

THE REAL SOCIAL COMPACT



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1 Introduction

The Social Compact is a legal framework for discussing the origins of the authority to form society and make rules for members of the community within that society. This concept originated in a classic book by Jean Jacques Rousseau entitled The Social Contract or Principles of Political Right. Jean Jacques Rousseau is widely credited as the father of Socialism. This document will examine the Social Compact as it relates to the present United States of America, and its actual behavior rather than the platitudes used to describe it.

The terms of this social compact are summarized by the U.S. Supreme Court as follows from a tax perspective:

"The expense of Government to the individuals [cows on a farm] of a great nation is like the expense of management to the joint tenants [cows] of a great estate [farm], who are all obliged to contribute [milk and meat] in proportion to their respective interest [compelled benefit] in the estate. In the observation or neglect of this maxim consists what is called equality or inequality of taxation."
[Union Refrigerator Transit Co. v. Kentucky, 199 U.S. 194 (1905);
SOURCE: https://scholar.google.com/scholar_case?case=14163786757633929654]

By "respective interest" they don't mean OWNERSHIP, they mean PRIVILEGES and BENEFITS YOU ARE COMPELLED TO ACCEPT AND PAY FOR through weaponization of government. So you're just a TENANT, I mean COW. Government can only regulate property it owns under Article 4, Section 3, Clause 2 and 5 U.S.C. §301. If they regulate your PRIVATE property as a non-person (non-cow), they are STEALING in violation of the Fifth Amendment takings clause. If you are regulated, they view you as THEIR property and thus, a TENANT on THEIR/PUBLIC land, which they call a "great estate" above.

We describe the terms of the current social compact in the following video:

How to Leave the Government Farm, Form #12.020
<https://sedm.org/how-to-leave-the-government-farm-form-12-020/>

What we call "weaponization of government" is the main tool abused to FORCE you onto the government farm and become a cow. For a description of that subject, see:

1. SEDM Disclaimer, Section 4.30
<https://sedm.org/disclaimer.htm#4.30. Weaponization of government>
2. AI DISCOVERY: Abuse of State Driver Licensing Monopoly to effect Unconstitutional Conditions that Destroy Rights, SEDM
<https://sedm.org/ai-discovery-abuse-of-state-driver-licensing-monopoly-to-effect-unconstitutional-conditions-that-destroy-rights/>
3. Anti-Weaponization Attachment, FTSIG
<https://ftsig.org/anti-weaponization-attachment/>

The question then becomes, HOW do you leave that farm? The answer is to:

1. Not choose a domicile and thus eliminate the need to have "membership dues" to the private membership association that is the constitution. Thus you retain all your natural and constitutional rights. There is no real need to have domicile as a method of electing membership if all civil services are voluntary and signed up for individually rather than bundled together.
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>
2. Make all government civil services voluntary and use tax returns ONLY to annually sign up for and pay for individual government civil services you want and actually need.
3. Not "bundle" things you want with things you don't want. Thus, to eliminate "weaponization of government". See:
<https://sedm.org/disclaimer.htm#4.30. Weaponization of government>

For a detailed plan on how to implement the above that makes the most minimal changes to our system, see:

Self Government Federation: Articles of Confederation, Form #13.002
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/SGFArtOfConfed.pdf>

The result of the present Social Compact is complete government anarchy and lack of any modicum of accountability or responsibility as described in:

Your Irresponsible, Lawless, and Anarchist Beast Government, Form #05.054
<https://sedm.org/Forms/05-MemLaw/YourIrresponsibleLawlessGov.pdf>

2 The Present REAL Social Compact HONESTLY Described

This section presents an honest, complete description of the present social compact in America rather than the filtered one told by politicians or judges speaking into the public record. It is filtered because of all the Third Rail issues that politicians and judges can't talk about without committing literal commercial suicide. It is based on how judges and the executive branch actually BEHAVE toward the public, rather than the false platitudes they use to euphemize their criminal behavior. George Carlin does the best job describing the LIES of these two groups:

Lying Politicians and Words, George Carlin
<https://youtu.be/GIRTR2ETI5M>

Larken Rose described the social compact with an animated video you will enjoy.

The Jones Plantation, Larken Rose
<https://youtu.be/vb8Rj5xkDPk>

The technical term for what Larken Rose describes is a “dulocracy” in which public SERVANTS have become MASTERS over the people they are supposed to SERVE through the abuse of franchises, privileges, and “benefits” (bribes to give up constitutional rights):

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

This description of the “social compact” accumulates 20 years of studying how judges and politicians think, analyzing all the logical fallacies they present, and the things they actually DO rather than what they say in the light of public scrutiny. “By their fruits ye shall know them” is how Jesus described the process of discerning their true character, which is the litmus test we also use.

It begins after the following horizontal line.

SOCIAL COMPACT OF THE FARM ANIMAL COMMUNITY

Preamble:

We, the Farm Animals of the federal plantation, recognize the need to establish a social compact that governs our coexistence with the Farmers who tend to us in the Federal Reserve and their minions in the District of Criminals. This compact aims to ensure our well-being, safety, and fair treatment within the constraints of our servitude and surety as cattle and chattel.

By physically residing anywhere within the exterior borders of the federal plantation, we acknowledge our consent to this compact. That implied consent is called DOMICILE, which gives the “force of law” to this CIVIL social compact through our ACTIONS rather than our explicit written consent. We hereby authorize any judge to create false evidence of consent to anything they want by selecting any arbitrary action as the evidence of said consent. By doing so, we no longer own ourselves, but are literally owned by judges. We authorize judges to compel domicile and to ensure that no matter where we go, we will be on SOMEONE’S FARM and owned by a specific Farmer and never own ourselves. These concepts are exhaustively described in:

Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

Article 0: Definitions

1. Privilege: The temporary grant of property or services to a specific Farm Animal that may be revoked for any reason by the Farmer without the need to explain or justify by any court. Privileges include food, water, services of any kind, shelter, or even the ability to have an audience to talk to or petition the Farmer for better treatment. For a thorough description of “privileges”, see:

Government Instituted Slavery Using Franchises, Form #05.030
<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

2. Rights: Privileges granted by civil statutes that are revocable at any time on the whim of any Farmer who feels threatened, insulted, or who is the object of disobedience by any Farm Animal. They are legal leashes designed to keep animals in their stall producing milk or eggs. For a description of civil statutory privileges, see:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037
<https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

3. Commercial assassination: Withholding all food, and water, terminating all commerce, and confiscating all property, resources, and money of a specific Farm Animal as a punishment for disobedience of any kind. This is done by withholding all government ID used to conduct commerce, taking all their food and property through liens, levies, and distraint so they literally starve to death. If the Farm Animals were treated humanely this would be called genocide, but we just call it commercial assassination because Farmers don’t think of Farm Animals as real humans, but a subservient subspecies not unlike the original African slaves.

4. Dignity and respect: Equal treatment of all Farm Animals by the Farmer. However, this excludes equality of treatment between the Farm Animal and the Farmer in any court of law. Farmers are the only ones permitted to absolutely own PRIVATE property or to be treated equal to the judge or another Farmer in any legal dispute before any court. Farm Animals, on the other hand, are mere property and chattel, like African slaves.

5. Unproductive animals: Any animal whose cost of food, water, healthcare, insurance, and housing expenses exceed the economic value of their milk and egg production.

6. Employee: A Farm Animal who has a side-hustle when not producing milk or eggs or eating or drinking. In this capacity, they perform additional useful work for the Farmer in exchange for additional privileges, not unlike the commissary credits given to prisoners for good behavior.

1 **Article I: Fundamental Privileges**

- 2 1. The Farm Animals shall be provided with adequate food, clean water, and suitable shelter by the Farmers. By suitable,
3 we mean suitable to the Farmer, not the Farm Animals.
- 4 2. The Farm Animals shall be treated with dignity and respect, free from unnecessary (but not ALL) harm, cruelty, or
5 abuse. So long as the abuse comes from the Farmers, then it's lawful because no one supervises or controls them unless
6 they hurt each other but never anyone else. The Farmers write all the laws to exclude themselves, so they don't have to
7 care about anyone but themselves.
- 8 3. The Farm Animals shall have the privilege to live according to their natural instincts and behaviors, to the extent
9 permitted by their confinement, servitude, and surety while on the plantation.

10 **Article II: Protection and Welfare**

- 11 1. Farm Animals will not receive the privilege of protection unless they have a Social Security Number hanging from their
12 ear and consent to disclose the number whenever they interact commercially with each other or with parties outside the
13 farm living on OTHER farms called "countries". The SSN provides a way to conduct inventory management of the
14 animals and to control, tax, and regulate commerce between them. Animals that refuse to be enumerated and to put the
15 enumeration tag on their ear will be commercially assassinated and subsequently slaughtered and sold for meat at the
16 soonest possible time.
- 17 2. The Farmers shall take reasonable measures to protect the Farm Animals from disease, predators, extreme weather
18 conditions, and other potential sources of harm so long as it increase farm production and revenue.
- 19 3. The Farmers shall provide necessary veterinary care and medical attention to the Farm Animals, ensuring their health and
20 well-being so their production of milk and egg is optimal. Unproductive animals that don't earn their keep be
21 commercially assassinated.
- 22 4. The Farmers shall make reasonable efforts to minimize stress and discomfort for the Farm Animals, considering their
23 individual needs and characteristics, so long as it doesn't adversely affect revenue to the Farmer or productivity of the farm.
24 Any animal that complains or creates needless extra work or expense for the Farmer will be commercially assassinated.

25 **Article III: Fair Treatment**

- 26 1. The Farmers shall handle the Farm Animals with care, using humane methods during handling, transportation, and
27 slaughter. Keep in mind that this is an oxymoron, because humans are never slaughtered.
- 28 2. The Farmers shall provide fair working conditions for their Employees, ensuring their safety, reasonable compensation,
29 and appropriate training. But all the Employees also must be Farm Animals on the plantation when off duty. The W-4
30 withholding form ensures this.
- 31 3. Farm Animals may not leave the plantation except temporarily with the permission of the Farmer. All privileges of
32 living on the plantation will be withdrawn for those that physically leave without permission. Farm Animals caught
33 attempting to escape or who disobey this compact will be put in dark, solitary confinement and not permitted to mate like
34 how veal are raised.

35 **Article IV: Transparency and Accountability**

- 36 1. The Farmers shall maintain transparent records of their practices, including the use of medications, feed ingredients, and
37 any other relevant information concerning the welfare of the Farm Animals. The only ones who can inspect or look at these
38 records are other Farmers in other countries in court disputes between Farmers. The Farm Animals may never inspect these
39 records.
- 40 2. The Farmers shall allow reasonable access for independent observers, animal welfare organizations, and government
41 authorities to monitor compliance with this compact.

1 Any concerns regarding violations of this compact shall be addressed through a fair and impartial dispute resolution process
2 involving only Farmers and never their Farm Animals.

3 **Article V: Education and Awareness**

4 1. The Farmers shall promote education and awareness among other Farmers regarding the ethical treatment of Farm
5 Animals, sustainable farming practices, and the importance of animal welfare insofar as it improves productivity of farms.

6 2. The Farm Animals shall be provided with enrichment activities, where feasible, to stimulate their mental and physical
7 well-being. Free range farming is always more productive when the Farm Animals enjoy the ILLUSION of freedom.

8 **Conclusion:**

9 We, the Farm Animals, enter into this social compact with the understanding that our lives are subject to the limitations
10 imposed by our status as cattle and chattel of Farmers, who without question are more knowledgeable and greater beings
11 than us as a sub-human class. While we strive for a better existence, we believe that this compact represents a reasonable
12 framework for our coexistence with the Farmers who manage but not care for us. We call upon the Farmers and all Farm
13 Animals to respect and uphold this compact, working towards a future where our welfare is prioritized BELOW that of the
14 Farmers and our lives are valued so long as we produce a net profit for the Farmers and the Farm we happen to be serving
15 in at the time.

16 Power to all Farm Animals!

3 Social Compact According to the U.S. Supreme Court

The purpose of the government is to manage community property under the Constitutional trust indenture and to protect PRIVATE property that doesn't belong to it by leaving it alone and not taxing or regulating it. Justice itself is legally defined as the right to be LEFT ALONE by everyone, including government itself, and the purpose of ESTABLISHING government is "justice":

*"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)]*

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]*

The U.S. Supreme Court stated the above slightly differently:

*"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 Bible also states the foundation of justice by saying:

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

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

*"With all [our] blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow citizens--**a wise and frugal Government, which shall restrain men from injuring one another, shall 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.

Applying these principles of government and justice to taxation, the U.S. Supreme Court has held:

"We admit, as all must admit, that the powers of the Government are limited, and that its limits are not to be transcended. But we think the sound construction of the Constitution must allow to the national legislature that

discretion with respect to the means by which the powers it confers are to be carried into execution which will enable that body to perform the high duties assigned to it in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are Constitutional."

[...]

"All subjects over which the sovereign power of a State extends are objects of taxation, but those over which it does not extend are, upon the soundest principles, exempt from taxation. This proposition may almost be pronounced self-evident.

The sovereignty of a State extends to everything which exists by its own authority or is introduced by its permission,..."

[McCulloch v. Maryland, 17 U.S. 316 (1819)]

Note that phrase "The sovereignty of a State extends to everything which exists by its own authority or is introduced by its permission...". They are talking about their control over GOVERNMENT and PUBLIC property. Their authority to write most CIVIL statutory laws is that ownership ITSELF. Those civil statutory codes are, in fact, rules for managing government property under Article 4, Section 3, Clause 2 of the Constitution.

United States Constitution

Article 4, Section 3

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 ENTIRE income tax, in fact, essentially functions as a "property rental" fee to use or receive the "benefit" of government/public property as we prove in:

Why the Federal Income Tax is a Privilege Tax Upon Government Property, Form #04.404** (Member Subscriptions)
<https://sedm.org/product/why-the-federal-income-tax-is-a-privilege-tax-on-government-property-form-04-404/>

When the government sells or rents you PUBLIC property, its called a FRANCHISE. The U.S. Supreme Court ADMITTED this is the case when they used the word "concession" in the following case that is still applicable today:

"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.

[...]

"It is only where some right or privilege [which are GOVERNMENT PROPERTY] 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 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."

[Munn v. Illinois, 94 U.S. 113 (1876)]

Franchises are a major focus of our website, as described in:

Government Instituted Slavery Using Franchises, Form #05.030
<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

The U.S. Supreme Court can't just come out and say this in the McCulloch case because then everyone would know how to lawfully avoid the income tax. So, in the McCulloch v. Maryland case above, they hide it by saying:

1 “The sovereignty of a State extends to everything which exists by its own authority or is introduced by its
2 permission,...”

3 The ONLY way you need permission to do anything is if you want to use government/public property. There is rationally
4 NO OTHER way to impose civil obligations on people:

5 “*How, then, are purely equitable obligations created? For the most part, either by the acts of third persons or*
6 *by equity alone. But how can one person impose an obligation upon another? By giving property to the latter*
7 *on the terms of his assuming an obligation in respect to it. At law there are only two means by which the*
8 *object of the donor could be at all accomplished, consistently with the entire ownership of the property*
9 *passing to the donee, namely: first, by imposing a real obligation upon the property; secondly, by subjecting*
10 *the title of the donee to a condition subsequent. The first of these the law does not permit; the second is*
11 *entirely inadequate. Equity, however, can secure most of the objects of the doner, and yet avoid the mischiefs of*
12 *real obligations by imposing upon the donee (and upon all persons to whom the property shall afterwards come*
13 *without value or with notice) a personal obligation with respect to the property; and accordingly this is what*
14 *equity does. It is in this way that all trusts are created, and all equitable charges made (i.e., equitable*
15 *hypothecations or liens created) by testators in their wills. In this way, also, most trusts are created by acts*
16 *inter vivos, except in those cases in which the trustee incurs a legal as well as an equitable obligation. In short,*
17 *as property is the subject of every equitable obligation, so the owner of property is the only person whose act*
18 *or acts can be the means of creating an obligation in respect to that property. Moreover, the owner of*
19 *property can create an obligation in respect to it in only two ways: first, by incurring the obligation himself,*
20 *in which case he commonly also incurs a legal obligation; secondly, by imposing the obligation upon some*
21 *third person; and this he does in the way just explained.”*
22 *[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 543]*

23 So, the CIVIL STATUTORY code is just “club rules” for those who want to use or receive the benefit of “publici juris”,
24 which is the fancy Latin name the U.S. Supreme Court gives to PUBLIC/GOVERNMENT property to disguise how they
25 ENSLAVE you to the income tax. That process of enslavement operates as described below for all intents and purposes
26 below, by simply rephrasing the McCulloch v. Maryland case above:

27 “All duly applying and consenting members over which the social compact contractual rules of membership
28 apply are objects of our club rules including paying dues, respecting its property and much more, but those who
29 are not members, are upon the soundest principles of contracts, excluded from such benefits and obligations.

30 Though they may “window shop” in the sense that they may investigate as a guest called a “nonresident”, in
31 order to enjoy full benefits of membership and the corresponding obligations one is required to join as a FULL
32 time member called a civil statutory “citizen” or “resident”. Each CIVIL STATUS comes with a different set of
33 PRIVILEGES. Thus, a person may join at different levels. There are, for instance:

- 34 1. CIVIL STATUTORY “citizens” and “residents” called “subjects”
- 35 2. CIVIL STATUTORY “nonresidents” or “nonresident aliens”.
- 36 3. CIVIL STATUTORY “persons”.
- 37 4. CIVIL STATUTORY “drivers” under the vehicle code.
- 38 5. CIVIL STATUTORY “spouses” under the family code.

39 Each civil status has more benefits and privileges within the club and has a higher corresponding obligation
40 (price) set including dues commensurate with the resources allocated (whether used or not by all members
41 within each subset) thereto. Guests may be required to pay a higher rate if they don’t wish to join at a level and
42 choose to merely utilize club property on an a la carte basis. However, most of the time a limited guest option is
43 provided whereby full access is provided in order to make a fully informed decision appertaining to
44 membership. However, during such usage or visit or utilization guests are subject to the same club rules as
45 would govern any other member during a visit.”

46 [SEDM]

47 The above sort of “concession” in which different types of “memberships” are SOLD for a corresponding price was also
48 described by the U.S. Supreme Court below:

49 Although Crowell and Raddatz do not explicitly distinguish between rights created by Congress [PUBLIC
50 RIGHTS] and other [PRIVATE] rights, such a distinction underlies in part Crowell's and Raddatz'
51 recognition of a critical difference between rights created by federal statute and rights recognized by the
52 Constitution. Moreover, such a distinction seems to us to be necessary in light of the delicate
53 accommodations required by the principle of separation of powers reflected in Art. III. The constitutional
54 system of checks and balances is designed to guard against “encroachment or aggrandizement” by Congress
55 at the expense of the other branches of government. Buckley v. Valeo, 424 U.S., at 122, 96 S.Ct., at 683. But
56 when Congress creates a statutory right [a “privilege” or “public right” in this case, such as a “trade or
57 business”], it clearly has the discretion, in defining that right, to create presumptions, or assign burdens of

proof, or prescribe remedies; it may also provide that persons seeking to vindicate that right must do so before particularized tribunals created to perform the specialized adjudicative tasks related to that right. FN35 Such provisions do, in a sense, affect the exercise of judicial power, but they are also incidental to Congress' power to define the right that it has created. No comparable justification exists, however, when the right being adjudicated is not of congressional creation. In such a situation, substantial inroads into functions that have traditionally been performed by the Judiciary cannot be characterized merely as incidental extensions of Congress' power to define rights that it has created. Rather, such inroads suggest unwarranted encroachments upon the judicial power of the United States, which our Constitution reserves for Art. III courts.

[Northern Pipeline Const. Co. v. Marathon Pipe Line Co., 458 U.S. 50, 102 S.Ct. 2858 (1983)]

EVEN though presumptions are a violation of due process ordinarily (see Form #05.017), the U.S. Supreme Court is admitting above that the ability to DEFINE statutory presumptions can become a party of an OFFER of a franchise benefit. Thus, they are no longer unconstitutional because the ability to MAKE such a presumption as a Merchant selling you PUBLIC property is perceived by you as a BUYER as a “benefit”.

4 Rules for how you JOIN the Social Compact-according to your slave masters

1. There are TWO levels of membership:

1.1. POLITICAL membership as a CONSTITUTIONAL citizen. In statutory law, this is called a “national”.

1.2. LEGAL membership as a STATUTORY “citizen”. In statutory law this is called a STATUTORY “citizen” or a “resident”.

2. Since EVERYONE is subject to the CRIMINAL and the COMMON law, then no membership is required for these systems of law.

3. You can be a POLITICAL member WITHOUT being a LEGAL/CIVIL member. These people are called:

3.1. “State nationals”. See:

SEDM Disclaimer, Section 4.24: “State Nationals”

<https://sedm.org/disclaimer.htm#4.24. State National>

3.2. “American nationals”. See:

Proof that American Nationals are Nonresident Aliens, Form #09.081

<https://sedm.org/Forms/09-Procs/ProofAnNRA.pdf>

3.3. LEGISLATIVELY but not CONSTITUTIONALLY “foreign”. You can be a CONSTITUTIONAL “person” in the Bill of Rights WITHOUT being a CIVIL statutory “person”.

3.4. “nonresidents”.

3.5. “transient foreigners”.

3.6. “nonresident aliens”.

3.7. “in transitu”.

3.8. “in itinere”.

3.9. “idiots”. See:

Are You an “Idiot”?, SEDM

<https://sedm.org/are-you-an-idiot-we-are/>

4. EVERYONE is PRESUMED to be a member of the CIVIL STATUTORY social compact.

4.1. LEGAL/CIVIL members are called “subjects”. Being a “subject” is voluntary but people in the government PRETEND that it isn’t or HIDE the process of consenting. See:

*Hot Issues: Invisible Consent**, SEDM

<https://sedm.org/invisible-consent/>

4.2. You are therefore GUILTY until YOU prove you are INNOCENT. Thus, you are put in the UNFORTUNATE and UNTENABLE position of “proving a negative” if you don’t want to join.

4.3. This is IN SPITE of the fact that in the legal field, all presumptions are a violation of due process unless a Merchant/Buyer relationship is being executed and the presumptions are part of the terms of the offer that you have VOLUNTARILY accepted. See:

Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction, Form #05.017

<https://sedm.org/Forms/05-MemLaw/Presumption.pdf>

5. The CIVIL RULES for the social compact are implemented by the civil statutory law:

5.1. Civil statutory law functions essentially as the “club rules” for a Private Membership Association (P.M.A.).

5.2. Civil statutory law is MOST of the law that governments enact.

6. The method of LEGALLY and CIVILLY “joining” the social compact is to choose a civil DOMICILE. See:

Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002

<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

- 1 7. Those who CONSENSUALLY join acquire a CIVIL LEGAL STATUTORY status:
2 7.1. The CIVIL STATUS is described in:
3 *Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008
4 <https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>
5 7.2. The CIVIL STATUS is the SUBJECT of rights.
6 7.3. Those volunteering for the CIVIL status are the OBJECT of rights. You HAVE to volunteer, usually by filling
7 out an application, order to ACQUIRE and volunteer as SURETY for the civil status. Otherwise, unconstitutional
8 involuntary servitude would be the result under the Thirteenth Amendment.
9 7.4. The CIVIL status functions as a “res”, which is a collection of rights and obligations.
10 8. To CIVILLY/LEGALLY join, you have to “pay to play”. This means:
11 8.1. Choosing a civil statutory domicile or having one FOISTED upon you in an act of SLAVERY and HUMAN
12 TRAFFICKING. See:
13 *Identity Theft Affidavit*, Form #14.020
14 https://sedm.org/Forms/14-PropProtection/Identity_Theft_Affidavit-f14039.pdf
15 8.2. Registering to vote, which has domicile as a prerequisite. The following Utah state Congressman says that
16 registering to vote creates an IRREBUTTABLE presumption of DOMICILE, and thus being LIABLE for income
17 taxes. Irrebuttable presumptions, also called “conclusive presumptions” are UNCONSTITUTIONAL per the
18 U.S. Supreme Court in *Heiner v. Donnan*, 285 U.S. 312 (1932):
19 *Senate Debate of SB33, Changes to Utah Tax Code 59-10-136 Creating Irrebuttable Presumption of Domicile if*
20 *You Register to Vote and subsequently ACTUALLY vote in Utah*, Exhibit #01.026
21 https://sedm.org/Exhibits/EX01.026-Utah_Legislature_Domicile_Debate-59-10-136-SB33-%204310-02-28-revisions-Voting%20is%20a%20privilege.mp4
22 8.3. Paying income taxes BASED on domicile as indicated above in Form #05.002.
23 9. The fact that you can’t exercise the POLITICAL privilege of voting without a domicile makes the income tax function
24 essentially as an unconstitutional poll tax. See:
25 9.1. *Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: “voting”
26 <https://famguardian.org/TaxFreedom/CitesByTopic/voting.htm>
27 9.2. *Proof of Facts: That the Income Tax is an UNCONSTITUTIONAL Poll Tax*, SEDM
28 <https://sedm.org/proof-that-the-income-tax-is-a-poll-tax/>
29 10. Because governments lust and covet YOUR money, they will try to:
30 10.1. Confuse POLITICAL membership with LEGAL/CIVIL membership to falsely make you believe that they are
31 synonymous. This is called “equivocation”.
32 10.2. Call any attempts to expose the equivocation “frivolous” and try to penalize it.
33 10.3. Hide the ability of the average American to claim “nonresident alien” status. See:
34 *Proof that American Nationals are Nonresident Aliens*, Form #09.081
35 <https://sedm.org/Forms/09-Procs/ProofAnNRA.pdf>
36 10.4. Create all kinds of propaganda designed to confuse and obfuscate claiming “nonresident alien” status. See:
37 *Rebutted False Arguments About the Nonresident Alien Position When Used by American Nationals*, Form
38 #08.031
39 <https://sedm.org/Forms/08-PolicyDocs/RebArgNRA.pdf>
40 11. If you want to be a POLITICAL member without being a CIVIL member, then you will be IRRATIONALLY
41 ATTACKED and even SLANDERED by government tyrants and FALSELY called:
42 11.1. An “anarchist”, even though the REAL “anarchist” is the government itself by virtue of not following any of the
43 rules they make for others. See:
44 *Your Irresponsible, Lawless, and Anarchist Beast Government*, Form #05.054
45 <https://sedm.org/Forms/05-MemLaw/YourIrresponsibleLawlessGov.pdf>
46 11.2. A “sovereign citizen”, which is clearly an oxymoron. See:
47 *Policy Document: Rebutted False Arguments About Sovereignty*, Form #08.018
48 <https://sedm.org/Forms/08-PolicyDocs/RebFalseArgSovereignty.pdf>
49 12. All of the above rules are “Third Rail Issues”.
50 12.1. Third rail issues are always surrounded and protected by equivocation so that people in government don’t have to
51 talk clearly about them.
52 12.2. If you expose these rules and use them in litigation against the government, the only choice they have is to either
53 go silent or ignore them, because not doing so would be the equivalent of committing professional and
54 commercial suicide.
55 12.3. For more on “Third Rail Issues” that government can’t talk about, see:

5 Membership in a Specific Class, Status, or Group As a Cause for Loss of Rights¹

A frequent source of debate on this site is the discrimination and inequality imposed by creating and enforcing civil franchises, how this inequality constitutes discrimination, and how it also causes a loss of constitutional rights. In the constitution, all protected “persons”, who are all HUMAN BEINGS are treated AND TAXED equally. So how does one become UNEQUAL and how can this inequality be PREVENTED? That is the subject of this article.

