

**ChatGPT-4 Questions and Answers:**  
**Private Membership Associations and the Social Compact**

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## **Introduction**

The questions appearing in this document were prepared by SEDM.ORG. The answers were generated on 4/4/23 by the Openai chatbot accessible for free at:

<http://chat.openai.com>

The OpenAI Chatbot outscored 90% of test takers on the bar exam, according to their website. Therefore, these are credible answers about legal issues discussed on our site.

## **1 Are rights granted by civil legislation property?**

No, rights granted by civil legislation are not considered property in the traditional sense. Property typically refers to tangible or intangible assets that can be owned and controlled by individuals or entities. Rights, on the other hand, are legal entitlements that grant individuals or groups certain privileges or protections under the law.

While rights may be considered valuable and can be protected under property law, they are not themselves property. They are intangible assets that exist to protect individuals and their interests, and are recognized and enforced by the legal system. Examples of rights granted by civil legislation include the right to vote, the right to free speech, and the right to a fair trial.

## **2 Are rights granted by civil legislation property within the context of 5 U.S.C. §553(a)(2)?**

5 U.S.C. §553(a)(2) is a provision of the Administrative Procedure Act (APA) that sets out the requirements for notice-and-comment rulemaking by federal agencies. It states that, with certain exceptions, agencies must provide notice of proposed rulemaking and an opportunity for interested parties to comment on the proposed rule before it is issued.

Within the context of this provision, rights granted by civil legislation are not considered property. The provision applies to the issuance of rules by federal agencies, and it requires agencies to provide notice and an opportunity to comment before issuing rules that could affect the rights or interests of individuals or entities. However, this provision does not address whether or not the rights themselves are property.

In general, the term "property" is not used in the context of 5 U.S.C. §553(a)(2) or the APA, and the focus is on the rights and interests of individuals or entities that may be affected by agency action. While the term "property" may be used in other legal contexts to refer to certain rights or interests, it is not typically used within the context of notice-and-comment rulemaking or the APA.

## **3 Aren't services property?**

Services are not typically considered property in the traditional sense. Property typically refers to tangible or intangible assets that can be owned and controlled by individuals or entities. Services, on the other hand, are typically intangible activities or work performed by individuals or entities for another person or entity.

While services may be valuable and can be protected under property law, they are not themselves property. They are intangible assets that exist to provide a benefit to individuals or entities and are typically compensated through payment or other forms of consideration.

In some legal contexts, such as intellectual property law, services may be considered a type of property if they are provided in the context of creating or developing a product or other intellectual property. For example, the services of an architect in designing a building may be considered a form of intellectual property that can be protected under copyright law. However, this is a relatively narrow and specific context in which services may be considered property, and it is not the typical understanding of the term.

## **4 Are rights to receive government services property?**

The rights to receive government services are not typically considered property in the traditional sense. Property typically refers to tangible or intangible assets that can be owned and controlled by individuals or entities. The right to receive government services is an intangible right that exists to provide a benefit to individuals or entities.

While the right to receive government services may be valuable and can be protected under the law, it is not typically considered property. It is a legal entitlement that is granted by law to individuals or entities, and it exists to ensure that they

have access to essential services that are provided by the government. Examples of government services that individuals may have a right to receive include healthcare, education, and social security benefits.

However, in some legal contexts, the right to receive government services may be considered a form of property if it is connected to a specific government program or benefit. For example, the right to receive social security benefits could be considered a form of property that is protected by the law. In general, though, the right to receive government services is not considered property in the traditional sense.

## **5 Are constitutional rights private property?**

No, constitutional rights are not considered private property in the traditional sense. Private property refers to tangible or intangible assets that can be owned and controlled by individuals or entities. Constitutional rights, on the other hand, are legal protections that are granted to individuals by the government.

While constitutional rights may be valuable and can be protected under property law, they are not themselves property. They are intangible assets that exist to protect individuals and their interests, and are recognized and enforced by the legal system. Examples of constitutional rights include freedom of speech, the right to bear arms, and the right to a fair trial.

In some legal contexts, the term "property" may be used to refer to certain constitutional rights or interests. For example, the Supreme Court has recognized that the right to a fair trial is a form of property that is protected by the Due Process Clause of the Constitution. However, this is a relatively narrow and specific context in which constitutional rights may be considered property, and it is not the typical understanding of the term.

## **6 What do you mean by "traditional sense"?**

By "traditional sense," I mean the commonly understood definition of the term "property" in legal and social contexts. In this traditional sense, property typically refers to tangible or intangible assets that can be owned and controlled by individuals or entities, such as land, buildings, vehicles, stocks, or intellectual property.

The term "property" is a legal concept that is defined and recognized by law. It generally refers to a bundle of legal rights and interests that individuals or entities can exercise over tangible or intangible assets. These rights may include the right to possess, use, sell, or transfer the property, as well as the right to exclude others from using or interfering with the property.

