances whereupon a non-resident alien might be required to file a 1040-NR  
 16 tax return. Generally, compensation for one's labor, which is not INCOME, is simply a fair trade for his Life. It is  
 17 unconstitutional to tax a man's Life, but it is not unconstitutional to tax a Federal citizen's life, for such a person has no  
 18 Constitutional Protection. Rather, income is profit or gain of principle received by a privileged corporation.

19 For those who have already decided, through their own research and understanding of the limits the Constitution imposes on  
 20 the Federal Government, it is at this point we hear about them getting into trouble with the Federal Government, particularly  
 21 the IRS. Of course, this then leads to the fear we all have and our reluctance to pursue the matter ourselves.

22 It is absolutely crucial to know and understand that one must rescind and revoke ALL signatures and powers of attorney that  
 23 one might have EVER committed to with the Federal Government in their LIFE TIME. For example, if the first IRS 1040  
 24 tax return you ever filed was in 1960, then you must notify the IRS that you are revoking your signature on ALL 1040 tax  
 25 returns starting in 1960 to the present. The same then would be true in regards to the BATF and all of those 4473 forms you've  
 26 signed since 1968.

27 In this way ONLY, can one deal with any level of Government and still retain access to the Constitution, The Bill of Rights  
 28 and to Common Law as sovereign Americans and constitutional but not statutory citizens.