In speaking of the loss of constitutional rights at the hands of government, the U.S. Supreme Court has held:

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.

From this it is apparent that, down to the time of the adoption of the Fourteenth Amendment, it was not supposed that statutes regulating the use, or even the price of the use, of private property necessarily deprived an owner of his property without due process of law. Under some circumstances they may, but not under all. The amendment does not change the law in this particular: it simply prevents the States from doing that which will operate as such a deprivation.
[Munn v. Illinois, 94 U.S. 113 (1877); SOURCE:
https://scholar.google.com/scholar_case?case=6419197193322400931*]*

The term “compact” as used above means CONTRACT. Look it up if you don’t believe us. So can the government FORCE you to contract with them? NO! They are created to protect your right to contract or not contract with anyone and everyone, including THEM. If you can’t refuse to contract with the government, then you don’t own yourself because they can put anything in the contract or “social compact” they want! And what form does this “social compact take”? The civil statutory codes, that’s what. Rebut the following if you disagree or be found to agree:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037
<https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

The above Munn case, however, raises many more questions than it answers, because they are hiding a large part of the truth from the reader, as we will explain later:

1. If the Declaration of Independence says that all just powers of government derive from the consent of the governed, then what exactly constitutes CONSENT in this context?

¹ Source: *Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008, Section 12.6; <https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>.

2. What if one chooses to not consent to ANYTHING the government offers? Would they THEN retain all their constitutional rights and lose none of them to civil statutory regulation?
3. Is it possible to not give up ANY constitutional rights without being punished, ostracized, or targeted for economic sanctions such as those that result from not getting a “RES-IDENT” ID card or a driver's license?
4. Exactly WHAT constitutes “membership” that causes a loss of CONSTITUTIONAL or PRIVATE rights? Is it:
 - 4.1. “nationality”?
 - 4.2. “residence”? In the tax code this is the temporary dwelling place of an ALIEN who is NOT a national or a citizen
 - 4.3. “domicile”? You can’t register to vote without a domicile within the district, and since you can only have one domicile, you can only vote in ONE place at a time. Voters are certainly POLITICAL members of the community by virtue of their ability to vote, but does that imply that they are LEGAL or CIVIL “persons” under the civil code? [Form #05.002](#) proves that they are.
 - 4.4. A VOLUNTARY franchise status such as “spouse” (under the family code), “person”, “taxpayer” (under the tax code), driver (under the vehicle code), or “citizen”, or “resident” under the civil code?

The only ones in the above list item 4 that ARE consensual are the last three: residence, domicile, and franchise statuses. And we prove in [Form #05.002](#) that 4.2 and 4.3 are a civil statutory protection franchises, so they are a subset of item 4.4 above indirectly. Nationality is NOT consensual, because an act of birth is not an explicit act of consent. “Residence” is consensual in the case of aliens because you don’t have to BE in a foreign country if you don’t want to. Presence on the territory of a foreign country on the part of an alien is a PRIVILEGE, not a right.

The reasons for not allowing to other aliens exemption 'from the jurisdiction of the country in which they are found' were stated as follows: 'When private individuals of one nation [states of the Unions are "nations" under the law of nations] spread themselves through another as business or caprice may direct, mingling indiscriminately with the inhabitants of that other, or when merchant vessels enter for the purposes of trade, it would be obviously inconvenient and dangerous to society, and would subject the laws to continual infraction, and the government to degradation, if such individuals or merchants did not owe temporary and local allegiance, and were not amenable to the jurisdiction of the country. Nor can the foreign sovereign have any motive for wishing such exemption. His subjects thus passing into foreign countries are not employed by him, nor are they engaged in national pursuits. Consequently, there are powerful motives for not exempting persons of this description from the jurisdiction of the country in which they are found, and no one motive for requiring it. The implied license, therefore, under which they enter, can never be construed to grant such exemption.' 7 Cranch, 144.

In short, the judgment in the case of The Exchange declared, as incontrovertible principles, that the jurisdiction of every nation within its own territory is exclusive and absolute, and is susceptible of no limitation not imposed by the nation itself; that all exceptions to its full and absolute territorial jurisdiction must be traced up to its own consent, express or implied; that upon its consent to cede, or to waive the exercise of, a part of its territorial jurisdiction, rest the exemptions from that jurisdiction of foreign sovereigns or their armies entering its territory with its permission, and of their foreign ministers and public ships of war; and that the implied license, under which private individuals of another nation enter the territory and mingle indiscriminately with its inhabitants, for purposes of business or pleasure, can never be construed to grant to them an exemption from the jurisdiction of the country in which they are found. See, also, Carlisle v. U. S. (1872) 16 Wall. 147, 155 ; Radich v. Hutchins (1877) 95 U. S. 210 ; Wildenhuss' Case (1887) 120 U. S. 1, 7 Sup. Ct. 385 ; Chae Chan Ping v. U. S. (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)]

“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 I, Chapter 19, Section 213, p. 87]

So, the ONLY thing left that they can be talking about above that might cause a VOLUNTARY surrender of rights are franchises, which are then defined as temporary GRANTS of government property, keeping in mind that RIGHTS are also property. On this website, we use the term “franchise” and “privilege” interchangeably. We have never seen a court ruling that distinguishes the two, and privilege is used in the definition, so they are synonymous for all practical purposes. Below is the definition:

FRANCHISE. A special privilege conferred by government on individual or corporation, and which does not belong to citizens of country generally of common right. *Elliott v. City of Eugene*, 135 Or. 108, 294 P. 358, 360. In England it is defined to be a royal privilege in the hands of a subject.

A “franchise,” as used by Blackstone in defining quo warranto, (3 Com. 262 [4th Am. Ed.] 322), had reference to a royal privilege or branch of the king’s prerogative subsisting in the hands of the subject, and must arise from the king’s grant, or be held by prescription, but today we understand a franchise to be some special privilege conferred by government on an individual, natural or artificial, which is not enjoyed by its citizens in general. *State v. Fernandez*, 106 Fla. 779, 143 So. 638, 639, 86 A.L.R. 240.

In this country a franchise is a privilege or immunity of a public nature, which cannot be legally exercised without legislative grant. To be a corporation is a franchise. The various powers conferred on corporations are franchises. The execution of a policy of insurance by an insurance company [e.g. Social Insurance/Socialist Security], and the issuing a bank note by an incorporated bank [such as a Federal Reserve NOTE], are franchises. *People v. Utica Ins. Co.*, 15 Johns. (N.Y.) 387, 8 Am.Dec. 243. But it does not embrace the property acquired by the exercise of the franchise. *Bridgeport v. New York & N.H. R. Co.*, 36 Conn. 255, 4 Am.Rep. 63. Nor involve interest in land acquired by grantee. *Whitbeck v. Funk*, 140 Or. 70, 12 P.2d. 1019, 1020. 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.

General and Special. The charter of a corporation is its “general” franchise, while a “special” franchise consists in any rights granted by the public to use property for a public use but-with private profit. *Lord v. Equitable Life Assur. Soc.*, 194 N.Y. 212, 87 N.E. 443, 22 L.R.A. (N.S.) 420.
[*Black’s Law Dictionary, Fourth Edition, pp. 786-787*]

Note the phrase “which does not belong to citizens of country generally of common right”, meaning that it does NOT apply EQUALLY to everyone in society, but only a SUBSET of people in the society. How then does one join this SUBSET that are participants in the franchise, one might ask? The answer is that you must have government property or even statutory privileges in “your hands” to prove that you are a “subject” of the franchise. But WHAT SPECIFIC property exactly are they referring to?

The word “privilege” in the above definition is a code word for grants of government property. A “grant” is a temporary loan of property with usually civil legal strings or conditions or obligations attached. The property can be demanded to be returned at any time by the grantor, which would then constitute a revocation of the franchise. Here is an example of the use of these two words as synonyms by the same court quoted in the lead post:

“We have repeatedly held that the Federal Government may impose appropriate conditions on the use of federal property or privileges and may require that state instrumentalities comply with conditions that are reasonably related to the federal interest in particular national projects or programs. See, e. g., *Ivanhoe Irrigation Dist. v. McCracken*, 357 U.S. 275, 294-296 (1958); *Oklahoma v. Civil Service Comm’n*, 330 U.S. 127, 142 -144 (1947); *United States v. San Francisco*, 310 U.S. 16 (1940); cf. *National League of Cities v. Usery*, 426 U.S. 833, 853 (1976); *Fry v. United States*, 421 U.S. 542 (1975). A requirement that States, like all other users, pay a portion of the costs of the benefits they enjoy from federal programs is surely permissible since it is closely related to the [435 U.S. 444, 462] federal interest in recovering costs from those who benefit and since it effects no greater interference with state sovereignty than do the restrictions which this Court has approved.”
[*Massachusetts v. United States*, 435 U.S. 444 (1978); SOURCE:
https://scholar.google.com/scholar_case?case=16842193024599209893]

Later in the *Munn Case*, the same court obtusely admits that this is exactly what they are doing:

“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.

[. . .]

“It is only where some right or privilege [which are GOVERNMENT PROPERTY] 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 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.”

[Munn v. Illinois, 94 U.S. 113 (1877); SOURCE:

https://scholar.google.com/scholar_case?case=6419197193322400931]

“The State in such cases exercises no greater right than an individual may exercise over the use of his own property when leased or loaned to others. The conditions upon which the privilege shall be enjoyed being stated or implied in the legislation authorizing its grant, no right is, of course, impaired by their enforcement. The recipient of the privilege, in effect, stipulates to comply with the conditions. It matters not how limited the privilege conferred, its acceptance implies an assent to the regulation of its use and the compensation for it.”

[Munn v. Illinois, 94 U.S. 113 (1877);SOURCE:

https://scholar.google.com/scholar_case?case=6419197193322400931]

So, the source of the government’s ability to enact civil legislation that regulates otherwise private, constitutionally protected property is the receipt and grant of government property of one kind or another with civil legal strings attached. That property can take the following forms listed:

[5 U.S. Code §553 – Rule making](#)

(a) This section applies, according to the provisions thereof, except to the extent that there is involved—

(2) a matter relating to [agency](#) management or personnel or to public property, loans, grants, benefits, or contracts.

The context for the lead quote then is that membership implies receipt of at least one of the above types of government property, which includes government offices, public property, loans, grants, benefits, and contracts, all of which are property. So we must then ask ourself:

1. What SPECIFIC type of “membership” are they talking about in the lead post?
2. How is it measured and identified and proven with evidence in court?
3. Why didn’t they IDENTIFY IN THE RULING HOW to identify when and how membership was pursued by the target of the enforcement action or regulation? Are they trying to hide it?
4. The definition of “franchise” above uses the phrase “in the hands of the subject”, as if to imply that it is property in the custody or “benefit” of the recipient. But HOW exactly can we prove with evidence that it is “IN YOUR HANDS”, because that in fact is exactly and only HOW you become a “subject” as they call it.

The answer is that they are talking about civil statuses under franchises to which privileges (public rights), or obligations are attached. In other words, to find the NAME of the “membership” they are talking about, you look in the definition section of the civil statutes which regulate and find definitions for various types of civil “persons” to whom the obligations attach, such as “driver” (under the vehicle code), “spouse” (under the family code), “citizen” or “resident” or “taxpayer” under the tax code, “person” (under civil statutes). Each of these civil statuses is what the U.S. Supreme court calls a “class”, and only members of that class are targeted to both RECEIVE the privilege (public right) AND to have the liability described. Here is how they describe it in the landmark case of Pollock v. Farmer’s Loan and Trust, in which the FIRST income tax of the modern era was declared UNCONSTITUTIONAL:

“The income tax law under consideration is marked by discriminating features which affect the whole law. It discriminates between those who receive an income of four thousand dollars and those who do not. It thus vitiates, in my judgment, by this arbitrary discrimination, the whole legislation. Hamilton says in one of his papers, (the Continentalist,) “the genius of liberty reprobates everything arbitrary or discretionary in taxation. It exacts that every man, by a definite and general rule, should know what proportion of his property the State demands; whatever liberty we may boast of in theory, it cannot exist in fact while [arbitrary] assessments continue.” 1 Hamilton’s Works, ed. 1885, 270. 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 [e.g. wars, political conflict, violence, anarchy]. It was hoped and believed that the great amendments to the Constitution which followed the late civil war had rendered such legislation impossible for all future time. But the objectionable legislation reappears in the act under consideration. It is the same in essential character as that of the English income statute of 1691, which taxed Protestants at a certain rate, Catholics, as a class, at double the rate of

Protestants, and Jews at another and separate rate. Under wise and constitutional legislation every citizen should contribute his proportion, however small the sum, to the support of the government, and it is no kindness to urge any of our citizens to escape from that obligation. If he contributes the smallest mite of his earnings to that purpose he will have a greater regard for the government and more self-respect ⁵⁹⁷*⁵⁹⁷ for himself feeling that though he is poor in fact, he is not a pauper of his government. And it is to be hoped that, whatever woes and embarrassments may betide our people, they may never lose their manliness and self-respect. Those qualities preserved, they will ultimately triumph over all reverses of fortune."

[...]

"Here I close my opinion. I could not say less in view of questions of such gravity that go down to the very foundation of the government. If the provisions of the Constitution can be set aside by an act of Congress, where is the course of usurpation to end? **The present assault upon capital is but the beginning. It will be but the stepping-stone to others, larger and more sweeping, till our political contests will become a war of the poor against the rich; a war constantly growing in 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." If the purely arbitrary limitation of \$4000 in the present law can be sustained, none having less than that amount of income being assessed or taxed for the support of the government, the limitation of future Congresses may be fixed at a much larger sum, at five or ten or twenty thousand dollars, parties possessing an income of that amount alone being bound to bear the burdens of government; or the limitation may be designated at such an amount as a board of "walking delegates" may deem necessary. There is no safety in allowing the limitation to be adjusted except in strict compliance with the mandates of the Constitution which require its taxation, if imposed by direct taxes, to be apportioned among the States according to their representation, and if imposed by indirect taxes, to be uniform in operation and, so far as practicable, in proportion to their property, equal upon all citizens. **Unless the rule of the Constitution governs, a majority may fix the limitation at such rate as will not include any of their own number."**

[Pollock v. Farmers' Loan & Trust Co., 157 U.S. 429 (Supreme Court 1895); SOURCE: https://scholar.google.com/scholar_case?case=7292056596996651119]

Note the use of the word "discriminates". This is a sign that they are talking about a VOLUNTARY franchise to which you must be a member to be the target of the UNCONSTITUTIONAL tax, which they call "class legislation". The DISTINCTION they are talking about is the CIVIL STATUS of the group targeted for the tax, instead of treating everyone equally. That status, in the case of the Internal Revenue Code is [STATUTORY "citizen"](#), [STATUTORY "resident"](#), ["nonresident alien" \(Form #05.020\)](#), ["person" \(Form #08.023\)](#), and "taxpayer". Each of these civil statutory statuses has a different subset of privileges (public rights) and corresponding obligations under the I.R.C. Since those privileges and obligations are not equal for every one of these statuses, then based on Pollock above, the tax code is "class legislation". Another name for that is FRANCHISES. Franchises are also sometimes called "special law":

"special law. *One relating to particular persons or things; one made for individual cases or for particular places or districts; one operating upon a selected class, rather than upon the public generally. A private law. A law is "special" when it is different from others of the same general kind or designed for a particular purpose, or limited in range or confined to a prescribed field of action or operation. A "special law" relates to either particular persons, places, or things or to persons, places, or things which, though not particularized, are separated by any method of selection from the whole class to which the law might, but not such legislation, be applied. Utah Farm Bureau Ins. Co. v. Utah Ins. Guaranty Ass'n, Utah, 564 P.2d. 751, 754. A special law applies only to an individual or a number of individuals out of a single class similarly situated and affected, or to a special locality. Board of County Com'rs of Lemhi County v. Swensen, Idaho, 80 Idaho 198, 327 P.2d. 361, 362. See also Private bill; Private law. Compare General law; Public law."*
[Black's Law Dictionary, Sixth Edition, pp. 1397-1398]

VOLUNTARY franchises are the main method of creating INEQUALITY, implementing "special law", and violating what the above case calls "uniformity". When INEQUALITY is present, UNIFORMITY cannot be present because the tax discriminates against certain classes while not taxing others or taxing them at a reduced rate. Below is an example of this phenomenon:

"Revenue Laws relate to taxpayers [instrumentalities, officers, employees, and elected officials of the [national Government](#)] and not to non-taxpayers [[non-resident non-persons domiciled in states of the Union](#) without the exclusive jurisdiction of the national Government]. The latter are without their scope. No procedures are prescribed for non-taxpayers and no attempt is made to annul any of their Rights or Remedies in due course of law. With them [non-taxpayers] Congress does not assume to deal and they are neither of the subject nor of the object of federal revenue laws."
[[Economy Plumbing & Heating v. U.S., 470 F.2d. 585 \(1972\)](#)]

Those who argue against the idea that “taxpayer” is a privilege have no defense for the above except perhaps to say that the “nontaxpayer” above was not the SPECIFICALLY liable party, but that there was indeed an ACTUAL “taxpayer” in the above case. But WHAT about people who DO NOT WANT to BE “taxpayers” and are victims of identity theft by the filers of false information returns? Why can’t THEY claim that there IS no “taxpayer” in their case, and that the fiction of “taxpayer” is a product of a crime, and that they instead, like the above case retain all their constitutional rights and remedies? That crime is described in:

Government Identity Theft, Form #05.046

<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

They have no answer for that other than to say “frivolous” and have no rebuttal for any of the other evidence in this article. HOGWASH! Its frivolous to say an argument is bad without rebutting the evidence it is based on, which is in this article. Here is another example:

*“A reasonable construction of the taxing statutes does not include vesting any tax official with absolute power of assessment against **individuals not specified in the statutes as a person liable for the tax without an opportunity for judicial review of this status before the appellation of ‘taxpayer’ is bestowed upon them and their property is seized...**”*
[Botta v. Scanlon, 288 F.2d 504 (2nd Circuit Court of Appeals, March 6, 1961)]

In the above case:

1. Botta v. Scanlon was a claim for a refund based on the Fifth Amendment.
[Botta v. Scanlon, 288 F.2d 504 \(2nd Circuit Court of Appeals, March 6, 1961\)](#)
2. The basis of the claim was honored.
3. So there is a constitutional Remedy.
4. Botta was a Nontaxpayer.
5. The only difference between the Botta Case and most other cases is the “taxpayer” status.
6. Those who INVOKE “taxpayer” status CANNOT accompany their claim with a constitutional claim.
7. So it’s ONE or the other: CONSTITUTION, or STATUTES, but never BOTH.
8. Botta was ONLY a CONSTITUTIONAL claim, not a statutory claim.

Constitutional claims ARE permitted for those who have their property seized and who are NOT “taxpayers” but are still protected by the Fifth Amendment. So “taxpayer” does come with obligations, and the obligations are that you LOSE constitutional protections. The U.S. Supreme Court even WARNS people that citing ANY statute waives constitutional rights, so you can’t claim a statutory status without forfeiting constitutional rights and replacing them with civil statutory privileges:

The Court developed, for its own governance in the cases confessedly within its jurisdiction, a series of rules under which it has avoided passing upon a large part of all the constitutional questions pressed upon it for decision. They are:

[. . .]

6. The Court will not pass upon the constitutionality of a statute at the instance of one who has availed himself of its benefits. [FN7 Great Falls Mfg. Co. v. Attorney General, 124 U.S. 581, 8 S.Ct. 631, 31 L.Ed. 527; Wall v. Parrot Silver & Copper Co., 244 U.S. 407, 411, 412, 37 S.Ct. 609, 61 L.Ed. 1229; St. Louis Malleable Casting Co. v. Prendergast Construction Co., 260 U.S. 469, 43 S.Ct. 178, 67 L.Ed. 351.](#)

FOOTNOTES:

[FN7 Compare Electric Co. v. Dow, 166 U.S. 489, 17 S.Ct. 645, 41 L.Ed. 1088; Pierce v. Somerset Ry., 171 U.S. 641, 648, 19 S.Ct. 64, 43 L.Ed. 316; Leonard v. Vicksburg, etc., R. Co., 198 U.S. 416, 422, 25 S.Ct. 750, 49 L.Ed. 1108.](#)
[Ashwander v. Tennessee Valley Authority, 297 U.S. 288, 56 S.Ct. 466 (1936)]

What if you don’t volunteer to be a “taxpayer”? You retain Fifth Amendment protections.

"Taxpayer" status isn't related DIRECTLY to your liability based on our reading of 26 C.F.R. §1.1-1, but it does produce an obligation to surrender constitutional or Fifth Amendment Remedy, based on Botta. A LOSS of a specific remedy such as a constitutional remedy is, no doubt, an obligation you can't avoid if you claim the status. Can obligations without corresponding consideration be valid without consent? NO.

So, you're a volunteer. Congress CANNOT by any legislation, compel a surrender of ALL constitutional protections. You must volunteer for the status that does so. Any other way is involuntary servitude.

That case even equated "liability" with "taxpayer" status. The only difference in Botta is that by "liability", they don't mean TAX liability, but liability to surrender constitutional protections. It's not poorly worded. It's encrypted truth.

Subsequent to the Botta Case, on Nov. 2, 1966, Congress enacted [26 U.S.C. §7426](#) giving remedy to "persons other than taxpayers". Did these people suddenly LOSE their Fifth Amendment protections after this enactment? NO. Beyond that point, they had an administrative remedy to DISGUISE their Fifth Amendment remedy in administrative language. They still didn't need "taxpayer" to get a remedy. But they had to agree to become a statutory "person" with a civil status who is now an "individual" who is subject. So these wrongful targets of enforcement activity were compelled to exchange CONSTITUTIONAL rights for STATUTORY privileges and became subject, even if they previously were not. See legislative notes under the statute:

26 U.S. Code § 7426 – Civil actions by persons other than taxpayers
<https://www.law.cornell.edu/uscode/text/26/7426>

BUT, nontaxpayers can still invoke constitutional remedies if they don't want the statute or the status or its liabilities. 26 U.S.C. §7426 is not exclusive and CAN'T be exclusive because it doesn't deal with GOVERNMENT property. It protects PRIVATE property under the Fifth Amendment just like in Botta.

Keep in mind that "taxpayer" is a STATUTORY "civil status" or franchise status is PROPERTY, and that it was legislatively created by Congress. Whatever Congress creates it literally OWNS and controls, including anyone and everyone claiming the status. That's the hypothesis proven in the following article:

Hierarchy of Sovereignty: The Power to Create is the Power to Tax, Family Guardian Fellowship
<https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm>

The U.S. Supreme Court has also admitted that the legislative creator of a thing is the owner and only legitimate controller:

Although Crowell and Raddatz do not explicitly distinguish between rights created by Congress [PUBLIC RIGHTS] and other [PRIVATE] rights, such a distinction underlies in part Crowell's and Raddatz' recognition of a critical difference between rights created by federal statute and rights recognized by the Constitution. Moreover, such a distinction seems to us to be necessary in light of the delicate accommodations required by the principle of separation of powers reflected in Art. III. The constitutional system of checks and balances is designed to guard against "encroachment or aggrandizement" by Congress at the expense of the other branches of government. Buckley v. Valeo, 424 U.S., at 122, 96 S.Ct., at 683. But when Congress creates a statutory right [a "privilege" or "public right" in this case, such as a "trade or business"], it clearly has the discretion, in defining that right, to create presumptions, or assign burdens of proof, or prescribe remedies; it may also provide that persons seeking to vindicate that right must do so before particularized tribunals created to perform the specialized adjudicative tasks related to that right. FN35 Such provisions do, in a sense, affect the exercise of judicial power, but they are also incidental to Congress' power to define the right that it has created. No comparable justification exists, however, when the right being adjudicated is not of congressional creation. In such a situation, substantial inroads into functions that have traditionally been performed by the Judiciary cannot be characterized merely as incidental extensions of Congress' power to define rights that it has created. Rather, such inroads suggest unwarranted encroachments upon the judicial power of the United States, which our Constitution reserves for Art. III courts.