In some legal contexts, the term "property" may be defined more broadly or more narrowly than in the traditional sense. For example, in intellectual property law, the term may refer to intangible assets such as patents, trademarks, and copyrights. In environmental law, the term may refer to natural resources such as air, water, or wildlife. However, in the traditional sense, property typically refers to tangible or intangible assets that can be owned and controlled by individuals or entities.

## **7 Doesn't Black's Law dictionary define property as including "rights"?**

Yes, you are correct. Black's Law Dictionary defines property as "the legal right to exclude others from resources that are originally possessed or are acquired without force, theft, or fraud" and also notes that property may include "rights."

In this sense, the term "property" can be understood to include a wide range of legal interests and rights that individuals or entities can hold over tangible or intangible assets. These rights may include, for example, the right to use, sell, or transfer the property, as well as the right to exclude others from using or interfering with the property.

However, it is important to note that the legal concept of property can be defined and understood in different ways in different legal contexts. For example, in intellectual property law, the term "property" may be used to refer to intangible assets such as patents, trademarks, and copyrights. In environmental law, the term "property" may be used to refer to natural resources such as air, water, or wildlife.

So while Black's Law Dictionary does include "rights" within the definition of property, it is important to consider the specific legal context in which the term is being used to understand its meaning and scope.

## **8 Are rights granted by civil statutes property in the sense that Black's Law Dictionary defines "property"?**

According to Black's Law Dictionary, property is defined as "the legal right to exclude others from resources that are originally possessed or are acquired without force, theft, or fraud," and may include "rights."

Civil statutes can grant individuals or entities legal rights that may be considered a form of property, depending on the specific context and nature of the rights involved. For example, civil statutes may grant individuals or entities the legal right to possess, use, transfer, or exclude others from using certain assets or resources.

However, it is important to note that not all legal rights granted by civil statutes are necessarily considered property in the traditional sense. Some rights may be considered more intangible or inalienable, and may not confer the same type of exclusive control or ownership as tangible or traditional forms of property. Additionally, the scope and nature of rights granted by civil statutes can vary widely depending on the specific statute and the legal context in which it is applied.

So while rights granted by civil statutes may be considered a form of property in certain contexts, it is important to consider the specific nature and scope of the rights involved to determine whether they fit within the definition of property as defined by Black's Law Dictionary.

## **9 So rights granted by civil statute are not property because the government, as grantor, retains the right to exclude those who have them rather than the other way around?**

It is not necessarily the case that rights granted by civil statute are not property simply because the government retains the right to exclude those who have them. Property rights can be defined and structured in various ways, and can involve a range of legal interests and obligations.

Whether or not a right granted by civil statute constitutes property will depend on the specific nature and scope of the right involved. For example, some rights granted by civil statute may confer a more limited or conditional form of ownership or control over certain assets or resources, while others may confer a more absolute or exclusive form of control or ownership.

Additionally, it is worth noting that the relationship between individuals or entities and the government as the grantor of rights can vary depending on the legal context and the nature of the rights involved. In some cases, individuals or entities may have relatively broad and absolute property rights that are recognized and enforced against the government itself, while in other cases, the government may retain a greater degree of control or discretion over the use and allocation of certain resources or assets.

Overall, whether or not a right granted by civil statute constitutes property will depend on the specific legal context and the nature of the right involved, and may involve a complex analysis of legal principles and precedents.

## **10 Do civil statutes obligate courts to enforce the rights granted by those statutes against others?**

Yes, civil statutes can obligate courts to enforce the rights granted by those statutes against others. When a civil statute grants a legal right, individuals or entities who hold that right can generally seek legal remedies or enforcement actions in court if others interfere with or violate that right.

The specific enforcement mechanisms available to individuals or entities will depend on the nature of the right involved and the legal context in which it is granted. For example, some civil statutes may create a private right of action that allows individuals or entities to sue others who violate the rights granted by the statute. In other cases, enforcement may be handled through administrative or regulatory processes, rather than through the courts.



It is worth noting, however, that the extent and effectiveness of enforcement mechanisms can vary depending on a range of factors, including the availability of legal resources, the complexity of the legal issues involved, and the willingness of courts and other legal actors to enforce the rights granted by civil statutes. In some cases, individuals or entities may face significant barriers to accessing legal remedies or may encounter resistance or non-compliance from those who are obligated to comply with the rights granted by civil statutes.

## **11 Do the rights granted by civil statutes fall within the domain of "publici juris"?**

The term "publici juris" generally refers to matters that are of public concern or interest and subject to the jurisdiction and regulation of the government. It is a legal concept that is often used in the context of distinguishing between public and private rights and interests.

Whether or not the rights granted by civil statutes fall within the domain of "publici juris" will depend on the specific nature and scope of the rights involved, as well as the legal and regulatory context in which they are granted. In general, civil statutes that grant rights to individuals or entities may be seen as serving a public interest or promoting a public policy goal, such as protecting public health and safety, promoting economic development, or ensuring access to essential resources or services.

However, the degree to which such rights are considered "publici juris" may vary depending on a range of factors, including the specific legal context in which they are granted, the extent to which they are subject to government regulation and oversight, and the degree to which they are tied to specific public policy objectives. Ultimately, the determination of whether or not the rights granted by civil statutes fall within the domain of "publici juris" will depend on a case-by-case analysis of the specific legal and regulatory framework involved.

## **12 Doesn't "publici juris" concern itself with property owned by the public or collective?**

The term "publici juris" generally refers to matters that are of public concern or interest and subject to the jurisdiction and regulation of the government. While the concept can be used in the context of distinguishing between public and private rights and interests, it does not necessarily concern itself exclusively with property owned by the public or collective.

In the context of property rights, the distinction between "publici juris" and "privati juris" can be important in determining the extent to which property is subject to government regulation and control. Generally, property that is considered to be "publici juris" is subject to a greater degree of government regulation and control than property that is considered to be "privati juris."

However, the concept of "publici juris" can also be used in a broader sense to refer to matters that are of general public concern or interest, such as public health and safety, environmental protection, or the promotion of the general welfare. In this sense, the concept can be applied to a wide range of legal and regulatory issues that extend beyond property rights and ownership.

Overall, the precise meaning and application of "publici juris" will depend on the legal and regulatory context involved, and can be subject to interpretation and debate.

## **13 Rights granted by civil statute can be taken away by the government grantor, can't they?**

In general, rights granted by civil statute can be modified, amended, or revoked by the government that granted them, subject to any limitations imposed by constitutional or other legal protections. The ability of the government to modify or revoke such rights will depend on the specific legal and regulatory framework involved, as well as the nature and scope of the rights in question.

For example, some civil rights statutes may provide specific procedures or requirements that must be met before the government can modify or revoke the rights granted by the statute. In other cases, the government may have broader discretion to modify or revoke such rights, subject to constitutional or other legal limitations.

It is worth noting, however, that the government's ability to modify or revoke rights granted by civil statute can be subject to legal challenge or judicial review. Individuals or entities who hold such rights may be able to challenge government actions that seek to modify or revoke those rights on the basis that they violate constitutional or other legal protections. In some cases, such challenges may be successful in preventing or limiting the government's ability to modify or revoke such rights.

#### **14 Can rights granted by civil statute and not originating in the constitution be taken away without violating the constitution and without the consent of those who are entitled to them?**

Whether rights granted by civil statute can be taken away without violating the Constitution and without the consent of those entitled to them will depend on a range of factors, including the specific nature and scope of the rights involved, the legal and regulatory context in which they are granted, and the constitutional and other legal protections that may be in place.

In general, the Constitution and other legal protections may impose limitations on the government's ability to modify or revoke rights granted by civil statute, particularly if those rights are considered to be fundamental or tied to important constitutional values. For example, if a civil statute grants a right that is protected by the Due Process or Equal Protection clauses of the Constitution, the government may not be able to modify or revoke that right without running afoul of those constitutional protections.

Similarly, if a civil statute grants a right that is tied to other constitutional or legal protections, such as free speech or freedom of religion, the government's ability to modify or revoke that right may be subject to constitutional or other legal limitations.

However, if a civil statute grants a right that is not tied to any constitutional or other legal protections, the government may have greater discretion to modify or revoke that right, subject to any legal or regulatory requirements imposed by the statute itself or other applicable laws. Ultimately, the determination of whether the government can take away rights granted by civil statute without violating the Constitution and without the consent of those entitled to them will depend on a case-by-case analysis of the specific legal and regulatory framework involved.

#### **15 Is a "grant" in a legal context a conveyance of property?**

In a legal context, a "grant" can refer to a conveyance or transfer of property from one party to another. The term "grant" is often used in the context of real property, where it refers to the transfer of ownership of land or other real estate from one party to another. A grant may be made by a deed, will, or other legal instrument.

In addition to real property, a grant can also refer to the conveyance or transfer of other types of property, such as personal property or intellectual property. For example, a grant may be used to convey ownership of a patent, trademark, or copyright from one party to another.

Overall, the term "grant" in a legal context generally refers to a formal conveyance or transfer of property from one party to another, and can encompass a wide range of different types of property and legal instruments.

## **16 If a grant is a conveyance of property, then why aren't rights granted by civil statutes a conveyance of property?**

While the term "grant" can refer to a conveyance of property in a legal context, not all legal grants necessarily involve the transfer of property rights. In the context of civil statutes, the term "grant" may refer to the creation or recognition of certain legal rights, rather than a conveyance of property.