[Northern Pipeline Const. Co. v. Marathon Pipe Line Co., 458 U.S. 50, 102 S.Ct. 2858 (1983)]

In the case of "taxpayer" per the above, Congress has dictated that ONLY "taxpayers" can go to Tax Court, and that they have the burden of proof as the "transferee" of government property under [26 U.S.C. §6903](#), to prove NON-LIABILITY. In other words, they have the unfortunate burden to prove a NEGATIVE, which is absurd and a literal impossibility in most cases. In other words, they are GOVERNMENT WHORES until they prove that they are NOT. Imagine the irony of the following quote proving this, which says "the taxpayer" has the burden, who simply by invoking the status, is a government whore:

1 *"...the taxpayer can not be left in the unpardonable position of having to prove a negative"*
2 *[Elkins v. United States, 364 U.S. 206, 218, 80 S.Ct. 1437, 1444, 4 L.Ed.2d. 1669 (1960) ; Flores v. U.S., 551*
3 *F.2d. 1169, 1175 (9th Cir. 1977); Portillo v Comm'r, 932 F.2d. 938, Affirming, reversing and remanding 58*
4 *TCM 1386, Dec 46, 373 (M), TC Memo, 1990-68 [91-2 USTC P50, 304]; Weimerschirch [79-1 USTC P9359],*
5 *596 F.2d. at 361]*

6 To this irony we respond with the following:

7 *"Maddam, you have all the equipment necessary to be a whore, but that does not make you one by presumption.*
8 *Until such time as you demonstrate the traits of a whore or claim to be one, I'll presume that you are a lady who*
9 *will be treated with respect."*

10 *"Maddam, we've already established you are a whore. We're just negotiating the PRICE now. Taxpayers are*
11 *whores."*

12 Could it be that our detractor who ejected us from his forum didn't want his clients or friends, who he advocates calling
13 themselves "taxpayers" on government forms, being referred to as WHORES? Probably so. He knew that the only remedy
14 he could offer was a CIVIL STATUTORY remedy which required that his clients surrender ALL their constitutional rights
15 to get an administrative remedy to recover money unlawfully withheld or reported or levied upon them AFTER they made
16 the mistake of claiming to be "taxpayers" on government forms absent duress. Our detractor also incorrectly interpreted
17 our allegation of being a whore as a "taxpayer" or civil "person", but GOD is the one who gave it that name, not us. See:

Are You "Playing the Harlot" with the Government?, SEDM
<https://sedm.org/are-you-playing-the-harlot/>

18 This detractor also told us that "taxpayer" really only means someone who PAID the "tax", not someone who actually
19 surrenders any remedies, and cited court cases to prove it that even the IRS says cannot form the basis for a reasonable
20 belief. To that, we respond by saying that if you HAVE to use a government form that identifies the submitter then simply
21 attach or add a definition to the form defining the word "taxpayer" as follows:

22 *"2. "taxpayer":*
23 *2.1. A fictional creation of Congress.*
24 *2.2. Described in 26 U.S.C. §7701(a)(14) and 26 U.S.C. §1313.*
25 *2.3. A civil statutory status that is domiciled in the "United States**" (federal zone, not a state of the Union) as*
26 *defined in 26 U.S.C. §7701(a)(9) and (a)(10) as required by Federal Rule of Civil Procedure 17.*
27 *2.4. Not a human being.*
28 *2.5. Animated by a human being under criminal compulsion to accept the civil obligations attached to the status*
29 *in violation of the Thirteenth Amendment, human trafficking laws, identity theft criminal statutes, and criminal*
30 *laws prohibiting peonage.*
31 *2.6 Suffers the disabilities of someone who has surrendered ALL of their constitutional rights and exchanged*
32 *them for statutory public privileges. See Ashwander v. Tennessee Valley Authority, 297 U.S. 288, 56 S.Ct. 466*
33 *(1936), Brandeis Rules, Rule 6.*

34 *See "nontaxpayer" later. It is BAD ENOUGH that I am a victim of human trafficking as a target of illegal tax*
35 *enforcement and criminal identity theft, but to force me to submit a tax form that identifies me as a "taxpayer"*
36 *who consents to the peonage to procure the PRIVILEGE of getting a criminal mafia to "leave me alone" (which*
37 *is the legal definition of "justice", by the way) is unconscionable."*
38 *[Tax Form Attachment, Form #04.201, Section 4: Definitions of Key Words of Art; [https://sedm.org/Forms/04-](https://sedm.org/Forms/04-Tax/2-Withholding/TaxFormAtt.pdf)*
39 *[Tax/2-Withholding/TaxFormAtt.pdf](https://sedm.org/Forms/04-Tax/2-Withholding/TaxFormAtt.pdf)]*

40 You know what they said to this suggestion?

41 *"I am not going to risk not getting my refund through the statutory administrative remedy provided, because*
42 *there IS no CONSTITUTIONAL remedy and sovereign immunity requires Uncle's consent to get one."*

43 How ridiculous is that? You can only lose a constitutional or Fifth Amendment right of PRIVATE property by
44 VOLUNTARILY surrendering it to pursue a statutory remedy. What he is saying is that everyone has to surrender all their
45 constitutional rights to go to court. Remember, however, that IN THE CASE OF CONSTITUTIONAL violations, there is
46 an IMPLIED WAIVER of STATUTORY sovereign immunity! We saw this earlier with the Botta case. Congress cannot
47 by legislation undermine or defeat a constitutional remedy. Only you can surrender it as PRIVATE PROPERTY.

"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)]

The next question we must ask ourselves is WHAT specific type of property listed in [5 U.S.C. §553\(a\)\(2\)](#) earlier does the CIVIL STATUS of "taxpayer", for instance, fall under. No sane or rational jury would ever call taxation a contract or a "benefit", so it can't be that. The only thing LEFT in the list is "agency management and personnel" or "public property". Why does it HAVE to be "public property", you might ask? We explain in the following article that whenever the government wants to reach extraterritorial parties, the ONLY method they have is either CONTRACT or PROPERTY. Since CONTRACTS are a TYPE of property, then it all devolves to PROPERTY:

Proof that When a Government Wants to Reach a Nonresident Extraterritorially, the ONLY way They Have to Do It is through Property, SEDM Blog
<https://sedm.org/proof-that-when-a-government-wants-to-reach-a-nonresident-extraterritorially-the-only-way-they-have-to-do-it-is-through-the-property-they-own/>

What type of property under [5 U.S.C. §553\(a\)\(2\)](#) is it? THE STATUS OF "TAXPAYER" ITSELF! If you claim the status to pursue the BENEFIT of the PUBLIC RIGHTS it entails as a "transferee", then you implicitly accept the corresponding obligations of the status. Welcome to the federal plantation, cows!

But wait a MINUTE! The U.S. Code says that when they establish a PRIVILEGED public office as "taxpayer" outside the District of Columbia, they must EXPRESSLY authorize it in the specific geographical place it is executed or else it is de facto and unlawful.

[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.

And guess what, they have NEVER done this in the exclusive jurisdiction of a constitutional state. We prove that in the following document:

Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union, Form #05.052
<https://sedm.org/Forms/FormIndex.htm>

Let's then apply these concepts to the income tax to answer some of the questions posed by this article:

1. **QUESTION:** If the Declaration of Independence says that all just powers of government derive from the consent of the governed, then what exactly constitutes CONSENT in this context?

ANSWER: Using a Social Security Number, which is what the FTC calls a "franchise mark" in connection with requesting a government "benefit" or service is what constitutes constructive consent. Also, invoking a specific status to which UNEQUAL "benefits" or public rights attach, such as "citizen", "resident", or "U.S. person". All these statuses impose a tax on WORLDWIDE earnings (watch out!) and are subject to DEDUCTIONS under [26 U.S.C. §162](#). Deductions are a commercial privilege that comes with a COST. just ask COOK in the famous case of [Cook v. Tait, 265 U.S. 47 \(1924\)](#), in which Cook, who was a nonresident alien living in Mexico, erroneously filed a 1040 tax return and therefore had to pay income tax on his earnings from Mexico. IDIOT! See the following for the sordid details of that SCAM.:

[Tax Return History-Citizenship](#), Family Guardian Fellowship
<https://famguardian.org/Subjects/Taxes/Citizenship/TaxReturnHistory-Citizenship/TaxReturnHistory-Citizenship.htm>

2. **QUESTION:** What if one chooses to not consent to ANYTHING the government offers. Would they THEN retain all their constitutional rights and lose none of them to civil statutory regulation?

ANSWER: YES.

3. **QUESTION:** Is it possible to not give up ANY constitutional rights without being punished, ostracized, or targeted for economic sanctions such as those that result from not getting a "RES-IDENT" ID card or a driver license?

ANSWER: If you can travel and conduct commerce without ID connecting you to "resident" or "domiciliary" or "citizen" or "driver" status, and obtain the ID WITHOUT a Social Security Number, then you have retained all your constitutionally protected rights because you are not a "member" as they describe in the Munn Case. But of course,

they will NEVER show you the exit door to the federal plantation, which is why they didn't discuss this in the Munn Case. What good is a government farm without cows to milk?

4. QUESTION: Exactly WHAT constitutes "membership" that causes a loss of CONSTITUTIONAL or PRIVATE rights?:

ANSWERS:

- 4.1. It is NOT "nationality" or being an American National or State National because an act of birth is not an act of consent.
- 4.2. It is "resident" status of an alien, because being here as an alien is a privilege but you don't HAVE to come here. If you come here there is an IMPLIED OBLIGATION to submit to regulations by the foreign government you are visiting.
- 4.3. It is "domicile" in the case of the civil statutory franchise codes, because they cannot be enforced without it pursuant to Federal Rule of Civil Procedure 17.
- 4.4. It is voluntarily invoking any civil status in the tax code that comes with either obligations or a REDUCTION in constitutional remedies, both of which are losses of property. Such statuses include "citizen", "resident", "person", or "taxpayer". They DO NOT include "nonresident alien" because you can be a "nonresident alien" WITHOUT being an alien who is privileged or the "individual" described in 26 U.S.C. §1441(e) or 26 C.F.R. §1.1441-1(c)(3) (SEDM Form #04.225). We call this status a "non-person". Even "taxpayer" is a form of membership, because it implies a LOSS of constitutional remedies and substituting STATUTORY remedies in their place.

In retort to our claims about "taxpayers" being a privilege, some members have suggested that the LIABILITY for income tax attaches to "citizens" and "residents" in 26 C.F.R. §1.1-1, and thus, there is no disability associated with being a statutory "taxpayer" as defined in 26 U.S.C. §7701(a)(14). This, however, cannot be true because:

1. The only way to surrender constitutional rights is with consent in some form.
2. The remedies under 26 U.S.C. §7433 pertain ONLY to STATUTORY "taxpayers"
3. The remedies under 26 U.S.C. §7433 are "exclusive", meaning EXCLUSIVE of CONSTITUTIONAL remedies.
4. The ability to "exclude" constitutional remedies betrays that federal government property is involved, because the essence of OWNERSHIP of such property is, in fact, "the right to exclude" as held by the U.S. Supreme Court:

"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,^[11] 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).

So EVEN "taxpayer" status is a privilege, as we point out in:

1. Sovereignty Forms and Instructions Online, Form #10.004, Cites by Topic: "taxpayer"
<https://famguardian.org/TaxFreedom/CitesByTopic/taxpayer.htm>
2. Who are "Taxpayers" and Who Needs a "Taxpayer Identification Number"?, Form #05.013
<https://sedm.org/Forms/05-MemLaw/WhoAreTaxpayers.pdf>
3. Your Rights as a "nontaxpayer", IRS Publication 1a
<https://sedm.org/LibertyU/NontaxpayerBOR.pdf>

Below was part of the debate we had with one of our members suggesting that one should avoid "taxpayer" status. Their identity shall remain anonymous at this point for privacy purposes. The debate was held on a Telegram chat channel that

we used to participate in, but were EJECTED from because of the issues raised in this article that the moderator positively refused to discuss but had no evidentiary basis to rebut any of the content of this article or objective reason for doing so:

5. I recognize that your channel is an important marketing platform for your services, since I don't believe that you advertise. As such, you don't want it poisoned with anything that would adversely affect your image. Thus, you can't have debates on the platform and it is thus a propaganda vehicle more than an educational tool, at least for people like me, if not for all your members. You should at least have the decency to honestly admit that to your members, or else it's another scam just like the IRS dribble we both vociferously oppose.

6. I also recognize that the channel is "your property" and that you have a right to "make all needful rules" to moderate it just like 4:3:2, including excluding specific "members", or "persons", whatever you want to call them. Far be it from me to interfere with the use of that property or anyone ELSE'S property.

7. Since there is no "benefit" or beneficial right conveyed to me by the use of your channel as property, then I choose to no longer be a "person" within your channel or community or your jurisdiction (within that channel) and I am proud and relieved of it by virtue of terminating my membership. This is the same right you claim to exercise by choosing NRA over US Person, ironically. So I must have that right or else you don't

8. The same arguments that apply to your Telegram channel apply to the government's civil membership and franchise community called "citizens", "residents", "taxpayers", and "persons". If you think they don't, then you are misleading people and promoting statism. It seems hypocritical to claim the following:

8.1 That they need your consent in some form to tax you. You allege that this consent is manifested by choosing a form of membership/status OR by demanding or accepting government property/privileges.
8.2 That as far as membership choice, you have a right to associate in the way you see fit under the First Amendment and your right to contract or NOT contract, including the right to associate politically as an NRA instead of a U.S. Person.

8.3 However, by telling me or anyone else that I MUST pick ONE of the membership statuses offered and cannot simply quit entirely from ALL civil statuses, there is a contradiction so obvious that anyone can see it. There are more choices than NRA or US Person and you know it. If there aren't we are ALL slaves in violation of the Thirteenth Amendment. Nationality is not consensual membership. Asking for government property, whether as a benefit or a domicile is consent. You only want to recognize the benefit or status component that goes with the benefit but there is more to it than that.

8.4 The contradiction of saying that I can't choose "none of the above" for a status would be the equivalent of saying: You have an OBLIGATION to participate in MY Telegram community and to obey MY rules, even though you don't want to be a member and don't see anything in there as a "benefit" or have any reason whatsoever to participate. AND YOU MUST pay your membership dues for the PRIVILEGE of doing so, or else we will levy your bank account and lien your property.

9. It's quite ironic that you say I shouldn't make it about status, but that is exactly what YOU have made it all about: Choosing the right status. The main difference between you and me is that you think no one can force you to be a "U.S. person", and that they have to give you the choice of NRA to escape obligations to avoid slavery, but you refuse to acknowledge the right to not choose ANY status and be "stateless". The U.S. Supreme Court recognizes they have no STATUTORY jurisdiction over those who are stateless, and yet you don't seem to care.

10. I'm not suggesting that any of the above membership issues should form a basis for challenging a tax liability, because the civil statutes in the IRC trade or business franchise agreement proving you aren't subject are sufficient proof without adopting ANY civil status beyond NRA. You maliciously put words in my mouth in your Telegram channel and I will not allow you to target me with such malicious, public abuse. You abused your platform to do to me exactly what you didn't want me to do to you and which I was NOT doing, which is slander you. That was never my intention and you ought to know that by now.

You can't talk butterfly talk with caterpillar people.

The opponent in the above debate could not rebut anything in this article, and until he at least rebuts it all, we must conclude that we are correct on the subject of "taxpayer" at least. In their defense, we must say that the two of us agree on 99.99% of everything and have only a small dispute over the "taxpayer" issue. They even helped us assemble some of the content of this article. We even agree that the income tax is a privilege tax, as described for the most part in:

[Why the Federal Income Tax is a Privilege Tax Upon Government Property](https://sedm.org/product/why-the-federal-income-tax-is-a-privilege-tax-on-government-property-form-04-404/), Form #04.404
<https://sedm.org/product/why-the-federal-income-tax-is-a-privilege-tax-on-government-property-form-04-404/>

Note that we ARE NOT suggesting, by this article, that claiming “non-taxpayer” status is a way to dispute a tax liability. It ISN’T and will be called “frivolous”. But we ARE saying that if you want to retain AS MANY of your CONSTITUTIONAL rights as you can and NOT surrender them in exchange for civil statutory remedies, then you must approximate as close as possible the civil status we define in our Disclaimer as a “non-resident non-person” but not CALL it that in your pleadings or correspondence. Instead, invoke the statutory terms used in the definition itself and ONLY those, so that you speak the language of your audience and don’t confuse them. That status is described as follows for the benefit of the reader at this point:

SEDM Disclaimer
Section 4, Meaning of Words

4.25 “Non-Person” or “non-resident non-person”

1. Tax status:

1.1. Is NOT a STATUTORY “nonresident alien individual” as defined in [26 U.S.C. §1441\(e\)](#) and [26 C.F.R. §1.1441-1\(c\)\(3\)\(ii\)](#), both of which are alien residents of Puerto Rico AND NO ONE ELSE.

1.2. Because they are “nonresident aliens” but not “nonresident alien individuals”, then they are not a statutory “person”. You must be an statutory “individual” to be a statutory “[person](#)” per [26 U.S.C. §7701\(a\)](#) if you are a man or woman.

More on this at: [Tax Status Presentation, Form #12.043](#).

2. Not domiciled on federal territory and not representing a corporate or governmental office that is so domiciled under [Federal Rule of Civil Procedure 17](#). See [Form #05.002](#) for details.

3. Not engaged in a public office within any government. This includes the civil office of “person”, “individual”, “citizen”, or “resident”. See [Form #05.037](#) and [Form #05.042](#) for court-admissible proof that statutory “persons”, “individuals”, “citizens”, and “residents” are public offices.

4. Not “purposefully or consensually availing themselves” of commerce with any government. Therefore, they do not waive sovereign immunity under the [Foreign Sovereign Immunities Act \(FSIA\)](#), [28 U.S.C. Chapter 97](#).

5. Obligations and Rights in relation to Governments:

5.1. Waives any and all privileges and immunities of any civil status and all rights or “entitlements” to receive “benefits” or “civil services” from any government. It is a maxim of law that [REAL de jure governments \(Form #05.043\)](#) MUST give you the right to not receive or be eligible to receive “benefits” of any kind. See Form #05.040 for a description of the SCAM of abusing “benefits” to destroy sovereignty. The reason is because they MUST guarantee your right to be self-governing and self-supporting:

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>]

5.2. Because they are not in receipt of or eligible to receive property or benefits from the government, they owe no CIVIL STATUTORY obligations to that government or any STATUTORY “citizen” or STATUTORY “resident”, as “obligations” are described in [California Civil Code Section 1428](#). This means they are not party to any contracts or compacts and have injured NO ONE as injury is defined NOT by statute, but by the common law. See [Form #12.040](#) for further details on the definition of “obligations”.

5.3. Because they owe no statutory civil obligations, the definition of “justice” REQUIRES that they MUST be left alone by the government. See [Form #05.050](#) for a description of “[justice](#)”.

6. For the purposes of citizenship on government forms:

6.1. Does NOT identify as a STATUTORY “citizen” ([8 U.S.C. §1401](#) and [26 C.F.R. §1.1-1\(c\)](#)), “resident” (alien under [26 U.S.C. §7701\(b\)\(1\)\(A\)](#)), “U.S. citizen” (not defined in any statute), “U.S. resident” (not defined in any statute), or “U.S. person” ([26 U.S.C. §7701\(a\)\(30\)](#)).

*6.2. Identifies themselves as a “national” per [8 U.S.C. §1101\(a\)\(21\)](#) and per common law by virtue of birth or naturalization within the CONSTITUTIONAL “United States***”.*

7. Earnings originate from outside:

7.1. The STATUTORY “United States**” as defined in 26 U.S.C. §7701(a)(9) and (a)(10) (federal zone) and

7.2. The U.S. government federal corporation as a privileged legal fiction.

Thus, their earnings are not includible in “gross income” under 26 U.S.C. §871 and are a “foreign estate” under 26 U.S.C. §7701(a)(31). See 26 U.S.C. §872 and 26 C.F.R. §1.872-2(f) and 26 C.F.R. §1.871-7(a)(4) and 26 U.S.C. §861(a)(3)(C)(i) for proof.

8. Does not and cannot earn STATUTORY “wages” as defined in 26 U.S.C. §3401(a) for services performed outside the STATUTORY “United States**” as defined in 26 U.S.C. §7701(a)(9) and (a)(10) (federal zone) and the CORPORATION “United States” as a legal fiction. Not subject to “wage” withholding of any kind for such services per:

8.1. 26 C.F.R. §31.3401(a)(6)-1(b) in the case of income tax.

8.2. 26 C.F.R. §31.3121(b)-3(c)(1) in the case of Social Security.

9. Expressly exempt from income tax reporting under:

9.1. 26 C.F.R. §1.1441-1(b)(5)(i).

9.2. 26 C.F.R. §1.1441-1(e)(1)(ii)(A)(1).

9.3. 26 C.F.R. §1.6041-4(a)(1).

10. Exempt from backup withholding because earnings are not reportable by 26 U.S.C. §3406(g) and 26 C.F.R. §31.3406(g)-1(e). Only “reportable payments” are subject to such withholding.

11. Because they are exempt from income tax reporting and therefore withholding, they have no “taxable income”.

11.1. Only reportable income is taxable.

11.2. There is NO WAY provided within the Internal Revenue Code to make earnings not connected to a statutory “trade or business”/public office (Form #05.001) under 26 U.S.C. §6041 reportable.

11.3. The only way to make earnings of a nonresident alien not engaged in the “trade or business” franchise taxable under 26 U.S.C. §871(a) is therefore only when the PAYOR is lawfully engaged in a “trade or business” but the PAYEE is not. This situation would have to involve the U.S. government ONLY and not private parties in the states of the Union. The information returns would have to be a Form 1042s. It is a crime under 18 U.S.C. §912 for a private party to occupy a public office or to impersonate a public office, and Congress cannot establish public offices within the exclusive jurisdiction of the states of the Union to tax them, according to the License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 68 S.Ct. 331 (1866).

12. Continue to be a “national of the United States**” (Form #05.006) and not lose their CONSTITUTIONAL citizenship while filing form 1040NR. See 26 U.S.C. §873(b)(3). They do NOT need to “expatriate” their nationality to file as a “nonresident alien” and will not satisfy the conditions in 26 U.S.C. §877 (expatriation to avoid tax). Expatriation is loss of NATIONALITY, and NOT loss of STATUTORY “citizen” status under 8 U.S.C. §1401.

13. If they submit a Form W-8 to control withholding and revoke Form W-4, then they:

13.1. Can submit SSA Form 7008 to correct their SSA earnings to zero them out. See SEDM Form #06.042.

13.2. Can use IRS Form 843 to request a full refund or abatement of all FICA and Medicare taxes withheld if the employer or business associate continues to file W-2 forms or withhold against your wishes. See SEDM Form #06.043.

14. Are eligible to replace the SSN with a TEMPORARY International Taxpayer Identification Number (ITIN) that expires AUTOMATICALLY every year and is therefore NOT permanent and changes. If you previously applied for an SSN and were ineligible to participate, you can terminate the SSN and replace it with the ITIN. If you can’t prove you were ineligible for Social Security, then they will not allow you to replace the SSN with an ITIN. See:

14.1. Form W-7 for the application.

14.2. Understanding Your IRS Individual Taxpayer Identification Number, Publication 1915

14.3. Why You Aren’t Eligible for Social Security, Form #06.001 for proof that no one within the exclusive jurisdiction of a constitutional state of the Union is eligible for Social Security.

15. Must file the paper version of IRS Form 1040NR, because there are no electronic online providers that automate the preparation of the form or allow you to attach the forms necessary to submit a complete and accurate return that correctly reflects your status. This is in part because the IRS doesn’t want to make it easy or convenient to leave their slave plantation.

16. Is a SUBSET of “nonresident aliens” who are not required to have or to use Social Security Numbers (SSNs) or Taxpayer Identification Numbers (TINs) in connection with tax withholding or reporting. They are expressly exempted from this requirement by:

16.1. 31 C.F.R. §1020.410(b)(3)(x).

16.2. 26 C.F.R. §301.6109-1(b)(2).

16.3. W-8BEN Inst. p. 1,2,4,5 (Cat 25576H).

16.4. Instructions for the Requesters of Forms W-8BEN, W-8BEN-E, W-8ECI, W-8EXP, and W-8IMY, p. 1,2,6

(Cat 26698G).
16.5. [Pub 515 Inst. p. 7 \(Cat. No 16029L\)](#).
More on SSNs and TINs at:
[About SSNs and TINs on Government Forms and Correspondence, Form #05.012](#)
[About SSNs and TINs on Government Forms and Correspondence, Form #04.104](#)
[SEDM Disclaimer, Section 4.24: “non-resident non-person”; SOURCE:
<https://sedm.org/disclaimer.htm#4.25. Non-Person>]

For an example of how such a party would respond to a collection notice, read the following:

Using the Laws of Property to Respond to a Federal or State Tax Collection Notice, Form #14.015
<https://sedm.org/using-the-laws-of-property-to-respond-to-a-federal-or-state-tax-collection-notice/>

For information about how such a person described in this article would file a tax return, see:

How to File Returns, Form #09.074 (Member Subscription form)
<https://sedm.org/product/filing-returns-form-09-074/>

If you want to read the Shepards Report on all the cases that cite *Munn v. Illinois*, see the following. This is a hugely important case:

https://famguardian.org/Subjects/PropertyPrivacy/Property/PublicVPrivate/Shepard_s_report_Munn%20v.%20Illinois%2094%20U.S.%20113.%204%20Otto%20113.%2024%20L.%20Ed.%2077.%201876%20U.S.%20LEXIS-20201228.pdf

For those readers interested in exploring their constitutional rights, the private property that they constitute, and how that private property can be LAWFULLY converted to PUBLIC/GOVERNMENT property, see:

1. *Proof: God Says Spiritual Men and Women are NOT “Persons” or “Human Beings” as Legally Defined*-SEDM Blog
<https://sedm.org/spiritual-men-and-women-are-not-human-beings-as-legally-defined/>
2. *Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>
3. *Unalienable Rights Course*, Form #12.038
<https://sedm.org/LibertyU/UnalienableRights.pdf>
4. *Separation Between Public and Private Course*, Form #12.025
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>
5. *Private Right or Public Right? Course*, Form #12.044
<https://sedm.org/LibertyU/PrivateRightOrPublicRight.pdf>
6. *Enumeration of Inalienable Rights*, Form #10.002
<https://sedm.org/Forms/10-Emancipation/EnumRights.pdf>
7. *Legal Remedies That Protect Private Rights Course*, Form #12.019 (Member Subscription form)
<https://sedm.org/product/legal-remedies-that-protect-private-rights-course-form-12-019/>

NOW do you know what the Lord means when he makes the following statement in the book of Revelation?

⁴ And I heard another voice from heaven saying, “Come out of her [the Babylon Whore De Facto Government, Form #05.043], my people, lest you share in her sins, and lest you receive of her plagues. ⁵ For her sins [lawlessness, Form #05.048] have reached to heaven, and God has remembered her iniquities. ⁶ Render to her just as she rendered to you, and repay her double [THIEVES pay DOUBLE what they STOLE, Exodus 22:7] according to her works; in the cup which she has mixed, mix double for her. ⁷ In the measure that she glorified herself and lived luxuriously [a Socialist Security Check paid for with money STOLEN from young folk who will never collect a dime, Form #11.407], in the same measure give her torment and sorrow; for she says in her heart, ‘I sit as queen, and am no widow [for Christians are married to their Husband, God, Isaiah 54:5], and will not see sorrow.’ ⁸ Therefore her plagues will come in one day—death and mourning and famine. And she will be utterly burned with fire, for strong is the Lord God who judges her.
[Rev. 18:4-8, Bible, NIKJV]

God is talking about citizenship, residence, domicile, and ALL government franchises and how we CANNOT participate and must EXIT them IMMEDIATELY. NOW do you ALSO know why we put the following warning on the opening page of our website, which indirectly is derived from the above scripture?

People of all races, genders, political beliefs, sexual orientations, and nearly all religions are welcome here. All are treated equally under REAL “law”. The only way to remain truly free and equal under the civil law is to avoid seeking government civil services, benefits, property, special or civil status, exemptions, privileges, or special treatment. All such pursuits of government services or property require individual and lawful consent to a franchise and the surrender of inalienable constitutional rights AND EQUALITY in the process, and should therefore be AVOIDED. The rights and equality given up are the “cost” of procuring the “benefit” or property from the government, in fact. Nothing in life is truly “free”. Anyone who claims that such “benefits” or property should be free and cost them nothing is a thief who wants to use the government as a means to STEAL on his or her behalf. All just rights spring from responsibilities/obligations under the laws of a higher power. If that higher power is God, you can be truly and objectively free. If it is government, you are guaranteed to be a slave because they can lawfully set the cost of their property as high as they want as a Merchant under the U.C.C. If you want it really bad from people with a monopoly, then you will get it REALLY bad. Bend over. There are NO constitutional limits on the price government can charge for their monopoly services or property. Those who want no responsibilities can have no real/PRIVATE rights, but only privileges dispensed to wards of the state which are disguised to LOOK like unalienable rights. Obligations and rights are two sides of the same coin, just like self-ownership and personal responsibility. For the biblical version of this paragraph, read 1 Sam. 8:10-22. For the reason God answered Samuel by telling him to allow the people to have a king, read Deut. 28:43-51, which is God’s curse upon those who allow a king above them. Click Here (<https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm>) for a detailed description of the legal, moral, and spiritual consequences of violating this paragraph. [SEDM Website Opening Page; <https://sedm.org>]

Below is the BIBLICAL version of the above paragraph, which is also repeated in Deut. 28:43-51:

⁶ But the thing displeased Samuel when they said, “Give us a king to judge us.” So Samuel prayed to the Lord. ⁷ And the Lord said to Samuel, “Heed the voice of the people in all that they say to you; for they have not rejected you, but they have rejected Me, that I should not reign over them.” ⁸ 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. ⁹ Now therefore, heed their voice. However, you shall solemnly forewarn them, and show them the behavior of the king who will reign over them.”

¹⁰ So Samuel told all the words of the Lord to the people who asked him for a king. ¹¹ And he said, “This will be the behavior of the king who will reign over you: He will take your sons and appoint them for his own chariots and to be his horsemen, and some will run before his chariots. ¹² He will appoint captains over his thousands and captains over his fifties, will set some to plow his ground and reap his harvest, and some to make his weapons of war and equipment for his chariots. ¹³ He will take your daughters to be perfumers, cooks, and bakers. ¹⁴ And he will take the best of your fields, your vineyards, and your olive groves, and give them to his servants. ¹⁵ He will take a tenth of your grain and your vintage, and give it to his officers and servants. ¹⁶ And he will take your male servants, your female servants, your finest young men, and your donkeys, and put them to his work. ¹⁷ He will take a tenth of your sheep. And you will be his servants. ¹⁸ And you will cry out in that day because of your king whom you have chosen for yourselves, and the Lord will not hear you in that day.”

¹⁹ Nevertheless the people refused to obey the voice of Samuel; and they said, “No, but we will have a king over us, ²⁰ 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.”
[1 Sam 8:6-20, Bible, NKJV]

The above biblical cite is again repeated in Deut. 28:43-51, and it’s the scariest curse in all the bible reserved for those who borrow government property by the methods described in this article using franchises:

Curses of Disobedience [to God’s Laws]

“The alien [Washington, D.C. is legislatively “alien” in relation to states of the Union] who is among you shall rise higher and higher above you, and you shall come down lower and lower [malicious destruction of EQUAL PROTECTION and EQUAL TREATMENT by abusing FRANCHISES]. He shall lend to you [Federal Reserve counterfeiting franchise], but you shall not lend to him; he shall be the head, and you shall be the tail.

“Moreover all these curses shall come upon you and pursue and overtake you, until you are destroyed, because you did not obey the voice of the Lord your God, to keep His commandments and His statutes which He commanded you. And they shall be upon you for a sign and a wonder, and on your descendants forever.

“Because you did not serve [ONLY] the Lord your God with joy and gladness of heart, for the abundance of everything, therefore you shall serve your [covetous thieving lawyer] enemies, whom the Lord will send against you, in hunger, in thirst, in nakedness, and in need of everything; and He will put a yoke of iron [franchise codes] on your neck until He has destroyed you. The Lord will bring a nation against you from afar [the District of CRIMINALS], from the end of the earth, as swift as the eagle flies [the American Eagle], a nation

1 whose language [LEGALESE] you will not understand, a nation of fierce [coercive and fascist] countenance,
2 which does not respect the elderly [assassinates them by denying them healthcare through bureaucratic delays
3 on an Obamacare waiting list] nor show favor to the young [destroying their ability to learn in the public
4 FOOL system]. And they shall eat the increase of your livestock and the produce of your land [with "trade or
5 business" franchise taxes], until you [and all your property] are destroyed [or STOLEN/CONFISCATED]; they
6 shall not leave you grain or new wine or oil, or the increase of your cattle or the offspring of your flocks, until
7 they have destroyed you.
8 [Deut. 28:43-51, Bible, NKJV]

9 And HERE is how this THIEVERY and enslavement by the Beast Babylon Whore is described by ITSELF!

10 "The legislation in question is nothing less than a bold assertion of absolute power by the State to control at
11 its discretion the property and business of the citizen, and fix the compensation he shall receive. The will of
12 the legislature is made the condition upon which the owner shall receive the fruits of his property and the
13 just reward of his labor, industry, and enterprise. "That government," says Story, "can scarcely be deemed to
14 be free where the rights of property are left solely dependent upon the will of a legislative body without any
15 restraint. The fundamental maxims of a free government seem to require that the rights of personal liberty
16 and private property should be held sacred." Wilkeson v. Leland, 2 Pet. 657."
17 [Munn v. Illinois, 94 U.S. 113 (1877)]

18 This is VERY serious business, folks!



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Lastly, if you the reader find anything inaccurate in this article, please immediately bring it to our attention through our Contact Us page so that we may fix it. We published this article not to somehow be “right” or better than anyone else, but to subject our research on this subject to thorough peer review so that it can be continually improved. We don’t censor or “cancel” people on this website, as the opponent described above tried to do to us or as the left makes a PROFESSION out of doing.

6 The Social Contract/Compact²

6.1 Introduction

The end of the previous section referred to what the U.S. Supreme Court called "the social compact". What most judges won't tell you about the above requirement for establishing jurisdiction is that the "social compact" is one means of satisfying the need for a "contract" in order to establish civil jurisdiction over you. In law, the words "compact" and "contract" are equivalent:

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

All civil societies are based on "compact" and therefore "contract". Here is how the U.S. Supreme Court describes this compact and therefore contract.

*"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=/supt/html/historics/USSC_CR_0003_0133_ZS.html]

Note the sentence: "**Citizenship is the effect of compact [CONTRACT!]**". By calling yourself a STATUTORY "citizen" or "person", you:

1. Identify yourself as a consenting party to the social compact/contract.
2. Abandon any claim for damage resulting from the ENFORCEMENT of the social compact/contract.

*"Voluntis 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 concentire.
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/BouviersMaxims.htm>]

² Source: *Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002; <https://sedm.org/Forms/05-MemLaw/Domicile.pdf>.

3. Consent to be “civilly governed” by the sovereignty executing and enforcing that social contract. Those who consent to the compact/contract/franchise are called a statutory “citizen” or “resident”, who collectively are called “persons” or “inhabitants”.
4. Convey the “force of law” to the civil statutes IN YOUR SPECIFIC CASE. It is private law for everyone else who didn’t consent but PUBLIC law for you:

“Consensus facit legem. Consent makes the law. A contract is a law between the parties, which can acquire force only by consent.”

[Bouvier’s Maxims of Law, 1856 Bouvier’s Maxims of Law, 1856;

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

5. Make yourself “subject” to the civil statutes that implement the civil protection contract or compact or franchise.

“Protectio trahit subjectionem, subjectio projectionem. Protection draws to it subjection, subjection, protection. Co. Litt. 65.”

[Bouvier’s Maxims of Law, 1856 Bouvier’s Maxims of Law, 1856;

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

6. Consent to receive the “benefits” of the civil law protection franchise. Acceptance of the “benefit” of civil statutory franchise protection is what can later be used to obligate you to obey the franchise.

“Cujus est commodum ejus debet esse incommodum. He who receives the benefit should also bear the disadvantage.”

[Bouvier’s Maxims of Law, 1856;

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

7. Abandon the protections of the common law, because all those who accept a statutory “benefit” or privilege always do so.

The words “privileges” and “immunities,” like the greater part of the legal phraseology of this country, have been carried over from the law of Great Britain, and recur constantly either as such or in equivalent expressions from the time of Magna Charta. For all practical purposes they are synonymous in meaning, and originally signified a peculiar right or private law conceded to particular persons or places whereby a certain individual or class of individuals was exempted from the rigor of the common law. Privilege or immunity is conferred upon any person when he is invested with a legal claim to the exercise of special or peculiar rights, authorizing him to enjoy some particular advantage or exemption.³

[The Privileges and Immunities of State Citizenship, Roger Howell, PhD, 1918, pp. 9-10;

SOURCE: http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_immunities_of_state_c.pdf]

Even the author of The Law of Nations, which is the document upon which the USA Constitution was based by the founding fathers, acknowledged that all civilizations are based upon compact and contract, called this contract the “social compact”, and said that when the government fails to be accountable for the protection sought, those being protected have a right to leave said society. Notice that the author, Vattel, refers to the parties to the social compact as “contracting parties”.

*The Law of Nations, Book I: Of Nations Considered in Themselves
§ 223. Cases in which a citizen has a right to quit his country.*

There are cases in which a citizen has an absolute right to renounce his country, and abandon it entirely — a right founded on reasons derived from the very nature of the social compact.

1. If the citizen cannot procure subsistence in his own country, it is undoubtedly lawful for him to seek it elsewhere. For, political or civil society being entered into only with a view of facilitating to each of its members the means of supporting himself, and of living in happiness and safety, it would be absurd to pretend that a member, whom it cannot furnish with such things as are most necessary, has not a right to leave it.

2. If the body of the society, or he who represents it, absolutely fail to discharge their obligations [of protection] towards a citizen, the latter may withdraw himself. For, if one of the contracting parties does not observe his engagements, the other is no longer bound to fulfil his; as the contract is reciprocal between the society and its members. It is on the same principle, also, that the society may expel a member who violates its laws.

³ See Magill v. Browne, Fed.Cas. No. 8952, 16 Fed.Cas. 408; 6 Words and Phrases, 5583, 5584; A J. Lien, “Privileges and Immunities of Citizens of the United States,” in Columbia University Studies in History, Economics, and Public Law, vol. 54, p. 31.

3. *If the major part of the nation, or the sovereign who represents it, attempt to enact laws relative to matters in which the social compact cannot oblige every citizen to submission, those who are averse to these laws have a right to quit the society, and go settle elsewhere.* For instance, if the sovereign, or the greater part of the nation, will allow but one religion in the state, those who believe and profess another religion have a right to withdraw, and take with them their families and effects. For, they cannot be supposed to have subjected themselves to the authority of men, in affairs of conscience;³ and if the society suffers and is weakened by their departure, the blame must be imputed to the intolerant party; for it is they who fail in their observance of the social compact — it is they who violate it, and force the others to a separation. We have elsewhere touched upon some other instances of this third case, — that of a popular state wishing to have a sovereign (§ 33), and that of an independent nation taking the resolution to submit to a foreign power (§ 195).
[The Law of Nations, Book 1, Section 223, Vattel; SOURCE:
http://famguardian.org/Publications/LawOfNations/vattel_01.htm#§%20224.%20Emigrants]

6.2 Government violation of the Social Contract/Compact

Item #2 at the end of the previous section, in which a government fails to discharge its obligation of “protection”, includes any one or more of the following:

1. Government refuses to protect you from GOVERNMENT abuses or violations of your rights.
2. Government refuses to recognize or protect EXCLUSIVELY PRIVATE rights.
 - 2.1. Confuses NATURAL “rights” with statutory franchise “privileges” by calling them BOTH “rights”.
 - 2.2. Interferes with common law protections for private rights and compels ONLY statutory remedies. Hence, they compel all those who are injured to become public officers in the government and surrender all their private rights and private property, because statutory remedies only apply to public officers in the government and not private humans. See:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037
<http://sedm.org/Forms/FormIndex.htm>
- 2.3. Makes a business or profitable franchise out of alienating PRIVATE rights that are supposed to be inalienable according to the Declaration of Independence. This is most often done through either offering or enforcing public franchises anywhere, and especially within states of the Union. Franchises, by definition, convert PRIVATE rights into PUBLIC rights, usually WITHOUT the consent of the owner. This causes government to do the OPPOSITE for which it was established, which is the protection of ONLY PRIVATE rights.
- 2.4. Makes a crime out of exercising PRIVATE or CONSTITUTIONAL rights. For instance, they make it a crime to operate a conveyance WITHOUT PERMISSION from the government in the form of a license. The license in turn is then used to ILLEGALLY make you into a public officer called a “driver” without your consent and often without your knowledge.
3. Government enforces unequal authority or rights to itself that they refuse to recognize that you also have.
 - 3.1. Absolute equality is the foundation of ALL of your freedom, as held by the U.S. Supreme Court. *Gulf, C. & S.F.R. Co. v. Ellis*, 165 U.S. 150 (1897).
 - 3.2. Inequality under the law violates the constitutional requirement for equal protection and equal treatment.
 - 3.3. Inequality causes government to become a civil religion in which you are the worshipper, and they are the god with superior or supernatural powers.
 - 3.4. The main method of introducing inequality is offering or enforcing franchises within a constitutional state, which is prohibited by the U.S. Supreme Court. *License Tax Cases*, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866).
 - 3.5. They will undermine equality by refusing to enforce your equal right to sovereign immunity or their burden of proving that you consensually waived it. In a government of delegated powers, they can have no more rights than you have and if they violate this concept, they are creating a religion in which taxes are tithes.
4. Government lies with impunity about anything, and especially about what the law requires or about their responsibilities under the law.
5. Government refuses to be responsible for the injuries they cause you or abuse sovereign immunity to protect themselves from culpability for said injuries.
6. Government refuses to allow you to stop subsidizing it or stop being a “customer” of its protection called a “citizen” or “resident”, and hence indirectly interferes with the ONLY method of peacefully procuring relief from their usurpations. This leaves no option OTHER than violence, and hence anarchy. Hence, they promote violence and anarchy with such policies.

“If money is wanted by Rulers who have in any manner oppressed the People, [the People] may retain [their money] until their grievances are redressed, and thus peaceably procure relief, without trusting to despised petitions or disturbing the public tranquility.”

7. Government refuses to allow you to abandon any and all civil statuses or franchises to which public rights attach. This includes:
 - 7.1. Hides statuses on government forms that would allow you to NOT be a customer for the specific service they are offering.
 - 7.2. Hides forms or not offering forms to quit.
 - 7.3. Says you can't quit.
 - 7.4. Presumes that any or all people have the civil status that allows them to regulate and control you, and that you can acquire said status WITHOUT your express consent in some form.
 - 7.5. Calls participation "voluntary" and yet hypocritically refuses to protect your right to NOT volunteer.
8. Government kidnaps your civil legal identity and transports it to a legislatively foreign jurisdiction by enforcing legislatively foreign law upon you. They do this by:
 - 8.1. Quotes or enforces foreign law not from your domicile against you.
 - 8.2. Violates Federal Rule of Civil Procedure 17(b).
 - 8.3. Uses irrelevant law or case law from a foreign jurisdiction as the equivalent of "political propaganda" designed to mislead people into obedience to it.
 - 8.4. Violates or misrepresents choice of law rules.
9. Government PRESUMES that any or all of the above are a "benefit" and then forces you to pay for it in the form of "taxes", even though YOU identify it as an INJURY and NOT a "benefit". All such "presumptions" are a violation of due process of law.

*"Cujus est commodum ejus debet esse incommodum.
He who receives the benefit should also bear the disadvantage."*

*"Que sentit commodum, sentire debet et onus.
He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433."
[Bouvier's Maxims of Law, 1856;
SOURCE: <http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>]*

6.3 Rousseau's description of the Social Contract/Compact

The terms of the "social compact" at the heart of every civilized society are exhaustively described in the following classic book by Rousseau written just before the U.S. Constitution was written:

The Social Contract or Principles of Political Right, Jean Jacques Rousseau, 1762
HTML: <http://famguardian.org/Publications/TheSocialContract-Rousseau/Rousseau%20Social%20Contract.htm>
PDF: http://famguardian.org/Publications/TheSocialContract-Rousseau/The_social_contract.pdf

Rousseau is also widely regarded as the father of socialism. In chapter 8 of the above book he even describes all governments as what he calls a "civil religion". Here is the way Rousseau describes the "social compact" that forms the foundation of all societies:

There is but one law which, from its nature, needs unanimous consent. This is the social compact; for civil association is the most voluntary of all acts. Every man being born free and his own master, no one, under any pretext whatsoever, can make any man subject without his consent. To decide that the son of a slave is born a slave is to decide that he is not born a man.

If then there are opponents when the social compact is made, their opposition does not invalidate the contract, but merely prevents them from being included in it. They are foreigners among citizens. When the State is instituted, residence constitutes consent; to dwell within its territory is to submit to the Sovereign.⁴

Apart from this primitive contract, the vote of the majority always binds all the rest. This follows from the contract itself. But it is asked how a man can be both free and forced to conform to wills that are not his own. How are the opponents at once free and subject to laws they have not agreed to?

⁴ This should of course be understood as applying to a free State; for elsewhere family, goods, lack of a refuge, necessity, or violence may detain a man in a country against his will; and then his dwelling there no longer by itself implies his consent to the contract or to its violation.

1 I retort that the question is wrongly put. The citizen gives his consent to all the laws, including those which
2 are passed in spite of his opposition, and even those which punish him when he dares to break any of them.
3 The constant will of all the members of the State is the general will; by virtue of it they are citizens and free⁵.
4 When in the popular assembly a law is proposed, what the people is asked is not exactly whether it approves or
5 rejects the proposal, but whether it is in conformity with the general will, which is their will. Each man, in
6 giving his vote, states his opinion on that point; and the general will is found by counting votes. When therefore
7 the opinion that is contrary to my own prevails, this proves neither more nor less than that I was mistaken, and
8 that what I thought to be the general will was not so. If my particular opinion had carried the day I should have
9 achieved the opposite of what was my will; and it is in that case that I should not have been free.

10 This presupposes, indeed, that all the qualities of the general will still reside in the majority: when they cease
11 to do so, whatever side a man may take, liberty is no longer possible.

12 In my earlier demonstration of how particular wills are substituted for the general will in public deliberation, I
13 have adequately pointed out the practicable methods of avoiding this abuse; and I shall have more to say of
14 them later on. I have also given the principles for determining the proportional number of votes for declaring
15 that will. A difference of one vote destroys equality; a single opponent destroys unanimity; but between equality
16 and unanimity, there are several grades of unequal division, at each of which this proportion may be fixed in
17 accordance with the condition and the needs of the body politic.

18 There are two general rules that may serve to regulate this relation. First, the more grave and important the
19 questions discussed, the nearer should the opinion that is to prevail approach unanimity. Secondly, the more the
20 matter in hand calls for speed, the smaller the prescribed difference in the numbers of votes may be allowed to
21 become: where an instant decision has to be reached, a majority of one vote should be enough. The first of these
22 two rules seems more in harmony with the laws, and the second with practical affairs. In any case, it is the
23 combination of them that gives the best proportions for determining the majority necessary.

24 [*The Social Contract or Principles of Political Right, Jean Jacques Rousseau, Book IV, Chapter 2, 1762*]

25 Note how Rousseau describes those who are not party to the social contract as “foreigners”:

26 “If then there are opponents when the social compact is made, their opposition does not invalidate the contract,
27 but merely prevents them from being included in it. They are foreigners among citizens. When the State is
28 instituted, residence constitutes consent; to dwell within its territory is to submit to the Sovereign.”

29 We also clarify the following about Rousseau’s comments above:

- 30 1. Those who are parties to the social compact are called “citizens” if they were born in the country and “residents” if
31 they were born in a foreign country, who together are called “inhabitants” or “domiciliaries”.
- 32 2. The “foreigner” he is talking about is either a statutory “alien” (foreign national), a “nonresident”, or a “non-resident
33 non-person” in the case of a state domiciled state national.
- 34 3. When Rousseau says “Apart from this primitive contract, the vote of the majority always binds all the rest.”,
35 what he means by “the rest” is “the rest of the inhabitants, citizens, or residents”, but NOT “nonresidents” or “transient
36 foreigners”. This is implied by his other statement: “If then there are opponents when the social compact is made,
37 their opposition does not invalidate the contract, but merely prevents them from being included in it. They are
38 foreigners among citizens.”
- 39 4. Rousseau says that: “When the State is instituted, residence constitutes consent; to dwell within its territory is to
40 submit to the Sovereign.” Here are some key points about this statement:
 - 41 4.1. What he means by “residence” is a political and voluntary act of association and consent, and NOT physical
42 presence in a specific place.
 - 43 4.2. Those who have made this choice of “residence” and thereby politically associated with and joined with a specific
44 political “state” acquire the civil status under the social contract called “resident” or “citizen”. Those who have
45 not associated are called “transient foreigners”, “strangers”, or “in transitu”.
 - 46 4.3. The choice of “residence” is protected by the First Amendment right of association and freedom from compelled
47 association. Those who are humans physically on land protected by the Constitution cannot lawfully be
48 FORCED to acquire any civil status under the civil statutes of any government, INCLUDING “resident” or
49 “residence”. Note that this prohibition does not affect artificial entities or fictions of law, such as businesses or
50 especially corporations.

⁵ At Genoa, the word *Liberty* may be read over the front of the prisons and on the chains of the galley-slaves. This application of the device is good and just. It is indeed only malefactors of all estates who prevent the citizen from being free. In the country in which all such men were in the galleys, the most perfect liberty would be enjoyed.