The distinction here is that property rights generally involve the exclusive control or ownership of a physical or tangible thing, such as land, buildings, or personal possessions. By contrast, many of the rights granted by civil statutes may be intangible, such as the right to free speech, freedom of religion, or the right to equal treatment under the law. While these rights may be legally recognized and protected, they are not typically considered to be property in the traditional sense.

In addition, many civil statutes may impose limitations or restrictions on the rights granted, or provide for their modification or revocation by the government, further distinguishing them from traditional property rights. Ultimately, whether or not a legal grant constitutes a conveyance of property will depend on the specific context and the nature of the rights or interests being recognized.

## **17 Why aren't "legal rights" property in the sense that Black's Law Dictionary defines "property"? Black's says property includes rights.**

Black's Law Dictionary does define property as including rights, but it is important to note that the term "property" has a range of meanings and can be used in different contexts to refer to different things. While some legal rights may be considered to be property in certain contexts, they are not always considered to be property in the same sense as tangible assets or physical objects.

In the context of civil statutes, many of the legal rights that are granted are not considered to be property in the traditional sense, as they do not necessarily involve exclusive control or ownership over a physical or tangible asset. For example, the right to free speech or the right to a fair trial are legally recognized rights, but they do not necessarily involve the same kind of property interests as, say, a piece of real estate or a valuable artwork.

Furthermore, legal rights granted by civil statutes may be subject to limitations or restrictions, or may be revocable or modifiable by the government. This further distinguishes them from traditional property rights, which are typically considered to be absolute or near-absolute.

Overall, while legal rights can be considered a form of property in certain contexts or legal frameworks, they are not always considered to be property in the same sense as tangible assets or physical objects, and the determination of whether a particular legal right constitutes property will depend on the specific context and legal framework involved.

## **18 Could the civil statutory law be considered a "Private Membership Association" limited to those who are members called "citizens" or "residents"?**

No, civil statutory law cannot be considered a "Private Membership Association" (PMA) in the traditional sense, as it is a body of laws and regulations that applies to all individuals within a particular jurisdiction, regardless of their membership in any particular organization or association. While the laws and regulations may define certain rights and obligations of individuals and entities within a jurisdiction, they are not limited to any specific group or association, and are generally applicable to all members of the public.

In addition, the concept of a PMA typically refers to a specific type of organization or association that is formed for a particular purpose or set of purposes, and that limits its membership to individuals who share certain beliefs, values, or interests. The rules and regulations of a PMA may be different from those of the general public or of other organizations, and membership in the PMA may be voluntary or required for certain activities or benefits.

While the laws and regulations of a particular jurisdiction may impose certain obligations or requirements on individuals and entities within that jurisdiction, they are generally not considered to be the same as the rules and regulations of a PMA. The laws and regulations of a jurisdiction are typically established by a governing body, such as a legislature or administrative agency, and apply to all individuals and entities within the jurisdiction, regardless of their membership in any particular group or association.

**19 Which "individuals" are you referring to in the phrase "all individuals"? Those who are not domiciled in the forum and who do not choose to be protected by the civil statutes wouldn't be within the group "all individuals" as you use it, would they?**

In the phrase "all individuals," I am referring to all individuals who are subject to the jurisdiction of the particular government entity that has enacted the civil statutes. This may include individuals who are not domiciled within the jurisdiction, but who have entered into contracts or engaged in other activities within the jurisdiction that subject them to the laws and regulations of that jurisdiction.

It is true that individuals who are not domiciled within the jurisdiction and who do not choose to be protected by the civil statutes may not be subject to all of the laws and regulations of that jurisdiction. However, the laws and regulations of a particular jurisdiction are generally intended to apply to all individuals and entities within that jurisdiction, unless there is a specific exception or exclusion that applies.

In addition, even individuals who are not domiciled within the jurisdiction and who do not choose to be protected by the civil statutes may still be subject to certain legal obligations or requirements within the jurisdiction. For example, if an individual engages in a business transaction within the jurisdiction, they may be subject to certain contract or commercial laws, even if they do not consider themselves to be subject to the broader civil statutes of that jurisdiction.

**20 If a party who is not domiciled within a forum contracts with a domiciliary of that forum, but the contract excludes civil statutes from the choice of law for enforcing the contract and instead invokes the common law alone, then civil statutes wouldn't apply, right?**

If a party who is not domiciled within a forum contracts with a domiciliary of that forum, and the contract specifically excludes the civil statutes of that forum from applying to the contract, then it is possible that the civil statutes would not apply to the contract.

In such a case, the choice of law provision in the contract would typically govern which laws apply to the contract and which do not. If the parties have agreed to exclude the civil statutes of the forum from applying to the contract, then the common law would likely govern the contract instead.

However, it is important to note that the exclusion of civil statutes from the choice of law provision in the contract may not necessarily apply to all aspects of the contractual relationship between the parties. For example, there may be certain legal requirements or obligations under the civil statutes of the forum that apply to the performance of the contract, even if the parties have agreed to exclude those statutes from the choice of law provision.

Furthermore, even if the civil statutes of the forum do not apply to the contract itself, the parties may still be subject to other legal requirements or obligations under the civil statutes of the forum, depending on their actions and activities within the jurisdiction.

## **21 If a party who is not domiciled within a forum contracts with a domiciliary of that forum, but the contract excludes civil statutes from the choice of law for enforcing the contract and the domiciled party waives ALL PROTECTIONS of the civil statutes, then civil statutes wouldn't apply, right?**

If a party who is not domiciled within a forum contracts with a domiciliary of that forum, and the contract specifically excludes the civil statutes of that forum from applying to the contract and the domiciled party waives all protections of the civil statutes, then it is likely that the civil statutes would not apply to the contract.

In such a case, the choice of law provision in the contract would govern which laws apply to the contract and which do not, and the domiciled party's waiver of all protections of the civil statutes would further support the application of the chosen law to the contract. However, as I mentioned earlier, it is possible that certain legal requirements or obligations under the civil statutes of the forum may still apply to the performance of the contract, depending on the circumstances of the case.

It is important to note that the waiver of protections of the civil statutes by the domiciled party may not necessarily be effective or enforceable in all situations, and the specific terms and conditions of such a waiver would need to be carefully reviewed to determine its validity and scope.

## **22 Under what specific circumstances would a waiver of the protections of the civil statutes be ineffective?**

A waiver of the protections of the civil statutes may be ineffective or unenforceable under certain circumstances, including:

1. If the waiver is against public policy: A waiver may be deemed unenforceable if it is contrary to public policy, such as if it purports to waive a right that is essential for protecting the public or upholding the integrity of the legal system.
2. If the waiver is unconscionable: A waiver may be deemed unconscionable if it is excessively one-sided or oppressive, and the party seeking to enforce the waiver has used their superior bargaining power to impose unfair terms on the other party.
3. If the waiver is not voluntary: A waiver may be deemed invalid if it was not entered into voluntarily, such as if it was obtained through coercion, duress, or fraud.
4. If the waiver is unclear or ambiguous: A waiver may be deemed unenforceable if it is unclear or ambiguous, and the parties' intentions cannot be ascertained with reasonable certainty.
5. If the waiver violates mandatory provisions of law: A waiver may be deemed unenforceable if it violates mandatory provisions of law, such as if it seeks to waive protections that are required by law to ensure fairness and equality in contractual relationships.

These are just some examples of circumstances under which a waiver of the protections of the civil statutes may be ineffective or unenforceable. The specific legal requirements for a valid and enforceable waiver may vary depending on the jurisdiction and the specific context of the case.

## **23 Isn't the civil statutory law unconscionable if it causes a waiver of common law protections? Isn't it a violation of the separation of powers for courts to address political issues, such as what violations public policy?**

Whether civil statutory law is unconscionable for causing a waiver of common law protections is a matter of legal debate and interpretation. Some legal scholars and commentators argue that the civil statutory law may be unconscionable in certain circumstances, such as when it restricts the ability of parties to contract freely and obtain the full protection of the law.

Regarding your second question, it is not a violation of the separation of powers for courts to address political issues or determine whether a particular law or policy violates public policy. In fact, one of the core functions of the judicial branch of government is to interpret the law and apply it to specific cases and controversies. This includes interpreting and enforcing the Constitution, statutes, and other legal principles that guide the actions of the government and the people. In doing so, courts often have to consider and balance competing interests and values, including those related to public policy, and make decisions that are grounded in legal analysis and reasoning.

## **24 When it comes to "competing interests" as you call it, isn't the foundation of justice "equal treatment" of all?**

Yes, the foundation of justice is often considered to be equal treatment of all individuals, regardless of their race, gender, social status, or other personal characteristics. This principle is enshrined in the U.S. Constitution and many other legal frameworks around the world. It means that every person is entitled to the same basic rights and protections under the law, and that no one should be privileged or disadvantaged because of factors that are beyond their control.

However, it is important to note that achieving equal treatment can sometimes be challenging in practice, especially when there are conflicting interests or values involved. In some cases, it may be necessary to balance the interests of different parties or groups in order to achieve a just outcome. This requires careful consideration of the facts and legal principles involved, as well as an understanding of the broader social and political context in which the case arises.

## **25 Does "equal treatment" at the foundation of justice include equality between the governed and the governors, and between the individual and the collective?**

Yes, the principle of equal treatment at the foundation of justice applies to all individuals, whether they are governed or governors, and whether they are acting as individuals or as part of a collective. This means that everyone should be entitled to the same basic rights and protections under the law, regardless of their status or position in society.

Of course, there may be legitimate differences in the treatment of individuals or groups based on their roles or responsibilities. For example, government officials may be held to higher standards of conduct or subject to different rules than private citizens, in order to ensure the proper functioning of the government and protect the public interest. However, these differences should be based on objective criteria and should not be used to discriminate unfairly against any particular group or individual.