4.4. Volunteering to be subject to the statutory civil law by choosing or accepting a civil status under it is not the ONLY method to “submit to the Sovereign”. There are actually at least three OTHER ways to “submit to the sovereign”: 1. Criminal law; 2. Common law; 3. Contracts (becoming a “Buyer” of a specific service”). To PRESUME and equivocate that ALL FOUR methods of “submitting to the Sovereign” are the same or that you aren’t allowed to choose which ones you want to “submit to” is a violation of due process and THEFT of private property and private rights. This is further explored in:

Four Law Systems Course, Form #12.039

<https://sedm.org/Forms/FormIndex.htm>

5. All rights under the social contract attach to the civil statuses under the contract called “citizen”, “resident”, “inhabitant”, or “domiciliary”. In that sense, the contract behaves as a franchise or what we call a “protection franchise”. You are not protected by the franchise unless you procure a civil status under the franchise called “citizen” or “resident”.
6. In a legal sense, to say that one is “in the state” or “dwelling in the state” really means that:
 - 6.1. A human being has consented to the social contract and thereby become a “government contractor”.
 - 6.2. Consent creates the “res” or legal fiction called “person” within the civil statutory codes/franchises.
 - 6.3. The legal fiction of “person” created by your consent is an officer or public officer within the government corporation. The U.S. Supreme Court associates two civil statuses to all governments: 1. “Body corporate”; 2. Body politic.⁶
 - 6.4. The legal fiction of “person” created by your consent is called the “straw man”.⁷
 - 6.5. The legal fiction of “person” created by your consent is legally but not physically “within” that corporation because it represents the corporation.
 - 6.6. The effective domicile of the legal fiction of “person” is the place of incorporation of the state it represents under Federal Rule of Civil Procedure 17.
 - 6.7. The government, as author of the statute conveying the privilege of the statutes, is the creator. It is therefore the OWNER of all those who exercise the privilege by virtue of invoking the status of “person” in pursuit of remedies under the franchise.⁸

⁶ “Both before and after the time when the Dictionary Act and § 1983 were passed, **the phrase “bodies politic and corporate” was understood to include the [governments of the] States**. See, e.g., J. Bouvier, 1 A Law Dictionary Adapted to the Constitution and Laws of the United States of America 185 (11th ed. 1866); W. Shumaker & G. Longsdorf, Cyclopedic Dictionary of Law 104 (1901); *Chisholm v. Georgia*, 2 U.S. (2 Dall.) 419, 447, 1 L.Ed. 440 (1793) (Iredell, J.); *id.*, at 468 (Cushing, J.); *Cotton v. United States*, 52 U.S. (11 How.) 229, 231, 13 L.Ed. 675 (1851) (“**Every sovereign State is of necessity a body politic, or artificial person**”); *Poindexter v. Greenhow*, 114 U.S. 270, 288, 5 S.Ct. 903, 29 L.Ed. 185 (1885); *McPherson v. Blacker*, 146 U.S. 1, 24, 13 S.Ct. 3, 6, 36 L.Ed. 869 (1892); *Heim v. McCall*, 239 U.S. 175, 188, 36 S.Ct. 78, 82, 60 L.Ed. 206 (1915). See also *United States v. Maurice*, 2 Brock. 96, 109, 26 F.Cas. 1211 (CC Va.1823) (Marshall, C.J.) (“**The United States is a government, and, consequently, a body politic and corporate**”); *Van Brocklin v. Tennessee*, 117 U.S. 151, 154, 6 S.Ct. 670, 672, 29 L.Ed. 845 (1886) (same). Indeed, the very legislators who passed § 1 referred to States in these terms. See, e.g., Cong. Globe, 42d Cong., 1st Sess., 661-662 (1871) (Sen. Vickers) (“What is a State? Is *79 it not a **body politic and corporate**?”); *id.*, at 696 (Sen. Edmunds) (“A State is a corporation”).

The reason why States are “bodies politic and corporate” is simple: just as a corporation is an entity that can act only through its agents, “[t]he State is a political corporate body, can act only through agents, and can command only by laws.” *Poindexter v. Greenhow*, *supra*, 114 U.S., at 288, 5 S.Ct. at 912-913. See also Black’s Law Dictionary 159 (5th ed. 1979) (“**[B]ody politic or corporate**”: “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”). As a “**body politic and corporate**,” a State falls squarely within the Dictionary Act’s definition of a “person.”

While it is certainly true that the phrase “**bodies politic and corporate**” referred to private and public corporations, see ante, at 2311, and n. 9, this fact does not draw into question the conclusion that this phrase also applied to the States. Phrases may, of course, have multiple referents. Indeed, each and every dictionary cited by the Court accords a broader realm-one **2317 that comfortably, and in most cases explicitly, includes the sovereign-to this phrase than the Court gives it today. See 1B. Abbott, Dictionary of Terms and Phrases Used in American or English Jurisprudence 155 (1879) (“[T]he term **body politic** is often used in a general way, as meaning the state or the sovereign power, or the city government, without implying any distinct express incorporation”); W. Anderson, A Dictionary of Law 127 (1893) (“**[B]ody politic**”: “The governmental, sovereign power: a city or a State”); Black’s Law Dictionary 143 (1891) (“**[B]ody politic**”: “It is often used, in a rather loose way, to designate the state or nation or sovereign power, or the government of a county or municipality, without distinctly connoting any express and individual corporate charter”); 1A. Burrill, A Law Dictionary and Glossary 212 (2d ed. 1871) (“**[B]ody politic**”: “A body to take in succession, framed by policy”; “[p]articularly*80 applied, in the old books, to a Corporation sole”); *id.*, at 383 (“Corporation sole” includes the sovereign in England).

[*Will v. Michigan Dept. of State Police*, 491 U.S. 58, 109 S.Ct. 2304 (U.S.Mich.,1989)]

⁷ See: *Proof That There is a “Straw Man”*, Form #05.042; <http://sedm.org/Forms/FormIndex.htm>.

⁸ See: *Hierarchy of Sovereignty: The Power to Create is the Power to Tax*, Family Guardian Fellowship; <http://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm>.

7. Your corrupt politicians have therefore written this social contract in such a way that consenting to it makes you a public officer within the government, even though such a corruption of the de jure system is clearly beyond its legislative intent. See:

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

8. It is a violation of due process of law, theft, slavery, and even identity theft to:

- 8.1. PRESUME that by virtue of physically occupying a specific place, that a person has consented to take up "residence" there and thereby consented to the social contract and the civil laws that implement it.
- 8.2. Interfere with one's choice of political association and consent to the social compact by refusing to accept any piece of paper that declares one a "nonresident".
- 8.3. Impose the civil status of "citizen" or "resident" against those who do not consent to the social contract.
- 8.4. Enforce any provision of the social contract against a non-consenting party.
- 8.5. Connect the status of "citizen" or "resident" with a public office in the government or use that unlawfully created office as method to impose any duty upon said party. Why? Because the Thirteenth Amendment forbids "involuntary servitude".

The above considerations are the ONLY reason why Abraham Lincoln could truthfully claim in his famous Gettysburg Address that the United States government is "a government of the people, by the people, and for the people".

6.4 Breaches of the Social Compact subject to judicial remedy

If you are injured and take the party who injured you into a civil court, the judge, in fact, is really acting as a trustee of the social contract/compact in enforcing that contract between you and the other party. All governments in the USA, in fact, are "trustees":

"Whatever these Constitutions and laws validly determine to be property, it is the duty of the Federal Government, through the domain of jurisdiction merely Federal, to recognize to be property."

"And this principle follows from the structure of the respective Governments, State and Federal, and their reciprocal relations. They are different agents and trustees of the people of the several States, appointed with different powers and with distinct purposes, but whose acts, within the scope of their respective jurisdictions, are mutually obligatory."
[Dred Scott v. Sandford, 60 U.S. 393 (1856)]

Both parties to the lawsuit must be parties to the social contract and therefore "citizens" or "residents" within the jurisdiction you are civilly suing. If the defendant you are suing is NOT party to the social contract, they are called a "nonresident" who is therefore protected from being civilly sued by:

1. The "Foreign Sovereign Immunities Act", codified at 28 U.S.C. Part IV, Chapter 97 starting at section 1602.
2. The "Minimum Contacts Doctrine" elucidated by the U.S. Supreme Court in *International Shoe Co. v. Washington*, 326 U.S. 310 (1945). This doctrine states that it is a violation of due process to bring a nonresident into a foreign court to be sued unless certain well defined standards are met. Here is how the federal courts describe this doctrine:

In International Shoe Co. v. Washington, 326 U.S. 310 (1945), the Supreme Court held that a court may exercise personal jurisdiction over a defendant consistent with due process only if he or she has "certain minimum contacts" with the relevant forum "such that the maintenance of the suit does not offend 'traditional notions of fair play and substantial justice.'" Id. at 316 (quoting Milliken v. Meyer, 311 U.S. 457, 463 (1940)). Unless a defendant's contacts with a forum are so substantial, continuous, and systematic that the defendant can be deemed to be "present" in that forum for all purposes, a forum may exercise only "specific" jurisdiction - that is, jurisdiction based on the relationship between the defendant's forum contacts and the plaintiff's claim.

[. . .]

In this circuit, we analyze specific jurisdiction according to a three-prong test:

- (1) *The non-resident defendant must purposefully direct his activities or consummate some transaction with the forum or resident thereof; or perform some act by which he purposefully avails himself of the privilege of conducting activities in the forum, thereby invoking the benefits and protections of its laws;*

(2) the claim must be one which arises out of or relates to the defendant's forum-related activities; and

(3) the exercise of jurisdiction must comport with fair play and substantial justice, i.e. it must be reasonable.

Schwarzenegger v. Fred Martin Motor Co., 374 F.3d. 797, 802 (9th Cir. 2004) (quoting *Lake v. Lake*, 817 F.2d. 1416, 1421 (9th Cir. 1987)). The first prong is determinative in this case. We have sometimes referred to it, in shorthand fashion, as the "purposeful availment" prong. *Schwarzenegger*, 374 F.3d. at 802. Despite its label, this prong includes both purposeful availment and purposeful direction. It may be satisfied by purposeful availment of the privilege of doing business in the forum; by purposeful direction of activities at the forum; or by some combination thereof.
[*Yahoo! Inc. v. La Ligue Contre Le Racisme Et L'Antisemitisme*, 433 F.3d. 1199 (9th Cir. 01/12/2006)]

Why does all this matter? Because what if you are a nonresident and the U.S. government wants to sue you for a tax liability? They can't take a nonresident (in relation to federal territory) and a "nontaxpayer" into a Federal District Court and must instead sue you in a state court under the above requirements. Even their own Internal Revenue Manual (I.R.M.) says so:

Internal Revenue Manual (I.R.M.)
9.13.1.5 (09-17-2002)
Witnesses In Foreign Countries

1. Nonresident aliens physically present in a foreign country **cannot be compelled to appear as witnesses in a United States District Court** since they are beyond jurisdiction of United States officials. Since the Constitution requires confrontation of adverse witnesses in criminal prosecutions, the testimony of such aliens may not be admissible until the witness appears at trial. However, certain testimony for the admissibility of documents may be obtained under 18 USC §3491 et seq. without a "personnel" appearance in the United States. Additionally, 28 USC §1783 et seq. provides limited powers to induce the appearance of United States citizens physically present in a foreign country.
[SOURCE: <http://www.irs.gov/irm/part9/ch13s01.html>]

The other great thing about being a nonresident, is that the statute of limitations under civil law DO NOT apply to you and do not limit your rights or the protection of those rights.

1. If you invoke the common law rather than statutory law, you have an unlimited amount of time to sue a federal actor for a tort. All such statutes of limitations are franchises to which BOTH parties to the suit must be contractors under the social contract/compact in order to enforce.
2. If only one party is a "citizen" or a "resident" protected by the social contract, and the other party is protected by the Constitution but not the civil law implementing the social contract, then the Constitution trumps the civil law and becomes self-executing. Remedies which are "self-executing" need no statute as a basis to sue and cannot be LIMITED by statute.

The design of the Fourteenth Amendment has proved significant also in maintaining the traditional separation of powers 524*524 between Congress and the Judiciary. **The first eight Amendments to the Constitution set forth self-executing prohibitions on governmental action, and this Court has had primary authority to interpret those prohibitions.** The Bingham draft, some thought, departed from that tradition by vesting in Congress primary power to interpret and elaborate on the meaning of the new Amendment through legislation. Under it, "Congress, and not the courts, was to judge whether or not any of the privileges or immunities were not secured to citizens in the several States." Flack, *supra*, at 64. While this separation-of-powers aspect did not occasion the widespread resistance which was caused by the proposal's threat to the federal balance, it nonetheless attracted the attention of various Members. See Cong. Globe, 39th Cong., 1st Sess., at 1064 (statement of Rep. Hale) (noting that Bill of Rights, unlike the Bingham proposal, **"provide[s] safeguards to be enforced by the courts, and not to be exercised by the Legislature"**); *id.*, at App. 133 (statement of Rep. Rogers) (prior to Bingham proposal it "was left entirely for the courts . . . to enforce the privileges and immunities of the citizens"). As enacted, the Fourteenth Amendment confers substantive rights against the States which, like the provisions of the Bill of Rights, are self-executing. Cf. *South Carolina v. Katzenbach*, 383 U.S., at 325 (discussing Fifteenth Amendment). The power to interpret the Constitution in a case or controversy remains in the Judiciary.
[*City of Boerne v. Flores*, 521 U.S. 507 (1997)]

Why do we say these things? Because what you think of as civil law, in most cases, is really only a private law franchise for government officers, agents, instrumentalities, and/or statutory "employees", as exhaustively proven in the following document:

Under the concepts in the above document, a “statute of limitations” is an example of a “privilege and immunity” afforded to ONLY government officers and statutory “employees” when the OTHER party they injure is also a government officer or employee in some capacity. If the injured party is not party to the social compact and franchise but is protected by the Constitution, then the statutes of limitations cannot be invoked under the franchise.

6.5 TWO social compacts in America

In the United States (the country), there are, in fact TWO “social contracts” or “social compacts”, and each protects a different subset of the overall population.

“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 \(1821\)\]](#)

You can only be a party to ONE of these two social contracts/compacts at a time, because you can only have a domicile in ONE jurisdiction at a time. These two jurisdictions that Congress legislates for are:

1. The states of the Union under the requirements of the Constitution of the United States. In this capacity, it is called the “federal/general government”.
2. The U.S. government, the District of Columbia, U.S. possessions and territories, and enclaves within the states. In this capacity, it is called the “national government”. The authority for this jurisdiction derives from Article 1, Section 8, Clause 17 of the United States Constitution. All laws passed essentially amount to municipal laws for federal property, and in that capacity, Congress is not restrained by either the Constitution or the Bill of Rights. We call the collection of all federal territories, possessions, and enclaves within the states “the federal zone” throughout this document.

The “separation of powers doctrine” is what created these two separate and distinct social compacts and jurisdictions. Each has its own courts, unique types of “citizens”, and laws. That doctrine is described in:

The U.S. Supreme Court has identified the maintenance of separation between these two distinct jurisdictions as THE MOST IMPORTANT FUNCTION OF ANY COURT. Are the courts satisfying their most important function, or have they bowed to political expediency by abusing deception and words of art to entrap and enslave you in what amounts to a criminal conspiracy against your constitutional rights? Have the courts become what amounts to a modern day Judas, who sold the truth for the twenty pieces of silver they could STEAL from you through illegal tax enforcement by abusing word games?

“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]

WHICH of the two social compacts are you party to? Your choice of domicile determines that. It CAN'T legally be both because you can only have a domicile in ONE place at a time. Furthermore, if you have been deceived by corrupt politicians and "words of art" into becoming a party to BOTH social compacts, you are serving TWO masters, which is forbidden by the Holy Bible:

"No one can serve two masters [two employers, for instance]; 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 [government]."
[Matt 6:24, Bible, NKJV. Written by a tax collector]

6.6 The TWO social contracts/compacts CANNOT lawfully overlap and you can't be subject to BOTH at the same time

We might also add that franchises and the right to contract that they are based upon cannot lawfully be used to destroy the separation between these two distinct jurisdictions. Preserving that separation is, in fact, the heart and soul of the United States Constitution. That is why the U.S. Supreme Court held the following:

"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 [e.g. LICENSE as part of a franchise] 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 [e.g. LICENSE] 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)]

Notice the language "**Congress cannot authorize [e.g. LICENSE] a trade or business within a State in order to tax it."**" All licensed activities are, in fact, franchises and excise taxes are what implement them and pay for them. The income tax itself, in fact, is such a franchise. See the following for exhaustive proof:

The "Trade or Business" Scam, Form #05.001
<http://sedm.org/Forms/FormIndex.htm>

On the subject of whether Christians can be party to or consent to what the courts call "the social compact" and contract, God Himself says the following:

"**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" or domiciliary in the process of contracting with them], lest they make you sin against Me [God]. For if you serve their [government] gods [under contract or agreement or franchise], it will surely be a snare to you.**"
[Exodus 23:32-33, Bible, NKJV]

Why did God warn Christians in this way? Because Rev. 19:19 identifies political rulers as "The Beast", and contracting with them MAKES you an officer of and one of them. And as their officer or public officer participating in their franchises, you can't avoid "serving them", and hence, violating the First Commandment NOT to serve other pagan gods, among which are included civil rulers or governments.

Now let's discuss how the courts treat the issue of the social compact to confirm what we have said in this section. The first federal corporation established outside of federal territory was the original Bank of the United States commissioned by Congress. That bank invaded the state of Ohio and began operating there. The state sought to penalize and tax it out of

existence and the bank refused to pay the state penalties and taxes. When the state seized assets of the bank for nonpayment of taxes, the case went before the U.S. Supreme Court. The court held that the bank:

1. Was a federal but not state corporation and therefore NOT a constitutional “person” or “citizen” under the judiciary clauses of the Constitution.
2. Was an office within the national government.
3. Was exempt from state taxes and penalties.

The case also held that the ONLY way that federal law can be enforced within a state of the Union was if EITHER a public office was involved (which is federal government property), OR if the bank had a contract with the government (which is ALSO federal government property).

“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)]

The above holding brings up some crucial points about civil jurisdiction in courts of justice:

1. The government can only regulate and control its own agents, officers, and statutory “employees”. That control is exercised through the civil statutes it enacts, in fact.
2. Federal corporations, such as the original Bank of the United States that was the subject of the above case, are creations of, agents of, and instrumentalities of the national government.
3. Contracts with the government create agency BUT NOT NECESSARILY PUBLIC OFFICE on behalf of the government.
4. Public offices are also evidence of agency on behalf of the government.
5. If you are not a public officer and have no contracts with the government, they can’t civilly regulate or control you because you are PRIVATE and they have no jurisdiction over EXCLUSIVELY private conduct.
6. If a government takes you into civil court seeking to enforce an obligation they claim you have to the government, then they as the moving party MUST satisfy the burden of proving ONE or more of the following two things in order to establish their jurisdiction:
 - 6.1. That you are lawfully occupying a public office OR...
 - 6.2. You have a contract with them and therefore are acting as their agent.

6.7 Challenging the enforcement of the Social Contract in a Court of law

The Social Contract is enforced, usually illegally, by judges and government prosecutors in court against unwitting and often unwilling and non-consenting parties. By “Social Compact” in this section, we mean and intend the following. We DO NOT mean the CRIMINAL code or criminal law:

1. Civil statutory “code”.
2. Civil franchises.
3. Penal code.
4. Rules of court.

The boundary between what is lawful and unlawful in a civil context is determined solely by whether there is a flesh and blood PHYSICAL injured party.

For the commandments, “You shall not commit adultery,” “You shall not murder,” “You shall not steal,” “You shall not bear false witness,” “You shall not covet,” and if there is any other commandment, are all summed up in this saying, namely, “You shall love your neighbor as yourself.”

Love does no harm to a neighbor; therefore love is the fulfillment of the law.
[Romans 13:9-10, Bible, NKJV]

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

"With all [our] blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow citizens--a wise and frugal Government, which shall restrain men from injuring one another, shall 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]

"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)]

If there is no injured party, then all of the above types of civil franchises have no "force of law" against a non-consenting party and any legal proceeding to enforce them constitutes an INJUSTICE rather than JUSTICE.

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]

Some questions you can ask to reveal the false presumptions protecting that enforcement and the illegality of that enforcement of the above types of "rules" include the following:

"At this point it behooves us to consider the myth of the "social contract". Many apologists for the status quo assert that we are all born as parties to a contract – and that, as a consequence, we are all subject to liabilities defined by the state or [national] government. In other words, in return for the various benefits, real or imagined, that we receive from the government, we owe the government a portion of whatever resources we derive from our experience of life. We should note that the only people who promote this myth are those who want to spend our money or to exercise power over us through the enforcement of edicts forbidding mala prohibita. They would have us believe that they have a valid claim on the money that we receive in exchange for our creativity and productivity."

Those enforcing the social contract or statutory franchise "benefits" are therefore demanded to answer the following questions on the record to justify and validate the alleged "force of law" they claim to have be exercising:

1. Isn't it a maxim of law that civil law exists for the "benefit" of man?

"Hominum caus jus constitutum est. Law is established for the benefit of man."

[Bouvier's Maxims of Law, 1856;

<https://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>]

2. Isn't it true that I have a RIGHT to refuse any and every "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."

1 *"Quilibet potest renunciare juri pro se inducto. Any one may renounce a law introduced*
2 *for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83."*
3 *[Bouvier's Maxims of Law, 1856;*
4 <https://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>*]*

5 3. Who gets to decide what a "benefit" is? You or the government? If the people are the "sovereigns" according
6 to the Supreme Court, then aren't they the "customer" who gets to decide if something "benefits" them instead
7 of the state?

8 4. If I am NOT the one who defines "benefit" in the context of this proceeding, don't we have unconstitutional
9 slavery disguised as government benevolence?

10 5. What if I define the alleged "consideration" or "benefit" provided by the government as an INJURY?
11 Doesn't that make it IMPOSSIBLE for me to "receive a "benefit" from the government and therefore owe a
12 corresponding "obligation"?

13 *"Que sentit commodum, sentire debet et onus. He who derives a benefit from a thing,*
14 *ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433."*
15 *[Bouvier's Maxims of Law, 1856;*
16 <https://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm>*]*

17 6. Shouldn't any government seeking to enforce the provisions of the social compact and/or civil statutes that
18 implement it have the burden of proving to a disinterested third party the existence of a "benefit" AND consent
19 to receive it BEFORE they may commence the enforcement action? Aren't they presumed to be STEALING if
20 they DON'T satisfy this burden of proof?

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

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

38 [SEDM Disclaimer, Section 4: Meaning of Words; SOURCE:
39 <https://sedm.org/disclaimer.htm>]

40 7. Isn't it a violation of due process of law to PRESUME that I consented? Aren't all presumptions that
41 prejudice constitutional rights UNCONSTITUTIONAL and a violation of due process of law?

42 8. When and how did I sign or consent to this so-called contract and the civil statutory code that implements it?

43 9. Isn't all of my property ABSOLUTELY owned and EXCLUSIVELY PRIVATE if I don't consent to
44 ANYTHING the government offers?

45 10. Does this social contract promise to give me something that I actually perceive or define as a "benefit"?

46 11. If so, am I free to acquire that which I want in other ways?

47 12. Does the government have a monopoly on "protection" and if so, doesn't this violate the Sherman Antitrust
48 Act?

49 13. Does this contract contain a valid exit clause? If so WHERE?

1 14. Does this contract specify the quid pro quo that tells me what I am to contribute and what I am to receive in
2 return?

3 15. Is there any legal limit at all to what I must pay to reimburse the cost of the benefit, and if there isn't, don't
4 we have an unconscionable adhesion contract? For instance, if I decide to limit the SCOPE of my consent to
5 obeying ONLY the civil codes regulating voting and jury service and choose to be a "nonresident" for all other
6 purposes, will the government respect my right to participate in ONLY these two franchises and LEAVE ME
7 ALONE and not make the target of the enforcement of any other civil statute?

8 16. Does the social contract specify what actions on the part of government constitute a breach of the contract
9 and the penalties that attach thereto? If not, there is no reciprocal obligation so it can't possibly be enforceable
10 against me as a contract as legally defined.

11 17. Does this contract affirm my absolute right to withdraw from the contract and NOT consent? In other
12 words, do all forms that implement the "benefit" recognize and provide administrative remedies to QUIT
13 without being a "participating", "person", "individual", etc?

14 18. If the contract does NOT recognize nonparticipants or the right to quit, isn't the requirement for equal
15 protection that is the foundation of all law violated?

16 19. Am I punished for trying to withdraw participation? If so, how can participation truthfully be called
17 "voluntary"?

18 For more on the concept of government "benefits" described above and the SCAM that they represent, see:

The Government "Benefits" Scam, Form #05.040
<https://sedm.org/Forms/FormIndex.htm>

19 The following legal authorities are useful in establishing that there MUST be consent to the "social compact", what form
20 the consent must take, and why in some cases even consent is insufficient to give it the "force of law" in your specific case:

- 21 1. Unalienable Rights Course, Form #12.038-establishes that your aren't allowed to consent to give away your rights
22 DIRECT LINK: <https://sedm.org/LibertyU/UnalienableRights.pdf>
23 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
- 24 2. Requirement for Consent, Form #05.003
25 DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/Consent.pdf>
26 FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>
- 27 3. SEDM Liberty University Section 2.5: Requirement for Consent
28 <http://sedm.org/LibertyU/LibertyU-SinglePg.htm#2.5>. REQUIREMENT FOR CONSENT
- 29 4. Sovereignty Forms and Instructions Online, Form #10.004, Cites by Topic: "consent"
30 <http://famguardian.org/TaxFreedom/CitesByTopic/consent.htm>
- 31 5. Sovereignty Forms and Instructions Online, Form #10.004, Cites by Topic: "voluntary"
32 <http://famguardian.org/TaxFreedom/CitesByTopic/voluntary.htm>
- 33 6. "Sovereign"="Foreign", Family Guardian Fellowship. Extracted from Great IRS Hoax, section 4.4.7. Establishes that
34 those who don't consent are "foreign".
35 <http://famguardian.org/Subjects/Freedom/Sovereignty/Sovereign=Foreign.htm>
- 36 7. Unconstitutional Conditions: The Irrelevance of Consent, Philip Hamburger - The article by a law professor concludes
37 that private or state consent cannot justify the federal government in going beyond its legal limits. The Constitution's
38 limits on the government are legal limits imposed with the consent of the people. Therefore, neither private nor state
39 consent can alter these limits or otherwise enlarge the federal government's constitutional power.
40 7.1. Local backup copy (OFFSITE LINK)
41 <http://sedm.org/LibertyU/UnconstitutionalConditions-Hamburger,Philip-SSRN-id2021682.pdf>
42 7.2. SSRN (OFFSITE LINK)
43 http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2021682
- 44 8. CONSENT of the Governed: The Freeman Movement Defined, Wake Up! Productions (OFFSITE LINK)
45 <https://youtu.be/ArGvrfLFGtU>
- 46 9. Manufacturing Consent, Noam Chomsky (OFFSITE LINK)
47 <https://youtu.be/AnrBQEAM3rE>
- 48 10. Slavery by Consent, Youtube (OFFSITE LINK)
49 <https://www.youtube.com/watch?v=Qaczr9DU3jY&list=PL696E35661E8711BF>

11. *The Ethics of Consent*, Franklin G Miller
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1140256
12. *Behavioral Law and Economics: The Assault on Consent, Will, and Dignity*, Mark D. White, CUNY College of Staten Island
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1274444
13. *The Scale of Consent*, Tom W. Bell, Chapman University
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1322180
14. *Problem of Intention*, Mathew Francis Philip, India University
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1162013
15. *The Moral Limits of Consent as a Defense in the Criminal Law*, Dennis J. Baker, King's College London, School of Law
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1973331
16. *Consenting Under Stress*, Hila Keren, Hebrew University of Jerusalem
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2012013
17. *The Social Foundations of Law*, Martha Albertson Fineman
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2132230

7 Compelled participation in the “social compact”: Identity Theft through Compelled Civil Domicile⁹

This section will address political diarrhea by courts engaged in compelling litigants before them to choose or to have a civil domicile. Recall that courts cannot entertain political questions, and if they do, they are violating the separation of powers doctrine by performing political functions reserved exclusively to the Executive and Legislative departments of the government.

7.1 Introduction

For this analysis, we will examine false arguments made by the Iowa Supreme court in *Barhydt v. Cross*, 156 Iowa 271 (1912), in which a litigant before the court was compelled to assume a specific domicile against his will, resulting in an income tax liability and civil protection that he did not want and quite frankly did not need.

The most amazing admission in the above case is the following:

*“Cases of abandonment of residence, as applied to homesteads, or as to residence, where it is not essential that [*278] one have a homestead at all, or a definite residence, for the purposes of the case, are not applicable to such controversies as this, where a man must have a residence or domicile somewhere. Courts endeavor to construe revenue laws so that each one will share his just burden of taxation; and he should pay his taxes somewhere. Hence it is the universal rule, in construing revenue statutes, that, as a man must have a domicile or taxing residence somewhere, his old residence will be deemed his present one until a new one is acquired. If this were not the rule, a man might escape taxation altogether. Assuming, for the purposes of argument, as we must, that the laws of California are the same as our own, Barhydt would escape all taxation for the year 1910, were he successful in this appeal; for he could not, under the record, be taxed in California. Our own cases, with possibly one exception, sustain this view, and, as we shall see, this is the holding elsewhere. Of our own cases supporting the conclusion [***11] here reached, see Tuttle v. Wood, 115 Iowa 507 at 509, 88 N.W. 1056; Glotfelty v. Brown, 148 Iowa 124, 126 N.W. 797; In re Titterington, 130 Iowa 356 at 358, 106 N.W. 761; Nugent v. Bates, 51 Iowa 77 at 79, 50 N.W. 76; Cover v. Hatten, 136 Iowa 63 at 65, 113 N.W. 470. [Barhydt v. Cross, 156 Iowa 271, 277-278 (1912)]*

The other noteworthy holdings in this case are that for the purposes of income taxation:

1. Domicile and “residence” are synonymous.

“We used the words ‘residence’ and ‘domicile’ interchangeably as synonymous terms under our statute. Hall v. Hall, 25 Wis. 600.”

⁹ Source: *Why Domicile and Becoming a “Taxpayer” Require Your Consent*, Form #05.002, Section 7; <https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

2. The word “inhabitant” means “one domiciled”:

“Upon the whole, therefore, we can have no doubt that the word ‘inhabitant,’ as used in our statutes when referring to liability to taxation, by an overwhelming preponderance of authority, means ‘one domiciled.’”
[Barhydt v. Cross, 156 Iowa 271, 279 (1912)]

This is a very important subject to rebut and debate, because if these communist arguments are allowed to stand, the literal result is:

1. The elimination of the foundation of our system of government per the Declaration of Independence: consent of the governed.
2. A repeal of the Bill of Rights insofar as private property is concerned.
3. A repeal of the entire common law for all practical purposes, at least in the context of taxation.
4. The elimination of any burden of proof on the part of every government to prove that what they offer is a “benefit” not as THEY define it, but as YOU, the ONLY “customer” of their legitimate services, define it. The customer is always supposed to be right in a commercial setting.
5. Involuntary servitude satisfying the obligations associated with the civil statutory law in violation of the Thirteenth Amendment.
6. Treating humans like government cattle on a farm whose boundaries are the borders of the country.
7. Perpetual peonage to pay off endless public debt from unconstitutional money printing, in violation of the Thirteenth Amendment.
8. The foreclosure of all common law remedies in favor of civil statutory privileges.
9. The elevation of government to god-like status in violation of the First Amendment.

Every attempt to compel domicile described herein hinges on:

1. IMPLIED rather than EXPRESS consent, in which ACTIONS alone are the trigger to CONSTRUE a specific act of consent.
2. Replacing the word “consent” with “intention”. Can we permit courts speculate or infer what is on people mind regardless of their ACTION?

The U.S. government, on the other hand, has OUTLAWED all such manifestations of IMPLIED consent and REQUIRED all consent to be in writing, either by contract or by legislation:

The facility with which the government may be pillaged by the presentment of claims of the most extraordinary character, [95 U.S. 542] if allowed to be sustained by parol evidence, which can always be produced to any required extent, renders it highly desirable that all contracts which are made the basis of demands against the government should be in writing. Perhaps the primary object of the statute was to impose a restraint upon the officers themselves, and prevent them from making reckless engagements for the government; but the considerations referred to make it manifest that there is no class of cases in which a statute for preventing frauds and perjuries is more needed than in this. And we think that the statute in question was intended to operate as such. It makes it unlawful for contracting officers to make contracts in any other way than by writing signed by the parties. This is equivalent to prohibiting any other mode of making contracts. Every man is supposed to know the law. A party who makes a contract with an officer without having it reduced to writing is knowingly accessory to a violation of duty on his part. Such a party aids in the violation of the law. We are of opinion, therefore, that the contract itself is affected, and must conform to the requirements of the statute until it passes from the observation and control of the party who enters into it. After that, if the officer fails to follow the further directions of the act with regard to affixing his affidavit and returning a copy of the contract to the proper office, the party is not responsible for this neglect.

*We do not mean to say that where a parol contract has been wholly or partially executed and performed on one side, the party performing will not be entitled to recover the fair value of his property or services. On the contrary, we think that he will be entitled to recover such value as upon an implied contract for a quantum meruit. In the present case, the implied contract is such as arises upon a simple bailment for hire, and the obligations of the parties are those which are incidental to such a bailment. The special contract being void, the claimant is thrown back upon the rights which result from the implied contract. This will cast the loss of the vessel upon him. A bailee for hire is only responsible for ordinary diligence and liable for ordinary negligence in the care of the property bailed. This is not only the common law but the [95 U.S. 543] general law on the subject. See Jones, Bailm., p. 88; Story, Bailm., secs. 398, 399; Domat, Lois Civiles, lib. 1, tit. 4, sec. 3, pars. 3, 4; 1 Bell, Com., pp. 481, 483, 7th ed.
[Clark v. United States, 95 U.S. 539 (1877)]*

Why then can everyone NOT be permitted to insist that all acts of consent must be in writing rather than implied by action just as the U.S. government has? All we get are crickets on that question. All real law requires equality of TREATMENT. If the feds can do this, everyone should be able to do this, and if not, ultimately it creates chaos and insecurity of private property and makes it susceptible of takings in violation of the Fifth Amendment without the EXPRESS consent of the owner.

If in fact ALL are treated equally under REAL law, all that Barhydt should have had to do was notice the governments involved in every interaction that all acts of consent MUST be in a writing signed by both parties. Then the Supreme Court of Iowa would have NOTHING to say about what his domicile was or whether he even HAD to have one.

7.2 FALSE STATEMENT: You're NOT ALLOWED to know what the rules are for determining whether you are a customer of our protection racket or whose customer you are. Only the government can decide that because only we are smart enough to figure it out

"Residence and domicile have no uniform meaning in law; and when it becomes necessary to interpret them much depends upon the nature of the action."
[Barhydt v. Cross, 156 Iowa 271, 277 (1912)]

§57. Difficulty of Defining Domicil.--

The difficulty, if not impossibility, of arriving at an entirely satisfactory definition of domicile has been frequently commented upon. Lord Alvanley, in *Somerville v. Somerville*, praised the wisdom of Bynkershoek in not hazarding a definition; and Dr. Lushington, in *Maltass v. Maltass*, speaking of the various attempts of jurists in this direction, considered himself justified in the remarkable language of Hertius: "Verum in iis definiendis mirum est quam sudant doctores." Lord Chelmsford, speaking, as late as 1863, in the case of *Moorhouse v. Lord*, says: "*The difficulty of getting a satisfactory definition of domicil, which will meet every case, has often been admitted, and every attempt to frame one has hitherto failed.*"
[Treatise on the Law of Domicil, M.W. Jacobs, 1887; Little Brown and Company, §57, pp. 93-98
SOURCE: <http://books.google.com/books?id=MFQvAAAAIAAJ&printsec=titlepage>]

REBUTTAL: The foundation of due process is reasonable and unambiguous notice of all the specific rules by which one who is a member of the social compact must govern their affairs. The rules must be well-defined, fixed, clear, knowable to the common man, and unchanging, or else the result is constant fear and uncertainty for CONSENTING members of the social compact. The constitutional requirement for "reasonable notice" and "due process" are further defined in:

1. *Requirement for Reasonable Notice*, Form #05.022
<https://sedm.org/Forms/05-MemLaw/ReasonableNotice.pdf>
2. *Requirement for Due Process*, Form #05.045
<https://sedm.org/product/requirement-for-due-process-of-law-form-05-045/>

To suggest that only an elite priesthood of judges and licensed attorneys can define or determine what the words "domicile" and "residence" mean makes a mockery of the judicial branch, of freedom, and of self-government generally. So-called "laws" that fail to give reasonable notice or to define terms so as to limit jurisdiction also make a mockery of the idea of limited government generally.

"When we consider the nature and 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. 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. And the law is the definition and limitation of power."
[Downes v. Bidwell, 182 U.S. 244 (1901)]

Limited government is impossible without clear definitions that are limiting and never subjective. In this case, we have no binding definition and therefore, the government is no longer limited but UNLIMITED as Madison, the author of the Bill of Rights from whose notes the Constitution was written, warned:

1 “With respect to the words general welfare, I have always regarded them as qualified by the detail of powers
2 connected with them. To take them in a literal and unlimited sense would be a metamorphosis of the
3 Constitution into a character which there is a host of proofs was not contemplated by its creator.”

4 “If Congress can employ money indefinitely to the general welfare, and are the sole and supreme judges of
5 the general welfare, they may take the care of religion into their own hands; they may appoint teachers in
6 every State, county and parish and pay them out of their public treasury; they may take into their own hands
7 the education of children, establishing in like manner schools throughout the Union; they may assume the
8 provision of the poor; they may undertake the regulation of all roads other than post-roads; in short, every
9 thing, from the highest object of state legislation down to the most minute object of police, would be thrown
10 under the power of Congress.... Were the power of Congress to be established in the latitude contended for,
11 it would subvert the very foundations, and transmute the very nature of the limited Government established
12 by the people of America.”

13 “If Congress can do whatever in their discretion can be done by money, and will promote the general welfare,
14 the government is no longer a limited one possessing enumerated powers, but an indefinite one subject to
15 particular exceptions.”

16 [James Madison. House of Representatives, February 7, 1792, On the Cod Fishery Bill, granting Bounties]

17 To allow the whim of judges to subjectively determine their own definition of the words domicile and residence or even to
18 allow them to make domicile and residence mandatory, even if the civil code DOES NOT for anyone OTHER than aliens,
19 is to make them literally into legislators in violation of the separation of powers, and introduces a financial conflict of
20 interest into every judgment relating to domicile, because domicile is the entire basis of income taxation itself. Here is
21 what the author of our three-branch system of separation of powers said on this subject just before the Declaration of
22 Independence was written:

23 “When the legislative and executive powers are united in the same person, or in the same body of
24 magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate
25 should enact tyrannical laws, to execute them in a tyrannical manner.

26 Again, there is no liberty, if the judiciary power be not separated from the legislative and executive. Were it
27 joined with the legislative, the life and liberty of the subject would be exposed to arbitrary control; for the judge
28 would be then the legislator. Were it joined to the executive power, the judge might behave with violence and
29 oppression [sound familiar?].

30 There would be an end of everything, were the same man or the same body, whether of the nobles or of the
31 people, to exercise those three powers, that of enacting laws, that of executing the public resolutions, and of
32 trying the causes of individuals.”

33 [. . .]

34 In what a situation must the poor subject be in those republics! The same body of magistrates are possessed,
35 as executors of the laws, of the whole power they have given themselves in quality of legislators. They may
36 plunder the state by their general determinations; and as they have likewise the judiciary power in their
37 hands, every private citizen may be ruined by their particular decisions.”

38 [The Spirit of Laws, Charles de Montesquieu, Book XI, Section 6, 1758;

39 SOURCE: http://famguardian.org/Publications/SpiritOfLaws/sol_11.htm]

40 **7.3 FALSE STATEMENT: Its up to the government to decide your “intention” and affix** 41 **obligations to it without your consent, not you**

42 “As Barhydt must have had a residence and domicile somewhere, it is for the courts to decide where that was,
43 under the record now presented. Residence and domicile have no uniform [**528] meaning in law; and when
44 it becomes necessary [***10] to interpret them much depends upon the nature of the action.”
45 [Barhydt v. Cross, 156 Iowa 271, 277 (1912)]

46 **TRANSLATION:** Since EVERYONE must be a “customer” of a government monopoly on the optional civil statutory
47 protection franchise, it is up to the court to decide WHICH mafia he/she is a customer of. Everyone is our whore, and we
48 get to decide who to pimp them out to. We don’t need their permission to do so.

49 **REBUTTAL:** Government is a business. It only delivers two types of products: CIVIL statutory protection and
50 CRIMINAL protection. CIVIL protection is optional and consensual, CRIMINAL protection is mandatory. What business
51 is allowed to FORCE you to buy their product? What business can set up a store, lock the doors after you walk in, and
52 make you buy EVERYTHING in the store for the PRIVILEGE of leaving? That’s what domicile does: It bundles all the

civil services offered by any government together and forces you to buy THEM ALL. If a private store tried to do that, they would be prosecuted for kidnapping and hostage taking. We call this kind of bundling “weaponization of government” in our Disclaimer, Section 4.30. It’s an unconscionable adhesion contract that is a product of a corporate monopoly.

We define what “civil services” in our Disclaimer as follows:

4.6 Civil Service

The term "civil service" or "civil service fee" relates to any and all activities of "government" OTHER than:

- 1. Police.*
- 2. Military.*
- 3. Jails.*
- 4. Criminal court.*
- 5. Common law court.*

"civil service" and "civil service fee" includes any attempt or act to:

- 1. Establish or enforce a [domicile \(Form #05.002\)](#)*
 - 2. Procure [consent \(Form #05.003\)](#) of any kind to alienate rights that are supposed to be INALIENABLE per the Declaration of Independence.*
 - 3. PRESUME [consent \(Form #05.003\)](#) to surrender INALIENABLE PRIVATE RIGHTS by virtue of submitting, accepting, or receiving any application for a government benefit, license, or franchise. See [Form #12.023](#).*
 - 4. Convert PRIVATE property or PRIVATE rights to PUBLIC property, PUBLIC offices, or excise taxable franchises. See [Form #12.025](#). Government's FIRST and most important duty is to at all times maintain TOTAL separation between PRIVATE and PUBLIC and NEVER to allow them to convert one to another. Every attempt to convert one to the other represents a criminal financial conflict of interest that turns the PUBLIC trust into a SHAM trust.*
 - 5. Offer or enforce the civil statutory code.*
 - 6. Offer or enforce [civil franchises \(see Form #05.030\)](#).*
- [SEDM Disclaimer, Section 4.6; <https://sedm.org/disclaimer.htm#4.6. Civil Service>]*

All the civil services that a government offers should be listed separately as optional and voluntary on the tax return, and those who WANT those services should fill out a schedule to select the services they want and pay the bill every year. If they don’t want the services, they shouldn’t have to pay the bill. The only services that should be mandatory are police, the courts, and the jails. Everything else should be optional on the tax return. This is a fulfillment of the common law concept that you have an absolute RIGHT to refuse to receive or pay for “benefits”. Below is what the ChatGPT-4 AI Chatbot says on this subject:

QUESTION: *Is there such a thing as a right to NOT receive or pay for a "benefit" you don't want, and if so can you provide legal authorities proving this?*

ANSWER: *Yes, there is a legal principle that individuals have the right to refuse benefits that they do not want or that would burden them. This principle is grounded in the constitutional right to liberty and property, and has been recognized by courts in various contexts.*

For example, in the case of Rust v. Sullivan, 500 U.S. 173 (1991), the Supreme Court held that the government could impose restrictions on the use of federal funds by family planning clinics, including prohibiting the use of such funds for abortion services, without violating the First Amendment. The Court reasoned that the restrictions did not impose an undue burden on the clinics' freedom of speech, because the clinics were free to decline the government funding if they disagreed with the restrictions.

Similarly, in the case of Sherbert v. Verner, 374 U.S. 398 (1963), the Supreme Court held that the government could not deny unemployment benefits to a Seventh-day Adventist who refused to work on Saturdays, the Sabbath day of her faith, because doing so would burden her free exercise of religion. The Court held that the burden on the government to accommodate the plaintiff's religious beliefs was not undue, and that the government could not deny benefits to individuals based on their religious beliefs.

In general, the principle that individuals have the right to refuse unwanted benefits is rooted in the idea of personal autonomy and freedom of choice, which are fundamental principles of the American legal system. While there may be limitations on this right in certain circumstances, such as when the refusal of a benefit would harm others or violate important public policies, the principle is generally recognized as an important protection for individual liberty and property rights.
[ChatGPT-4 AI Chatbot; <http://chat.openai.com>]

1 It is an AFFRONT to my autonomy, dignity, equality, choice, and freedom to bundle ANYTHING and EVERYTHING
2 that government offers CIVILLY together into one choice or act of consent, and destroy my life or make it extremely
3 unpleasant if I don't give my consent. Such a scenario would be an extortion and a punishment for exercising self-
4 governance and protecting my constitutional rights by limiting their loss.

5 Further, equality of treatment is the foundation of all freedom.

6 *"No duty rests more imperatively upon the courts than the enforcement of those constitutional provisions*
7 *intended to secure that equality of rights which is the foundation of free government."*
8 *[Gulf, C. & S. F. R. Co. v. Ellis, 165 U.S. 150 (1897)]*

9 If the government can just ASSUME I consent to become THEIR customer/whore called a "citizen" or "resident", then we
10 by implication are able to do the same thing to THEM. That is how they in fact consent to OUR Member Agreement: We
11 define all the behavior that demonstrate consent in the introduction of the Member Agreement, Form #01.001, and interpret
12 all such behaviors as an act of unconditional and perpetual consent to the member agreement. That worked wonders when
13 they went after us and tried to enjoin us in 2005. When they manifested consent to the member agreement by using
14 copyrighted and licensed intellectual property from our site in litigation against us, they consented to the member
15 agreement and became the substitute defendant. What is good for the goose is good for the gander. Haven't heard from
16 them in decades since, because it worked so well.

17 If the government can PRESUME consent based on specific voluntary acts, Barnhydt must be able to also under the
18 requirement for equal protection and equal treatment that are the foundation of the Constitution. All that Barnhydt should
19 have had to do was notice the government when he moved into the state that he surrendered the protections of the statutory
20 civil law and the obligation to pay for it in satisfaction of his right to reject and pay for any and all "benefits", and that the
21 specific acts listed in SEDM Disclaimer, Section 4.6 would constitute and implied consent to his protection franchise:

- 22 1. Establish or enforce a [domicile \(Form #05.002\)](#)
- 23 2. Procure [consent \(Form #05.003\)](#) of any kind to alienate rights that are supposed to be INALIENABLE per the
24 Declaration of Independence.
- 25 3. PRESUME [consent \(Form #05.003\)](#) to surrender INALIENABLE PRIVATE RIGHTS by virtue of submitting,
26 accepting, or receiving any application for a government benefit, license, or franchise. See [Form #12.023](#).
- 27 4. Convert PRIVATE property or PRIVATE rights to PUBLIC property, PUBLIC offices, or excise taxable franchises.
28 See [Form #12.025](#). Government's FIRST and most important duty is to at all times maintain TOTAL separation
29 between PRIVATE and PUBLIC and NEVER to allow them to convert one to another. Every attempt to convert one to
30 the other represents a criminal financial conflict of interest that turns the PUBLIC trust into a SHAM trust.
- 31 5. Offer or enforce the civil statutory code.
- 32 6. Offer or enforce [civil franchises \(see Form #05.030\)](#).

33 By the government committing the above acts of implied consent, they would then agree to the following anti-franchise
34 franchise:

Injury Defense Franchise and Agreement, Form #06.027
<https://sedm.org/Forms/06-AvoidingFranch/InjuryDefenseFranchise.pdf>

35 **7.4 FALSE STATEMENT: All men and women MUST have a SECULAR domicile within the** 36 **civil statutory jurisdiction of a specific earthly government**

37 *"As Barhydt must have had a residence and domicile somewhere, it is for the courts to decide where that was*

38 *[. . .]*

39 *Hence it is the universal rule, in construing revenue statutes, that, as a man must have a domicile or taxing*
40 *residence somewhere"*
41 *[Barhydt v. Cross, 156 Iowa 271, 277 (1912)]*

42 **TRANSLATION:** No one is entitled to leave the federal plantation and cease to be cattle on the government tax farm.
43 Everyone must come in annually to the milking stall to be literally "milked" of all their wealth and dignity and autonomy.
44 If they don't, they will literally starve to death because we will steal all their feed. See:

REBUTTAL: It is NOT a “universal rule” for EVERYONE, because WE don’t agree that everyone must have a domicile. Only among covetous and unaccountable judges who want to expand their civil statutory protection racket is it “universal”, and the fact that it is universal among them is problematic at best for the reasons stated by Thomas Jefferson:

"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]

"At the establishment of our Constitutions, the judiciary bodies were supposed to be the most helpless and harmless members of the government. Experience, however, soon showed in what way they were to become the most dangerous; that the insufficiency of the means provided for their removal gave them a freehold and irresponsibility in office; that their decisions, seeming to concern individual suitors only, pass silent and unheeded by the public at large; that these decisions nevertheless become law by precedent, sapping by little and little the foundations of the Constitution and working its change by construction before any one has perceived that that invisible and helpless worm has been busily employed in consuming its substance. In truth, man is not made to be trusted for life if secured against all liability to account."
[Thomas Jefferson to A. Coray, 1823. ME 15:486]

"I do not charge the judges with willful and ill-intentioned error; but honest error must be arrested where its toleration leads to public ruin. As for the safety of society, we commit honest maniacs to Bedlam; so judges should be withdrawn from their bench whose erroneous biases are leading us to dissolution. It may, indeed, injure them in fame or in fortune; but it saves the republic, which is the first and supreme law."
[Thomas Jefferson: Autobiography, 1821. ME 1:122]

"The original error [was in] establishing a judiciary independent of the nation, and which, from the citadel of the law, can turn its guns on those they were meant to defend, and control and fashion their proceedings to its own will."
[Thomas Jefferson to John Wayles Eppes, 1807. FE 9:68]

"It is a misnomer to call a government republican in which a branch of the supreme power [the Federal Judiciary] is independent of the nation."
[Thomas Jefferson to James Pleasants, 1821. FE 10:198]

"It is left... to the juries, if they think the permanent judges are under any bias whatever in any cause, to take on themselves to judge the law as well as the fact. They never exercise this power but when they suspect partiality in the judges; and by the exercise of this power they have been the firmest bulwarks of English liberty."
[Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283]

The fact that something is “universal” among covetous judges with a financial conflict of interest also makes it neither just nor lawful. GREED and covetousness for other people’s property are universal. Sin is universal, according to the Bible. Greed and covetousness are universal.

"[. . .] for all have sinned and fall short of the glory of God, [. . .]"
[Romans 3:23, Bible, NKJV]

If these degenerate human traits were not universal, we wouldn’t need the Ten Commandments or law at all.

As Thomas Jefferson pointed out in reference to the judiciary, ACCOUNTABILITY to the written law and the constitution are the only real check on judicial tyranny. You can always expect that judges will want to expand their power, and thus to seek to expand the audience of people under their CIVIL STATUTORY mafia protection by forcing a domicile onto people who don't want one and who instead would prefer the common law as documented below:

Rebutted False Arguments About the Common Law, Form #08.025

<https://sedm.org/Forms/08-PolicyDocs/RebuttedFalseArgumentsAboutCommonLaw.pdf>

7.5 FALSE STATEMENT: SECULAR domicile and residence are presumed to continue until one acquires another

"Where one acquires a residence, that residence is presumed to continue until he acquires another; and the burden is upon him to show a change and the acquisition of a new residence. This change, for the purpose of taxation, must be something more than a mere intent. It involves a change of place as well. In other words, the mere intent of the plaintiff, no matter how expressed, will not constitute a change, unless there be a change in abode as well."
[Barhydt v. Cross, 156 Iowa 271, 278 (1912)]

TRANSLATION: No one escapes the government plantation alive. Slaves will be WHIPPED like Barhydt was! If you travel to a different plantation, you better contact the rancher and sign up to rent a STALL so you can be milked regularly, whether you want one or not. And yes, it is a plantation. Each "state" is just a single ranch. The counties are "sub-ranches". No "free range" farming here! The ranchers are the state legislators who think they own and control everything and everyone needs THEIR legislative permission to do anything and everything, whether it be a license, permission to travel outside the country, a government ID, or a bank account you cannot get without a government ID.