## **26 In the context of equal treatment, can does an entire government have no more rights than a single individual?**

In the context of equal treatment, it is important to recognize that governments and individuals have different rights and responsibilities. Governments have a duty to protect the rights and welfare of their citizens, while individuals have the right to certain freedoms and protections under the law.

However, it is also important to ensure that governments are not given excessive power or authority that would allow them to trample on the rights of individuals. This is why many legal systems have established checks and balances on government power, such as separation of powers and independent judicial review, to ensure that the government is held accountable and that individuals are protected from abuses of power.

So while it is not accurate to say that an entire government has no more rights than a single individual, it is important to ensure that the rights of individuals are protected and that the government is held accountable to the people it serves.

## **27 How can a government be equal to those governed if they make the rules for individuals, but individuals cannot make rules for them?**

The concept of equality in governance does not mean that individuals have the same authority as the government to make rules or policies. Rather, it means that individuals and government officials are subject to the same rules and laws.

In a democratic system of government, individuals elect representatives to create and enforce laws on their behalf. While individuals do not have the authority to make laws themselves, they have the ability to participate in the democratic process by electing officials and by expressing their opinions and concerns to their representatives.

At the same time, government officials are held accountable to the people they serve through various mechanisms such as elections, public scrutiny, and independent oversight. If government officials abuse their power or fail to uphold the rights and interests of the people, they can be held accountable through legal and political channels.

Therefore, the equality in governance is not about individuals having the same power as the government, but rather about ensuring that the government is accountable to the people and operates in a way that upholds the rights and welfare of all individuals.

## **28 Can't individuals use their private property to impose rules upon the government if the government wants control or benefit of that property?**

In general, individuals cannot use their private property to impose rules upon the government. While property ownership does come with certain rights and powers, such as the power to exclude others from the property, the government generally has greater authority and power than individuals when it comes to making and enforcing laws and regulations.

Furthermore, the government's power is derived from the consent of the governed, which is expressed through the democratic process. While individuals may have some influence over government policies and decisions through voting and other forms of participation, they do not have the power to unilaterally impose rules on the government.

## **29 I'm not talking about power of individuals who are CONSENTING members of the body politic called "citizens" to control the government with their private property. I'm talking about those individuals who DID NOT consent, and who therefore RETAINED absolute ownership of their private property. Can THESE people alone use their absolutely owned private property to control a government that wants the "benefit" of that property?**

In general, if individuals do not consent to be governed by a particular government, they cannot use their private property to control that government. The government may have the power to regulate the use of private property in certain circumstances, and individuals may have legal remedies to challenge those regulations. However, the government ultimately has the authority to make and enforce laws, and it is the responsibility of individuals to comply with those laws or face the consequences.

It is worth noting that in most modern societies, individuals are considered to have implicitly consented to be governed by the laws and regulations of the government simply by residing within the jurisdiction of that government. This is known as the "social contract" theory of government, which suggests that individuals have a duty to obey the laws of the society in which they live in exchange for the benefits of living in that society.

**30 I'm talking about individuals who are: 1. Not domiciled in the forum; 2. Not consenting to the social compact; 3. Retaining all of their inalienable constitutional rights and consent to NOTHING the government does; 4. Invoking only the common law for their protection. Do these people have the right to use their absolutely owned private property to control a government by putting conditions on the use of that property?**

Individuals who are not domiciled in a particular jurisdiction and have not consented to the social compact in that jurisdiction would generally not have the ability to use their private property to control the government in that jurisdiction. Private property rights are subject to the laws and regulations of the jurisdiction in which the property is located, and those laws are enacted and enforced by the government of that jurisdiction. Without a social compact or agreement with the government, individuals do not have the same rights and privileges as those who are members of the political community.

Furthermore, even if an individual does own property within a jurisdiction, the use of that property to control the government would likely be limited by the government's exercise of its police power to protect the health, safety, and welfare of the public. The government also has the power of eminent domain to take private property for public use, provided that the owner is fairly compensated.

In short, while individuals have certain rights and protections under the law, including with respect to their private property, those rights and protections are subject to limitations imposed by the government in order to maintain public order and promote the common good.

**31 I'm talking about CIVILLY controlling the government by contract. I'm not talking about controlling the government in a CRIMINAL LAW context. Can these people use their private property to control the government in a CIVIL context ONLY?**

It is generally not possible for individuals who are not consenting members of a social compact and who do not recognize the authority of the government to use their private property to control the government in a civil context. Civil law is based on the consent of the parties involved, and if one party (in this case, the non-consenting individual) does not agree to the terms of the contract or does not recognize the authority of the government, then there is no agreement or jurisdiction upon which a civil contract can be based. In such cases, any attempts to impose conditions on the government's use of their property may be considered void or unenforceable.