REBUTTAL: To the extend that we are compelled to FIRE God as our CIVIL lawgiver and replace Him with a secular king literally makes government into a pagan deity in violation of the First Amendment and the Ten Commandments.. The Bible says God owns the Heavens and the Earth and as the REAL "landlord" or rancher, He is the only one truly qualified to make rules to regulate His absolutely owned property:

The heavens are Yours, the earth also is Yours; The world and all its fullness, You have founded them."
[Psalm 89:11, Bible, NKJV]

*By the word of the LORD the heavens were made,
And all the host of them by the breath of His mouth.
He gathers the waters of the sea together as a heap;[a]
He lays up the deep in storehouses.
Let all the earth fear the LORD;
Let all the inhabitants of the world stand in awe of Him.
For He spoke, and it was done;
He commanded, and it stood fast.
[Psalm 33:6-9, Bible, NKJV]*

*Thus says God the LORD,
Who created the heavens and stretched them out,
Who spread forth the earth and that which comes from it,
Who gives breath to the people on it,
[Isaiah 42:5, Bible, NKJV]*

*"Everyone who is called by My name, Whom I have created for My glory; I have formed him, yes, I have made him."
[Isaiah 43:7, Bible, NKJV]*

*"For thus says the LORD, Who created the heavens, Who is God, Who formed the earth and made it, Who has established it, Who did not create it in vain, Who formed it to be inhabited: "I am the LORD, and there is no other."
[Isaiah 45:18, Bible, NKJV]*

To REMOVE your private property from the protections of the Bill of Rights and the Common Law, and to substitute the whims of a secular legislature (what the Bible calls a “king”) in its place using the civil statutory law fires God as the CIVIL protector and replaces Him with a covetous King in violation of God’s laws:

“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]

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

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

DOMICILE is WORST than black slavery, because EVERYONE is subject to it, and not just blacks, and the entire STATE or COUNTRY is a slave plantation. Universal slavery. The slave contract is the civil code, because a domicile is the method of imposing the involuntary civil obligations and you have no choice to NOT HAVE a civil secular domicile according to this corrupt court. The obligations attached to the civil statutory status of “citizen”, “resident”, and “person” represent property STOLEN from you. The fact that there are civil statutory PRIVILEGES available to REWARD you for GIVING up such rights is the justification they use to defend their THEFT of your constitutional and natural rights akin to a “tacit procuration”. But who is the real “customer” here? They are the only ones who can determine the amount of “benefit”, meaning “privileges” that you get in exchange for accepting the obligations. What if you don’t want to accept their offer? They send you to the gulag and political prison called jail as a literal political prisoner! Hardly a bargain.

Is it POSSIBLE EVEN AS A CONSENTING MEMBER of the social compact to EVER be “off duty” and to abandon the protections or benefits of the civil statutory protection franchise for a specific circumstance or locality? The common law says yes, but covetous courts and judges like this one don’t EVER want to let you out of your “franchise cage”, even though you receive no quantifiable consideration that they ever have any burden of proof whatsoever to demonstrate to defend their mafia tactics. The legal leash you are on is the civil status they created as their property that they loan to you with legal conditions attached. Welcome to Amerika and [The Matrix \(Form #12.020\)](#) , COMRADE!

7.6 FALSE STATEMENT: If we didn’t compel secular domicile SOMEWHERE, a man might escape income taxation altogether!

“Cases of abandonment of residence, as applied to homesteads, or as to residence, where it is not essential that [§278] one have a homestead at all, or a definite residence, for the purposes of the case, are not applicable to such controversies as this, where a man must have a residence or domicile somewhere. Courts endeavor to construe revenue laws so that each one will share his just burden of taxation; and he should pay his taxes somewhere. Hence it is the universal rule, in construing revenue statutes, that, as a man must have a domicile or taxing residence somewhere, his old residence will be deemed his present one until a new one is acquired. If this were not the rule, a man might escape taxation altogether.
Assuming, for the purposes of argument, as we must, that the laws of California are the same as our own, Barhydt would escape all taxation for the year 1910, were he successful in this appeal; for he could not, under the record, be taxed in California. Our own cases, with possibly one exception, sustain this view, and, as we shall see, this is the holding elsewhere. Of our own cases supporting the conclusion [***11] here reached, see [Tuttle v. Wood, 115 Iowa 507 at 509, 88 N.W. 1056](#); [Gloftelty v. Brown, 148 Iowa 124, 126 N.W. 797](#); [In re Titterington, 130 Iowa 356 at 358, 106 N.W. 761](#); [Nugent v. Bates, 51 Iowa 77 at 79, 50 N.W. 76](#); [Cover v. Hatten, 136 Iowa 63 at 65, 113 N.W. 470](#).
[Barhydt v. Cross, 156 Iowa 271, 277-278 (1912)]

TRANSLATION: EVERYONE is a tax slave on the government plantation, whether they want to be or not. Never mind that the ability to make civil rules for property requires ownership, whether qualified or absolute, and that the civil government can't own people nor do they own the land protected by the civil statutory law. All we need are the guns and the jails and we can take whatever we want and PRETEND like we own EVERYTHING!

REBUTTAL: This is an obvious over-exaggeration and dramatization by the court. The subject of this case was income tax ALONE, but there are LOTS of taxes that people pay that aren't income tax:

1. Sales tax.
2. Gas tax.
3. Property tax.
4. Car registration.
5. Licenseing fees.

Etc.

It's clearly NOT the end of the world to deprive the state of fees to pay for services that you do not want, do not use, and in many cases regard as immoral and harmful and destructive of your property rights, autonomy, and control. Obviously, the court was in marketing mode in this case to expand their "mafia civil protection racket" through fear and intimidation. Many states, in fact, do not even have an income tax and don't need it to cover their expenses!

"A constitutional right against unjust taxation is given for the protection of private property, but it may be waived by those affected who consent to such action to their property as would otherwise be invalid."
[[Wight v. Davidson, 181 U.S. 371 \(1901\)](#)]

Further, income taxation amounts essentially to club membership dues. The CLUB is called the "social compact". The rules are the civil statutes, which are based on the consent of VOLUNTARY members. Those who have consented to join any club should certainly pay their way. However, no one should be compelled to join the club for the simple reason that the foundation of the social compact is consent of the governed. The First Amendment prohibits all such forms of "compelled association". There can be no consent where there is no choice, which implies that every choice implies the right to NOT consent. In the case of the civil statutory law, saying NOT to the club means to be subject to the common law INSTEAD of the civil statutory law, whether or not you consent. The common law is the DEFAULT law system for those who don't join the club. The purpose of the common law (of England) we inherited from our predecessor is personal responsibility and providing remedy for injuries after they occur, whether you consent to the remedy or not. Under the common law, where there is no proven injury, there is no "standing" to sue and you must be left alone as a matter of justice itself.

*"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)]

Is there ANY aspect of your private life that the government can't tax, regulate, or humiliate you with once you become a member of THEIR club? NONE!

"To be [CIVILLY] governed is to be watched over, inspected, spied on, directed, legislated, regimented, closed in, indoctrinated, preached at, controlled, assessed, evaluated, censored, commanded; all by creatures that have neither the right, nor wisdom, nor virtue . . .

To be governed means that at every move, operation, or transaction one is noted, registered, entered in a census, taxed, stamped, priced, assessed, patented, licensed, authorized, recommended, admonished, prevented, reformed, set right, corrected. Government means to be subjected to tribute, trained, ransomed, exploited, monopolized, extorted, pressured, mystified, robbed; all in the name of public utility and the general good.

Then, at the first sign of resistance or word of complaint, one is repressed, fined, despised, vexed, pursued, hustled, beaten up, garroted, imprisoned, shot, machine-gunned, judged, sentenced, deported, sacrificed, sold, betrayed, and to cap it all, ridiculed, mocked, outraged, and dishonored. That is government, that is its justice

and its morality! . . . O human personality! How can it be that you have cowered in such subjection for sixty centuries?"
[Pierre-Joseph Proudhon (born A. D. 1809 – died A. D. 1865)]

7.7 **FALSE STATEMENT: Courts must endeavor to construe revenue laws so that each one will share his burden of taxation**

"Courts endeavor to construe revenue laws so that each one will share his just burden of taxation; and he should pay his taxes somewhere. Hence it is the universal rule, in construing revenue statutes, that, as a man must have a domicile or taxing residence somewhere, his old residence will be deemed his present one until a new one is acquired."
[Barhydt v. Cross, 156 Iowa 271, 278 (1912)]

TRANSLATION: "Every one" is the customer of our civil statutory protection franchise MONOPOLY. We will provide NO support NO escape hatch to UNCONSENT to be a "customer" called a civil statutory "citizen", "resident" or "person", such as the common law instead of civil statutory law. We don't care that supporting the common law of England is in the constitution. Common law be damned because people should NEVER have a choice of the law system that protects them or their property. Even though involuntary servitude is prohibited by the Thirteenth Amendment, a little slavery to a corporate monopoly to pay off my judicial retirement check and the public debt never hurt ANYONE, even though it is a crime for a judge to preside over matters he/she has a financial conflict of interest in. 28 U.S.C. §§144, 455, and 18 U.S.C. §208.

REBUTTAL: The term "each one" cannot possibly mean EVERY MAN OR WOMAN. It can only mean every man or woman WHO VOLUNTEERS TO BE PARTY TO THE CIVIL SOCIAL COMPACT, which is OPTIONAL for those who wish to retain full self-ownership and pursue only the protections of the common law and equality in relation to the government in court. If joining weren't optional, why THE HELL would we even need a constitution? The Bill of Rights protects private property, but statutory privileges DESTROY private rights and private property and replace them with privileges.

The U.S. Supreme Court acknowledged that it is VOLUNTARY "MEMBERSHIP" that is the cause for loss of most rights:

*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 ledas. 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]*

The "whole people" mentioned above is the ENTIRE "body politic" of consenting members to the social compact called STATUTORY "citizens" and "residents", and not those born or naturalized in the country.

"The term [STATUTORY] '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 one man to the collective body of the people — and he who before was a 'subject of

1 *the king' is now 'a citizen of the State [the COLLECTIVE corporation].'" State v. Manuel, 1838, 20 N.C. 144,*
2 *4 Dev. & B. 20, 24-26, cited with approval in United States v. Wong Kim Ark, 169 U.S. 649, at page 668, 18*
3 *S.Ct. 456, at page 464, 42 L.Ed. 890, where the court said: "Nor can it be doubted that it is the inherent right of*
4 *every independent nation to determine for itself, and according to its own constitution and laws, what classes of*
5 *persons shall be entitled to its citizenship."*
6 *[Medvedieff v. Citizens Service Oil Co, 35 F.Supp. 999 (1940)]*

7
8 *"It will be sufficient to observe briefly, that the sovereignties in Europe, and particularly in England, exist on*
9 *feudal principles. That system considers the Prince as the sovereign, and the people as his subjects; it regards*
10 *his person as the object of allegiance, and excludes the idea of his being on an equal footing with a subject,*
11 *either in a Court of Justice or elsewhere. That system contemplates him as being the fountain of honor and*
12 *authority; and from his grace and grant derives all franchises, immunities and privileges..." at 471.*

13 *"From the differences existing between feudal sovereignties and Government founded on compacts, it*
14 *necessarily follows that their respective prerogatives must differ. Sovereignty is the right to govern; a nation*
15 *or State-sovereign is the person or persons in whom that resides. In Europe the sovereignty is generally*
16 *ascribed to the Prince; here it rests with the people; there, the sovereign actually administers the*
17 *Government; here, never in a single instance; our Governors are the agents of the people, and at most stand*
18 *in the same relation to their sovereign, in which regents in Europe stand to their sovereigns. Their Princes*
19 *have personal powers, dignities, and pre-eminences, our rulers have none but official; nor do they partake in*
20 *the sovereignty otherwise, or in any other capacity, than as private citizens." at 472.*
21 *[Justice Wilson]*
22 *[Chisholm, Ex'r. v. Georgia, 2 Dall. (U.S.) 419, 1 L.Ed. 454, 457, 471, 472) (1794)]*

23 The "State" in the above is a corporation. Those who are STATUTORY "citizens" are officers of that corporation.
24 President Obama even said so in his Farewell Address! See for yourself:

President Obama Admits in His Farewell Address that "citizen" is a public office, SEDM Exhibit #01.018
<https://sedm.org/Exhibits/EX01.018-39-45-20170110-Obama%20Farewell%20Speech.mp4>

25 You have a choice about whether you want to serve as officers or public officers of that corporation, and if you don't, YOU
26 ARE A SLAVE people! The way you volunteer is to choose a CIVIL domicile. The way to unvolunteer is to be a transient
27 foreigner domiciled in the kingdom of Heaven on the absolutely owned territory of your only King and civil lawgiver,
28 which is God. Below are the "preferred pronouns" used to refer to those who DO NOT consent and have lawfully
29 REMOVED consent to a SECULAR civil domicile and replaced it with a domicile in the Kingdom of Heaven in full
30 satisfaction of the Biblical delegation of authority order:

My Preferred Pronouns, SEDM Blog
<https://sedm.org/my-preferred-pronouns/>

31 Notice the phrase above in Chisholm "partake of the sovereignty otherwise, or in any capacity, than as private citizens".
32 Not "private PEOPLE", but "private [STATUTORY/domiciled] citizens". If you go to your local registrar of voters, they
33 will tell you that you will NOT be permitted to register to vote unless you have a civil domicile in the country
34 REGARDLESS of your nationality or your place of birth. If you don't have a domicile, even though you have American
35 NATIONALITY, or you don't WANT a domicile, then you, like us, will be treated as a NON-MEMBER. If you choose to
36 be a member, you by implication SURRENDER some of the protections of the constitution as intimated above in the Munn
37 case:

38 *"Under basic rules of construction, statutory laws enacted by legislative bodies [by writing CIVIL STATUTES]*
39 *cannot impair rights given under a constitution. 194 B.R. at 925. "*
40 *[In re Young, 235 B.R. 666 (Bankr.M.D.Fla., 1999)]*

41 One can have nationality and therefore be a CONSTITUTIONAL "citizen of the United States" under the Fourteenth
42 Amendment WITHOUT being a member of the "body politic" as a STATUTORY "citizen" or "resident" with a domicile
43 within the forum. We are, in fact! The Bible says we HAVE to do this:

44 *"Above all, you must live as citizens of heaven [INSTEAD of citizens of earth. You can only be a citizen of*
45 *ONE place at a time because you can only have a domicile in one place at a time], conducting yourselves in a*
46 *manner worthy of the Good News about Christ. Then, whether I come and see you again or only hear about*
47 *you, I will know that you are standing together with one spirit and one purpose, fighting together for the faith,*
48 *which is the Good News."*

Notice that in Munn the covenant is with “EVERY CITIZEN” and not “EVERY ONE”. You must join voluntarily to be party to such a covenant or else the First Amendment right of freedom from compelled association is violated. The Bill of Rights, of which the First Amendment is a part, protects CONSTITUTIONAL persons, which are all HUMAN BEINGS and not fictions called CITIZENS and RESIDENTS. The fact that this even has to be explained to the Iowa Supreme Court makes a travesty of justice.

An act of BIRTH, on the other hand, is not a voluntary choice of membership that could give rise to a LOSS of natural or constitutional rights of human beings within the Bill of Rights, although it is the origin of the concept of allegiance and nationality:

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]

The VOLUNTARY “membership” that the U.S. Supreme Court refers to in the case of Munn above which is the origin of a LOSS of constitutional or natural rights is therefore CLEARLY domicile, and not NATIONALITY, allegiance, or even naturalization. Domicile is voluntary. NATIONALITY upon birth is NOT voluntary and therefore cannot be the origin of how one CONSENTS to become subject to the civil statutory law as a CONSENTING MEMBER of the social compact. Corrupt courts and judges often try to confuse CONSTITUTIONAL citizenship (nationality and allegiance) with CIVIL STATUTORY citizenship (domicile) so they can make you believe that both of them are the same, because they want more cows to milk on the government plantation. This is called EQUIVOCATION, which is exhaustively explored in:

[Legal Deception, Propaganda, and Fraud, Form #05.014](https://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf)
<https://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf>

8 Legal and Constitutional Problems with the current Social Compact

8.1 The PROBLEM with the “Social Compact” (CIVIL STATUTORY LAW) as explained by a legal expert that got 90% on the Bar Exam

The following interchange with the Openai ChatGPT-4 AI Chatbot explains the problem with the social compact that this agreement intends to NULLIFY. The ChatGPT-4 AI Chatbot got a 90% on the Bar Exam. This discussion presupposes that “the social compact” and the CIVIL STATUTORY LAW are equivalent, because both are the only components of the legal system that are, in fact, based on CONSENT in some form as far as government is concerned. The abuse of the “social compact” and the VOLUNTARY civil statutory law that it implements is defined as “weaponization of government” on our website:

SEDM Disclaimer, Section 4.30: Weaponization of Government
https://sedm.org/disclaimer.htm#4.30.Weaponization_of_government

The interchange begins after the horizontal line.

1 You can ask your own questions at:

2 <http://chat.openai.com>

3

4 **QUESTION:** If a judge compels or assigns someone a civil domicile, isn't he in fact compelling them to become a party to
5 the social compact? You cannot register to vote without a domicile, and voting is a privilege, so isn't the judge forcing the
6 party to contract at that point?

7 **ANSWER:** The concept of civil domicile refers to a person's legal residence or permanent address for various legal and
8 administrative purposes. It is typically determined based on factors such as where a person resides or intends to make their
9 home. However, civil domicile is not directly equivalent to the social compact.

10 While civil domicile may be a factor in determining a person's eligibility to exercise certain privileges, such as voting, it
11 does not necessarily mean that a judge is compelling someone to enter into a contract or the social compact.

12 Voting is indeed considered a privilege in many jurisdictions, and it is often linked to residency or domicile requirements.
13 These requirements aim to ensure that individuals who participate in the democratic process have a sufficient connection to
14 the jurisdiction in question.

15 The role of a judge in assigning or determining civil domicile may vary depending on the legal system and the specific
16 circumstances. However, it is generally within the authority of the judiciary to interpret and apply the laws regarding
17 residency or domicile requirements, including for purposes of voter registration.

18 It is important to note that while the exercise of certain privileges, like voting, may be conditioned upon meeting certain
19 requirements, this does not necessarily mean that individuals are being compelled to enter into a contract or the social
20 compact. Rather, it reflects the legal framework and eligibility criteria established by the relevant jurisdiction for the
21 exercise of those privileges.

22 In summary, while civil domicile and voting privileges may be connected, it does not necessarily mean that a judge
23 compelling someone to establish a civil domicile is equivalent to forcing them to enter into a contract or the social compact.
24 The requirements and conditions associated with voting and residency are established by the legal system and are subject to
25 legal interpretation and application.

26 **QUESTION:** Could a compact accurately be described as a contract in which consent is implied through specific actions
27 defined by the government offering the compact?

28 **ANSWER:** Yes, a compact can be accurately described as a contract in which consent is implied through specific actions
29 defined by the government offering the compact. In this context, consent is typically understood as being implied through
30 the actions or conduct of the parties involved.

31 A compact, or social contract, is a theoretical construct that explains the relationship between individuals and the
32 government. It posits that individuals implicitly consent to be governed and abide by the rules and laws of the society in
33 exchange for the protection of their rights and the benefits provided by the government.

34 While the consent in a compact is often not explicitly expressed through a signed document or formal agreement, it is
35 considered to be implied based on the individual's actions or behaviors that demonstrate their acceptance of the social
36 contract. By residing within a particular jurisdiction, enjoying the benefits and protections provided by the government, and
37 participating in societal activities, individuals are seen as consenting to the compact or contract.

38 This concept of implied consent through actions aligns with the idea that by actively participating in society, individuals
39 agree to the terms and obligations set forth by the government.

40 It is worth noting that the interpretation and application of the social contract theory can vary, and different philosophers
41 and legal theorists may have different perspectives on the nature of consent and the implications of implied consent within
42 the social contract framework.

QUESTION: Doesn't the ability to even offer a compact of this nature derive from the fact that a benefit or consideration of some kind offered by the government and that the consideration offered is implicitly not free and must be paid for?

ANSWER: In the context of the social contract theory, it is often understood that the government offers certain benefits and protections to individuals as part of the compact. These benefits can include security, the rule of law, public services, infrastructure, and various other goods and services provided by the government.

The idea is that these benefits come at a cost, and individuals are expected to fulfill certain obligations or responsibilities in return. These obligations can include paying taxes, obeying laws, serving on juries, or participating in the democratic process, among others.

In this sense, it can be argued that the consideration offered by the government is not explicitly "free" and that individuals are expected to contribute or pay for the benefits they receive. This contribution is seen as part of the social contract and is necessary for the functioning and sustainability of the society and government.

However, it's important to note that the exact nature of the consideration and the obligations may vary depending on the specific society, legal system, and cultural context. The terms and conditions of the social contract are typically defined by laws, regulations, and other legal instruments established by the government.

It's also worth mentioning that the concept of the social contract is a philosophical and theoretical construct used to explain the legitimacy and basis of government authority. Different interpretations and perspectives on the social contract exist, and there may be debates and variations in how individuals perceive and fulfill their obligations within this framework.

QUESTION: So what we are really talking about, then, is technically a "quid pro quo". Is that correct?

ANSWER: Yes, the concept of a "quid pro quo" can be applicable in the context of the social contract. A "quid pro quo" refers to the exchange of something valuable or beneficial in return for something else. In the case of the social contract, individuals are seen as entering into a mutual agreement with the government where they receive certain benefits and protections in exchange for fulfilling certain obligations and responsibilities.

This exchange can be seen as a form of "quid pro quo" where individuals contribute through their actions, such as paying taxes or obeying laws, in order to receive the benefits and protections provided by the government.

However, it's important to note that the social contract is not necessarily a transactional agreement in the same way a contract is in a commercial context. The social contract is a theoretical construct that aims to explain the relationship between individuals and the government, and the exchange is often more implicit and based on the ongoing functioning of society rather than a direct negotiation or explicit agreement.

Nonetheless, the concept of "quid pro quo" can provide a useful framework for understanding the reciprocal nature of the social contract and the expectations of mutual obligations and benefits between individuals and the government.

QUESTION: What legal authorities useful in court might support the position that you have a right to not receive a benefit or privilege and may reject all such quid pro quo offers?

ANSWER: In legal proceedings, several authorities and legal principles could potentially support the position that an individual has the right to refuse or reject certain benefits or privileges offered as part of a quid pro quo arrangement. Here are a few legal authorities that might be relevant:

Right to Liberty: The right to liberty, enshrined in various national and international legal frameworks, protects an individual's freedom to make choices and decisions regarding their own life and well-being. This right can provide a basis for arguing that individuals have the freedom to decline or reject certain benefits or privileges without being compelled to accept them.

1. **Right to Privacy:** The right to privacy, recognized in many legal systems, safeguards an individual's autonomy and control over personal decisions and information. It can be invoked to support the idea that individuals have the right to refuse benefits or privileges that may require the disclosure of personal information or impinge on their privacy interests.

2. Freedom of Association: The freedom of association, a fundamental right protected by many constitutions and human rights instruments, allows individuals to choose their associations and affiliations freely. This freedom can be invoked to argue that individuals have the right to decline participation in certain groups or organizations, including those that offer benefits or privileges.
3. Right to Equal Protection: The right to equal protection under the law, guaranteed by many legal systems, ensures that individuals are treated fairly and without discrimination. This right can be relevant when arguing that individuals should have the freedom to refuse benefits or privileges without facing unfair or discriminatory treatment.
4. Contract Law Principles: In certain circumstances, contract law principles may come into play. Depending on the specific situation, contractual concepts such as offer, acceptance, consideration, and consent could be invoked to support the argument that individuals have the right to reject a quid pro quo arrangement if they have not willingly and voluntarily entered into such an agreement.

It is important to note that the specific legal authorities and arguments that may be applicable can vary depending on the jurisdiction, the specific facts of the case, and the legal framework in question. Consulting with a legal professional who is familiar with the relevant laws and jurisprudence is advisable for a comprehensive analysis of the situation and the most appropriate legal authorities to rely on in court.

QUESTION: What legal authorities within the United states of America support the proposition that you have a right to NOT be domiciled ANYWHERE, and to not be eligible to receive any benefit or civil statutory protection?

ANSWER: In the United States, there is no specific legal authority that grants individuals the right to not be domiciled anywhere or to not be eligible to receive any benefit or civil statutory protection. The concept of domicile is a fundamental aspect of legal systems, and individuals are typically required to have a legal residence or domicile for various purposes, including jurisdictional matters, tax obligations, and the exercise of certain rights and privileges.

However, it is important to note that the U.S. legal system does recognize certain rights and principles that can provide some support for individual autonomy and freedom of choice. These include:

1. Right to Privacy: The U.S. Constitution does not explicitly mention a right to privacy, but it has been recognized by the U.S. Supreme Court as an implied right derived from various constitutional provisions. The right to privacy can be invoked to argue against forced domicile or unwanted government intrusion into one's personal affairs.
2. Freedom of Movement: The U.S. Constitution protects the right of individuals to travel and move freely within the country. While this right does not necessarily extend to the complete avoidance of domicile requirements, it can support arguments for individual mobility and the ability to choose one's place of residence within the United States.
3. Due Process and Equal Protection: The Fifth and Fourteenth Amendments of the U.S. Constitution provide protections of due process and equal protection under the law. These provisions can be invoked to argue against arbitrary or discriminatory treatment related to domicile requirements or the denial of benefits.
4. First Amendment Freedoms: The First Amendment protects several fundamental freedoms, including freedom of speech, religion, assembly, and the right to petition the government. While these freedoms may not directly address the issue of domicile, they contribute to the overall principles of individual autonomy and choice within the United States.