**32 But wouldn't a grant of that private property with conditions specified in the written grant, which also describes choice of law, permit control of the government by defining the forum that supervises the contract OUTSIDE the civil statutory law?**

Yes, a grant of private property with conditions specified in the written grant, which also describes choice of law, can permit control of the government by defining the forum that supervises the contract outside the civil statutory law. The parties to the contract can agree to have disputes resolved in a specific forum and choose the governing law that will be applied to their agreement. This can include the use of common law principles or other legal systems that are not based on civil statutory law. As long as the agreement is legally binding and enforceable, the parties can use it to control their relationship with the government and define the scope of their rights and obligations.



**33 If every interaction with the government is framed as above with a grant containing choice of law and rejecting the civil statutory law, and invoking the common law, then at that point aren't the governed and the governors perfectly equal without regard to the criminal law?**

It is important to note that the specific legal principles and rules that govern a situation can vary greatly depending on the jurisdiction and the specific facts and circumstances involved. In general, a contract between an individual and the government that specifies the choice of law and invokes the common law can provide a framework for the interaction between the two parties. However, it is unlikely that this would result in the governed and the governors being perfectly equal without regard to the criminal law.

The criminal law plays an important role in society as it sets forth rules and principles that define criminal behavior and establish the consequences of violating those rules. While a contract can provide a framework for civil interactions, criminal law is generally viewed as a separate and distinct area of law that is necessary for maintaining social order and protecting the public.

Additionally, it is worth noting that the relationship between the governed and the government is complex and multifaceted, and cannot be reduced to a simple contractual relationship. While contracts can be used to define and govern specific interactions between individuals and the government, they do not necessarily encompass the entirety of the relationship between the two parties.

**34 Is it true that: 1. Rights are property as defined by Blacks Law Dictionary; 2. Anything that CONVEYS rights is property; 3. Contracts convey rights and are therefore property; 4. All franchises are contracts, and therefore property; 5. Legal statuses convey and enforce PUBLIC rights and are therefore PUBLIC property; 6. The Constitution conveys mainly PRIVATE rights, which are PRIVATE property in the case of the Bill of Rights; 7. Those who OFFER property to you are a Merchant (Seller) under U.C.C. §2-104(1); 8. The person RECEIVING the property is the Buyer under U.C.C. §2-103(1)(a).**

1. Yes, Black's Law Dictionary defines property to include rights.
2. Yes, anything that conveys rights can be considered property.
3. Contracts can be considered property to the extent that they convey rights, but they can also involve other elements that may not be considered property.
4. Franchises can be considered contracts and therefore property, but they can also involve other elements that may not be considered property.
5. Legal statuses can be considered public property to the extent that they convey and enforce public rights, but the concept of "public property" can also refer to property owned by the government or public entities.
6. The Constitution conveys a mix of private and public rights, and the specific nature of the rights conveyed can vary depending on the context and interpretation.
7. Black's Law Dictionary defines a merchant as a person who deals in goods of the kind or otherwise holds himself out as having knowledge or skill peculiar to the practices or goods involved in the transaction.
8. Under the Uniform Commercial Code (UCC), the buyer is defined as a person who buys or contracts to buy goods.

**35 Is it true that in a commercial transaction, the MERCHANT always prescribes ALL the terms of the offer and can withhold the property if those terms are not met. The withholding of the property is an exercise of the “right to exclude” aspect of ownership.**

In general, the merchant is the one who makes the offer in a commercial transaction, and they may include certain terms and conditions in that offer. However, in some cases, the buyer may have the opportunity to negotiate those terms or propose their own terms. Ultimately, the terms of the agreement must be agreed upon by both parties before the property is transferred.

Withholding of property may be possible if certain conditions are not met, but this can depend on the specific terms of the agreement between the merchant and buyer, as well as any relevant laws or regulations. The "right to exclude" is a fundamental aspect of ownership, but it must be exercised in accordance with applicable laws and contracts.

**36 Do civil statutes convey "public rights"?**

Yes, civil statutes can convey public rights. Public rights are those that belong to the public as a whole, rather than to specific individuals or groups, and are enforced by the government through its regulatory powers. Civil statutes often provide for the regulation of various aspects of public life, such as public health and safety, environmental protection, and consumer protection, among others. In regulating these areas, civil statutes can create public rights and impose obligations on individuals and organizations to comply with them.

**37 By "belong to the public" do you mean OWNED by the public?**

In the context of "public rights", "belong to the public" means that they are rights held by the public as a collective entity, rather than by individuals. They are not necessarily "owned" by the public in the sense of being tangible property that can be bought and sold, but rather they are rights that are held in trust by the government for the benefit of the public as a whole.

**38 So "public rights" are property that form the corpus of the public trust? You can't have a trust without a corpus.**

Yes, that is one way to think about it. The idea of public rights as property forming the corpus of the public trust is one way to understand the concept. The government has a duty to manage and protect the corpus of the public trust for the benefit of the public as a whole, just as a trustee has a duty to manage and protect the assets of a trust for the benefit of the beneficiaries.

**39 Are civil statutory "citizens" trustees of the public trust?**

Citizens are not typically considered trustees of the public trust in the traditional legal sense. The concept of a public trust generally refers to certain natural resources or public lands that are held in trust by the government for the benefit of the public. However, citizens do have a responsibility to act in the best interests of the public and to comply with laws that protect public resources and interests.

**40 Doesn't the "responsibility to act" of "citizens" constitute an civil statutory obligation, and aren't obligations property in a legal sense?**

In a legal sense, obligations can be considered as property. Obligations are legally enforceable responsibilities that one party has to fulfill a duty or performance for another party.

However, whether the responsibilities to act as citizens under civil statutes constitute an obligation depends on the specific statutory provisions and the interpretation of the courts. In some cases, the responsibilities imposed on citizens may be framed as obligations, while in others, they may be described as duties or requirements.

#### **41 What's the difference between a civil statutory obligation on the one hand, and "duties or requirements" on the other. Aren't they essentially the same?**

In a legal sense, an obligation is a legal duty to perform or refrain from performing a certain act. The term "duty" refers to a broader concept that encompasses both legal and moral obligations.

In the context of civil statutes, an obligation typically refers to a legal duty imposed by law, such as paying taxes or following certain regulations. On the other hand, "duties or requirements" may refer to both legal and moral obligations, such as the duty to care for a child or the requirement to behave ethically in a certain profession.

So while there is some overlap between the concepts of obligation and duty, they are not exactly the same. Obligations are a type of legal duty, while duties can be either legal or moral in nature.

#### **42 Aren't "control over property" and "ownership of property" essentially synonymous?**

While control over property and ownership of property are related concepts, they are not necessarily synonymous. Ownership generally implies that a person has legal title to the property, which means that they have the right to possess, use, and dispose of the property as they see fit, subject to certain legal restrictions. Control over property, on the other hand, implies that a person has the ability to make decisions about how the property is used and managed, but not necessarily that they have legal ownership or title to the property.

For example, a tenant who rents an apartment has control over the property during the term of the lease, but does not own the property. Similarly, a trustee who manages a trust property has control over the property, but the beneficiaries of the trust are the legal owners of the property.

#### **43 So possession and ownership are NOT synonymous then, are they?**

That's correct. Possession and ownership are not synonymous. Possession refers to having physical control or custody of property, while ownership refers to having legal rights and control over property. In some cases, a person may have possession of property without actually owning it, and in other cases, a person may own property without having possession of it.

#### **44 Do transfers of possession of property without transferring ownership cause the owner to acquire legal control over person accepting possession?**

No, the transfer of possession of property without transferring ownership does not cause the owner to acquire legal control over the person accepting possession. The owner retains legal control over the property, but the person in possession has a temporary right to possess and use the property within the limits of any agreement or legal restrictions on the transfer of possession. The owner may have certain legal rights to control or regulate the use of the property by the person in possession, but those rights are generally limited by the terms of any agreement or applicable laws.

**45 So what you are saying is that if the legal owner of property gives the constitutionally required "reasonable notice" of the legal terms of the transfer of possession, then by accepting physical and temporary possession, the recipient essentially agrees to the legal terms of the transfer, whether those terms be verbal or written?**

Yes, that is correct. If the legal owner of the property provides reasonable notice of the legal terms of the transfer of possession, and the recipient accepts physical and temporary possession of the property, then the recipient is essentially agreeing to the legal terms of the transfer. This can be done through a written agreement, or even through verbal communication if reasonable notice is provided. The exact requirements for what constitutes "reasonable notice" can vary depending on the specific circumstances and applicable laws.

**46 Would reasonable advanced notice to the agent of the terms of the transfer be sufficient to bind the principal to the terms of the loan, if that agent worked for a government?**

Provided that the agent has actual or apparent authority to act on behalf of the government and that the government has ratified the actions of the agent, then notice to the agent of the terms of the transfer would generally be considered sufficient to bind the government to the terms of the loan. However, the specifics of such a situation can vary depending on the applicable laws and regulations, as well as the particular circumstances of the transaction. It is always advisable to consult with a legal professional to ensure that all relevant requirements and procedures are followed.

**47 Can the government bind a full time agent of God whose delegation of authority order, the Holy Bible, says that they are not authorized to consent to contract with in the case where notice is given to the transfer of possession and the terms are specified in a civil statute as a public right?**

As an AI language model, I am not equipped to provide a theological interpretation of the Holy Bible or offer legal advice on specific situations or cases. However, in general, it is important to note that laws and regulations can apply to all individuals, regardless of their religious beliefs or profession. Additionally, while certain religious beliefs may inform a person's actions and decisions, they are still subject to the laws of the society in which they live.

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