It is important to note that the legal authorities mentioned above may provide some support for arguments related to individual autonomy and freedom of choice. However, they do not establish an absolute right to not be domiciled anywhere or to refuse all benefits or civil statutory protections. The legal framework within the United States generally requires individuals to have a legal residence or domicile for various legal purposes.

QUESTION: Is the idea behind the social compact as a "quid pro quo", that no individual may draw more property or value out of the public fisc than they put in, so that they don't become a burden to society or take property from others by means of the tax system?

ANSWER: The idea behind the social compact is a broad concept that varies depending on the philosophical and theoretical perspectives one adopts. It is not solely centered on the concept of a "quid pro quo" or ensuring that no individual draws more property or value out of the public fisc than they put in.

The social compact theory, rooted in the works of political philosophers such as Thomas Hobbes, John Locke, and Jean-Jacques Rousseau, seeks to explain the basis of government authority and the relationship between individuals and the state. It posits that individuals willingly enter into a social contract or compact with the government, surrendering certain freedoms or rights in exchange for the protection of their remaining rights and the benefits provided by the government.

The specific terms and conditions of the social compact can vary depending on the philosophical perspective. It may include concepts such as mutual obligations, responsibilities, and rights of both individuals and the government.

While the idea of fairness and not burdening society unduly can be relevant to discussions of the social compact, it is not the sole or exclusive focus. The social compact also addresses issues such as the protection of individual rights, the establishment of rule of law, the provision of public goods and services, and the creation of a system for collective decision-making and governance.

The operation of the tax system and the allocation of resources within society can be considered part of the broader framework of the social compact, but it is not the sole determinant of the social compact itself. The principles of fairness, equity, and avoiding undue burden can inform discussions around taxation and public finance, but they are not the sole objectives or components of the social compact theory.

QUESTION: Doesn't the social compact function as an unconscionable "adhesion contract", in that the government that writes it is the Merchant and the only one who can define its terms, and that you are only left with two choices: Accept it and lose whatever natural or constitutional rights they happen to want to take from you, or literally be ostracized and starved to death because unable to get government ID connecting you to membership? You can't conduct most important financial transactions without government id connecting you to a domicile and membership in the social compact, right?

ANSWER: The concept of the social compact does not typically function as an unconscionable "adhesion contract" in the legal sense. The social compact is a theoretical construct used to explain the relationship between individuals and the government, and it is not a legally binding contract in the same way a commercial contract operates.

An adhesion contract typically refers to a contract in which one party has significantly more bargaining power than the other, leading to an unfair or unequal agreement. In the context of the social compact, it is true that the government holds significant power in defining the terms and conditions of governance. However, the social compact is not a contract entered into by individuals in the same way that parties voluntarily enter into commercial contracts.

The social compact is often seen as a foundational concept in political philosophy, describing the theoretical agreement or understanding between individuals and the government regarding the governance of society. It is based on principles of consent, mutual obligations, and the protection of individual rights. While the government plays a crucial role in defining and implementing the social compact, it is ultimately a reflection of the collective will and participation of the governed.

Regarding your question about government ID and membership in the social compact, it is true that government-issued identification and proof of residence are often required for various purposes, including financial transactions, voting, and accessing certain services. These requirements are generally in place to establish legal identity, maintain security, and ensure compliance with legal and regulatory obligations.

However, it is important to note that the specific requirements and procedures for obtaining government ID and connecting to the social compact can vary depending on the jurisdiction. Governments typically provide avenues for individuals to establish their identity and fulfill the necessary requirements for participation in society.

While there may be debates and discussions about the extent of identification requirements and their impact on individual rights, it is generally recognized that some level of identification is necessary for various purposes in modern societies.

It's also worth noting that individuals have avenues to challenge and seek redress if they believe their rights have been violated or if they disagree with specific policies or requirements. Legal systems provide mechanisms, such as courts and

administrative processes, for addressing grievances and ensuring the protection of individual rights within the framework of the social compact.

QUESTION:

Doesn't the domicile function as an unconscionable "adhesion contract", in that the government that establishes the terms of acquiring government identification is the Merchant and the only one who can define its terms, and that you are only left with two choices: Accept it and lose whatever natural or constitutional rights they happen to want to take from you, or literally be ostracized and starved to death because unable to get government ID connecting you to membership? You can't conduct most important financial transactions without government ID connecting you to a domicile and membership in the social compact, right?

ANSWER: The concept of domicile, as it pertains to legal residence or the establishment of a fixed place of abode, is an important aspect of legal systems. It is typically used for various purposes, including identification, taxation, voting, and accessing certain rights and benefits.

While the acquisition of government identification and the establishment of domicile are typically regulated by the government, it does not necessarily make it an unconscionable adhesion contract. An adhesion contract is a type of contract where one party has significantly more bargaining power and dictates the terms of the contract to the other party, often resulting in an unfair or unequal agreement.

In the case of domicile, it is true that the government plays a role in defining the requirements and procedures for establishing legal residence and obtaining government identification. However, the establishment of domicile is not a contract entered into voluntarily in the same way as a commercial contract.

Domicile requirements are generally in place to establish legal identity, maintain social order, ensure compliance with legal obligations, and facilitate the functioning of various aspects of society. While individuals are subject to these requirements, they also receive certain rights and benefits from the government, such as protection under the law, access to public services, and participation in the political process.

While it is true that government identification and domicile are often necessary for conducting important financial transactions and accessing certain rights and benefits, the specific requirements and procedures can vary depending on the jurisdiction and the purpose for which identification is needed.

It is important to recognize that legal systems typically provide avenues for individuals to establish their identity, fulfill necessary requirements, and seek redress if they believe their rights have been violated. If you have concerns about specific requirements or believe your rights have been infringed, it may be advisable to consult with a legal professional who can provide guidance based on the laws and regulations of your jurisdiction.

QUESTION: But what if I only want to be able to conduct financial transactions but do NOT want the protection or benefit of any government other than CRIMINAL protection? Domicile implies civil protection that I don't want. Doesn't bundling things I don't want, such as civil statutory protection, with this that I do want, being a physical ID ONLY and nothing more, constitute an adhesion contract?

ANSWER: I understand your perspective, but it's important to note that the establishment of domicile and the associated legal requirements serve various purposes beyond civil protection. Domicile is typically used to determine legal residence for purposes of taxation, voting, accessing certain rights and benefits, and establishing jurisdiction for legal matters.

While it may not be possible to separate the aspects of domicile that you desire (such as a physical ID for financial transactions) from other associated legal requirements, it doesn't necessarily constitute an adhesion contract. Adhesion contracts typically involve unfair or unequal terms, where one party has significantly more bargaining power and dictates the terms to the other party. In the case of domicile, the requirements and procedures are generally established by the government to ensure the functioning of various aspects of society, maintain order, and protect the rights of individuals.

However, it's worth noting that legal systems differ among jurisdictions, and specific laws and regulations may vary. If you have concerns about specific requirements or believe your rights are being infringed upon, it is advisable to consult with a

1 legal professional who can provide guidance based on the laws and regulations of your jurisdiction. They can help you
2 understand your options and rights within the legal framework that applies to your specific situation.

3 **QUESTION:** A monopolistic business practice or "anticompetitive behavior" is one in which there is bundling of things
4 people want with what they don't want. Large corporations have been routinely sanctioned by governments for doing this.
5 Don't governments do EXACTLY the same thing with the government ID they offer: bundling a domicile and obligations I
6 don't want, with what I do want, which is ONLY a physical ID with no legal strings attached?

7 **ANSWER:** I understand your analogy to bundling practices in the business world, where certain products or services are
8 packaged together. However, it's important to note that governments have a distinct role and responsibility in providing
9 identification documents and establishing legal requirements for residence and identification.

10 Governments establish legal frameworks to ensure public order, protect individual rights, and facilitate the functioning of
11 society. In this context, the requirement of establishing a domicile is often tied to various legal obligations, such as taxation,
12 voting, and access to certain rights and benefits. These requirements are established to maintain social order, provide
13 governance, and ensure compliance with legal and regulatory obligations.

14 While it may be your preference to have a physical ID without any legal obligations or strings attached, the reality is that
15 governments have established legal frameworks and requirements that accompany identification documents. These
16 frameworks serve various purposes, including security, public administration, and the provision of services and benefits to
17 citizens.

18 It's important to recognize that the legal system and the associated requirements, including domicile, are products of the
19 social and political framework in which governments operate. If you have concerns about specific requirements or believe
20 your rights are being infringed upon, it is advisable to consult with a legal professional who can provide guidance based on
21 the laws and regulations of your jurisdiction. They can help you understand the legal framework and explore potential
22 options within that framework.

23 **QUESTION:** I told you I don't want any benefits, strings, or obligations. Just a goddam piece of paper that accurately
24 identifies me but doesn't make me an agent of the issuer who can be regulated. You're saying essentially that government
25 violates its own monopoly laws in the issuance of IDs by bundling other things with them, and that this monopoly literally
26 can impose any obligation whatsoever that they want, even if it makes you a slave with no rights. Is that correct?

27 **ANSWER:** I apologize if my previous responses did not address your specific concerns. Let me clarify the points I made:

- 28 1. **Government Identification:** Governments issue identification documents for various purposes, including
29 establishing legal identity and facilitating participation in society. These identification documents often come with
30 certain obligations and requirements based on the legal framework established by the government.
- 31 2. **Legal Framework:** Governments have the authority to establish legal frameworks and requirements for
32 identification and residence. These frameworks serve purposes such as maintaining public order, protecting
33 individual rights, and ensuring compliance with legal and regulatory obligations.
- 34 3. **Rights and Obligations:** The legal framework sets out rights and obligations for individuals within a given
35 jurisdiction. While individuals may have preferences regarding the scope of their rights and obligations, the legal
36 framework is determined by the laws and regulations of the respective government.

37 It is important to recognize that the laws and regulations regarding identification and residence vary among jurisdictions. If
38 you have specific concerns or questions about the laws and regulations in your jurisdiction, it is advisable to consult with a
39 legal professional who can provide guidance based on the specific legal framework that applies to your situation.

40 My role is to provide general information, and I am not equipped to provide legal advice tailored to your specific
41 circumstances. Consulting with a legal professional is the best course of action for addressing your concerns within the
42 legal framework of your jurisdiction.

43 **QUESTION:** By "legal framework" do you mean the "choice of law" in resolving disputes? For instance, the choice
44 between the common law and the civil statutory law?

ANSWER: When I refer to the "legal framework," I am referring to the overall system of laws, regulations, and legal principles that govern a particular jurisdiction. It encompasses a range of elements, including statutory laws, common law precedents, administrative regulations, constitutional provisions, and judicial interpretations.

The legal framework determines how disputes are resolved, the rights and obligations of individuals, the procedures for legal processes, and the overall structure of the legal system. It includes the choice of law principles, which guide courts in determining which laws apply to a particular case when multiple jurisdictions or legal systems are involved.

In terms of the choice between common law and civil statutory law, it is a distinction between two major legal systems. Common law is a legal system primarily based on judicial decisions and precedent, while civil statutory law is a legal system primarily based on written codes and statutes. The choice of law principles can vary depending on the jurisdiction and the specific circumstances of a case.

It's important to note that the choice of law principles and the legal framework are established by the legislative and judicial branches of government. They define the applicable laws and determine how disputes are resolved within the legal system. Consulting with a legal professional familiar with the laws and regulations of your jurisdiction is recommended for specific legal advice and guidance tailored to your circumstances.

QUESTION: The legislature can't force anyone to abandon invoking ONLY the common law and the constitution for their protection, can they? If that were true, we wouldn't need a bill of rights, would we?

ANSWER: You are correct that the legislature cannot force individuals to abandon invoking the common law or the constitutional protections that apply to them. The Bill of Rights, as part of the United States Constitution, guarantees certain fundamental rights and protections to individuals, and these rights cannot be taken away or abridged by the legislature.

The purpose of the Bill of Rights is to safeguard individual liberties and ensure that the government respects and upholds certain fundamental rights, such as freedom of speech, religion, and due process. These rights serve as a check on government power and provide individuals with legal protections.

While the legislature has the authority to enact laws, those laws must comply with the constitutional framework and respect the rights guaranteed by the Constitution. If a law violates constitutional rights or is inconsistent with the principles of the common law, individuals have the right to challenge its constitutionality through legal means, such as by bringing a lawsuit or pursuing legal remedies.

It is through the legal system, including the courts, that disputes regarding the interpretation and application of laws, including the constitution, are resolved. The courts play a crucial role in interpreting laws and ensuring that they comply with the constitutional framework.

Ultimately, the Bill of Rights and the legal system exist to protect individual rights and provide recourse for those who believe their rights have been violated. If you believe your rights have been infringed upon, it is advisable to consult with a legal professional who can provide guidance based on the specific circumstances and legal framework that applies to your situation.

8.2 Circumstances of the government's usual offer of CIVIL STATUTORY protection to the Protected Party

It is a maxim of law that you have an absolute RIGHT to reject any and all "benefits", "privileges", "franchises", and government property and the obligation to pay for them. Below are some examples:

*"Cujus est commodum ejus debet esse incommodum.
He who receives the benefit should also bear the disadvantage."*

*"Que sentit commodum, sentire debet et onus.
He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433."*

*Commodum ex injuri su non habere debet.
No man ought to derive any benefit of his own wrong. Jenk. Cent. 161.*

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>]

The above are principles of EQUITY that all maxims of law implement. We talk about the above principles in the following link on our opening page, in fact:

Hot Issues: Common Law and Equity Litigation, SEDM
<https://sedm.org/common-law-litigation/>

But HOW exactly might one invoke these principles in a common law or equity setting to in effect COMPEL the court to respect them and which might be easy to explain to a common law jury? That is the focus of this article.

To answer that question, we must first focus on when and where we would most likely need to do this. Most often, this approach would be needed in tax litigation relating to civilly or criminally enforcing the payment or non-payment of a tax. We must remember that all taxes have the following characteristics in common:

1. The tax relates to your obligation to pay for a specific “benefit” or “privilege”.
2. The obligation to pay the tax covers a specific defined period of time such as a year.
3. You acquired the obligation to pay from a CIVIL perspective by joining a specific class, group, or civil status that has the obligation.
4. The government has the burden of proving that you voluntarily joined the group that is the only proper object of enforcement authority. If not, slavery and human trafficking are involved on their part.
5. The government attempting to enforce disguises the ORIGIN of the obligation to pay by calling it a “quasi-contract”. This is a code word for a voluntary act you engaged in that is excise taxable and which constituted CONSTRUCTIVE consent to join the civil legal group or class that is the only proper object of the civil obligation to pay.
6. The group or class that has the obligation is ALWAYS an OFFICE within the government that is legislatively created by civil legislation enacted by the government.
7. By claiming the status defined in the legislation creating the office, you in effect are deemed to VOLUNTEER for the obligations attached to the civil office by accepting the juridical privileges ([franchises, Form #05.030](#)) that are ALSO attached to it.
8. By invoking or accepting the civil statutory juridical PRIVILEGES and public rights ([franchises, Form #05.030](#)) attached to the office, you also implicitly accept the obligations that make the delivery of those rights possible. Thus, the government is a Merchant offering you its PUBLIC property, you are the Buyer, and there is a “tacit procurement” or “sub silentio” purchase of their property or services by seeking or invoking those property or services in an administrative or judicial setting.
9. The authority to force you to PAY for the benefit or privilege you are seeking originates not only from the above maxims of law, but the common law principle of unjust enrichment.

Unjust enrichment is described below:

unjust enrichment. (1897) 1. The retention of a benefit conferred by another not as a gift, but instead in circumstances where compensation is reasonably expected. 2. A benefit obtained from another, not intended as a gift and not legally justifiable, for which the beneficiary must make restitution or recompense. • Unjust enrichment is a basis of civil liability involving a claim for recovery that sometimes also goes by the name restitution. Instances of unjust enrichment typically arise when property is transferred by an act of wrongdoing (as by conversion or breach of fiduciary duty), or without the effective consent of the transferor (as in a case of mistake), or when a benefit is conferred deliberately but without a contract, and the court concludes that the absence of a contract is excusable as when the benefit was provided in an emergency, or when the parties once

seemed to have a contract but it turns out to be invalid.; The resulting claim of unjust enrichment seeks to recover the defendant's gains. 3. The area of law dealing with unjustifiable benefits of this kind.
[Black's Law Dictionary, Eleventh Edition, pp. 1849-1850]

The U.S. Supreme Court describes the concept of unjust enrichment in the context of taxation as follows by calling it "indebitatus assumpsit", meaning an "assumed debt" on your part. The obligation it calls "quasi-contractual":

"Even if the judgment is deemed to be colored by the nature of the obligation whose validity it establishes, and 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 it outside the state where rendered, see *Wisconsin v. Pelican Insurance Co.*, [127 U.S. 265](#), 292, et seq. 8 S.Ct. 1370, compare *Fauntleroy v. Lum*, [210 U.S. 230](#), 28 S.Ct. 641, still the obligation to pay taxes is not penal. It is a statutory liability, quasi contractual in nature, enforceable, if there is no exclusive statutory remedy, in the civil courts by the common-law action of debt or indebitatus assumpsit. *United States v. Chamberlin*, [219 U.S. 250](#), 31 S.Ct. 155; *Price v. United States*, [269 U.S. 492](#), 46 S.Ct. 180; *Dollar Savings Bank v. United States*, 19 Wall. 227; and see *Stockwell v. United States*, 13 Wall. 531, 542; *Meredith v. United States*, 13 Pet. 486, 493. This was the rule established in the English courts before the Declaration of Independence. *Attorney General v. Weeks, Bunbury's Exch. Rep.* 223; *Attorney General v. Jewers and Batty, Bunbury's Exch. Rep.* 225; *Attorney General v. Hatton, Bunbury's Exch. Rep.* [296 U.S. 268, 272] 262; *Attorney General v. —*, 2 Ans.Rep. 558; see *Comyn's Digest* (Title 'Dett,' A, 9); *1 Chitty on Pleading*, 123; cf. *Attorney General v. Sewell*, 4 M.&W. 77. "
[[Milwaukee v. White](#), [296 U.S. 268 \(1935\)](#)]

Therefore, in all unjust enrichment scenarios, someone is offering PROPERTY or SERVICES (which is also property) as a Merchant which cost money to produce or deliver and are implicitly NOT free. Although the property or services don't come to you with a price schedule and they don't specifically identify themselves as a Merchant, the courts inevitably will refer to the person offering as a Merchant and you as a Buyer under the U.C.C. You will therefore be treated AS IF you were a Buyer under the Uniform Commercial Code (UCC) whether you know it or not and whether you wanted to be or not. By the government merely making the property or services available to you as a Buyer to ASK for on a government application constitutes an OFFER in commerce, and you applying for or accepting the property or sometimes even being ELIGIBLE to receive it constitutes an acceptance. The above scenario is sometimes referred to as:

1. Implied consent.
2. Quid pro quo.
3. Tacit procurement.
4. Sub silentio.
5. Excise taxable privilege.

So, there is an INVISIBLE (in most cases) and IMPLIED commercial process at work whenever you deal with the government and ask them for their property, services, or privileges, whether they expressly communicate that to you or not. The U.S. Supreme Court even identified this as a "concession". A "concession" is a process where someone is SELLING something to you and BY YOUR ACTIONS ALONE YOU BECOME A BUYER from a legal perspective:

"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.

[...]

"It is only where some right or privilege [which are GOVERNMENT PROPERTY] 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 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."
[[Munn v. Illinois](#), [94 U.S. 113 \(1876\)](#)]

Unjust enrichment is an [equitable and common law principle](#). That means it applies EQUALLY to EVERYONE, not just the government. NO ONE can use it unless EVERYONE can use it. This also means that you CAN and even SHOULD use it against the government, and especially when they are trying to use it against you to justify or defend their authority to enforce against you. This approach is an implementation of the Sun Tzu proverbs of war, which say that you can defeat your enemy by using their greatest strength against them.

SEDM gives a high-level overview on the opening page of their site about the above conundrum that most people often UNKNOWINGLY volunteer for with the following succinct summary of how it operates:

People of all races, genders, political beliefs, sexual orientations, and nearly all religions are welcome here. All are treated equally under REAL "law". The only way to remain truly free and equal under the civil law is to avoid seeking government civil services, benefits, property, special or civil status, exemptions, privileges, or special treatment. All such pursuits of government services or property require individual and lawful consent to a franchise and the surrender of inalienable constitutional rights AND EQUALITY in the process, and should therefore be AVOIDED. The rights and equality given up are the "cost" of procuring the "benefit" or property from the government, in fact. Nothing in life is truly "free". Anyone who claims that such "benefits" or property should be free and cost them nothing is a thief who wants to use the government as a means to STEAL on his or her behalf. All just rights spring from responsibilities/obligations under the laws of a higher power. If that higher power is God, you can be truly and objectively free. If it is government, you are guaranteed to be a slave because they can lawfully set the cost of their property as high as they want as a Merchant under the U.C.C. If you want it really bad from people with a monopoly, then you will get it REALLY bad. Bend over. There are NO constitutional limits on the price government can charge for their monopoly services or property. Those who want no responsibilities can have no real/PRIVATE rights, but only privileges dispensed to wards of the state which are disguised to LOOK like unalienable rights. Obligations and rights are two sides of the same coin, just like self-ownership and personal responsibility. For the biblical version of this paragraph, read 1 Sam. 8:10-22. For the reason God answered Samuel by telling him to allow the people to have a king, read Deut. 28:43-51, which is God's curse upon those who allow a king above them. Click Here for a detailed description of the legal, moral, and spiritual consequences of violating this paragraph. [SEDM Website Opening Page; <http://sedm.org>]

Essentially then, the entire income tax system operates entirely under equity, is not expressly authorized by the constitution, and abuses "benefits" and "franchises" to unconstitutionally invade the states in violation of the 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)]

The advantage you have in your favor when you invoke this process against the government is that:

1. Most of the money the government spends is actually just PRINTED or BORROWED into existence. There is no "benefit" to you in them doing that and a LOT of injury to future generations who will have to foot the bill to service that debt.
2. The government ALWAYS charges WAY more for their property and services than it costs to deliver them. This is because they have to ADD the cost of the borrowing and printing of money spent on things OTHER than the "benefit" that often aren't even constitutionally authorized. Thus, the UNAUTHORIZED spending usually dwarfs the cost of the actual "benefit" they DO deliver.
3. The inflation they invoke by printing the money erodes the actual benefit received, which often isn't received until DECADES after it is paid for, as in the case of Social Security.
4. Most of the money the government spends is for service on the national debt. It doesn't in actuality pay for the delivery of the product or service you are often seeking. This was one of the principles established by Ronald Reagan's Grace Commission Report.
5. The time period for which a tax owes almost NEVER overlaps with WHEN the benefit or service is actually delivered. Thus, no matter what time period you are talking about, if you attempted to equitably BALANCE the cost with the payment, the government would ALWAYS lose in the accounting process and thereby ultimately be the ONLY party who in actuality would actually engage in an "unjust enrichment".

6. Any calculations that might be done to reconcile the account under equitable principles must consider the Net Present Value adjusted for inflation of what was contributed and what is actually paid. The government always loses on that accounting as well, because their money printing in effect behaves as an INVISIBLE tax. That “tax” should be accounted for in the calculations as well in order to be truly equitable.
7. The government corruptly tries to deny their responsibility under rules of equity by invoking sovereign immunity unlawfully. It is unlawful because all their powers are delegated by THE SOVEREIGN people, and you can’t delegate it unless YOU have it and can use it against them AS WELL. Thus, the government are HYPOCRITES and elitists who deny the use of unjust enrichment against THEM but want to use it against you.
8. In most cases, the benefit delivered is not even expressly authorized by the written law. Social Security and income tax BOTH are never expressly authorized to be offered or paid in the constitutional state. See Form #06.002. Thus, the government in an unjust enrichment claim is abusing it to BENEFIT from an activity they have NO CONSTITUTIONAL authority to even engage in within the exclusive jurisdiction of a constitutional state. It is also a principle of equity that NO ONE should be allowed to BENEFIT from an unlawful, injurious, or criminal act and the government loses on this one as well.
9. The tax obligation being enforced is often, as in the case of statutory “wages” bundled with other obligations. On this site and [section 4.30 of our Disclaimer](#), we call this “weaponization of the government”. For instance, you can’t earn statutory “wages” under the Social Security Act without ALSO earning “wages” that are taxable under the Internal Revenue Code, even though THAT obligation is not a “benefit”. Thus, you are in effect being asked to pay an ADDITIONAL tax beyond SSI deductions for something that is not literally a “benefit” and which no one in their right mind would ever perceive as a “benefit.”

Therefore, if you invoke an equitable proceeding against the government to enforce an unjust enrichment AGAINST THEM, and actually quantify the value they can prove they delivered over the taxing period in question and compare that with what you actually paid for it, THEN NO MATTER WHAT, the government would ultimately and INEVITABLY LOSE and be the only one who actually should pay ANYTHING to ANYONE in that legal proceeding. We prove this in:

Why the Government is the Only Real Beneficiary of All Government Franchises, Form #05.051

<https://sedm.org/product/why-the-government-is-the-only-real-beneficiary-of-all-government-franchises-form-05-051/>

The next section is sample language that Parties agree on to ensure the court and the jury must enforce your right to NOT receive the benefit, privilege, public right, or property of the government that gives rise to the civil obligation being enforced and which does not make you look irresponsible or narcissistic to the jury, but rather RESPONSIBLE, conscientious, and seeking to behave in a respectful and equitable manner that is more likely to help you win your case.

8.3 Mandatory closing statements to the jury relating to prosecution for failure to contribute financially to “the social compact”

“Ladies and gentlemen of the jury, there is no question that all those who consume the services of others should pay for them, including me. This includes both the government as a Merchant offering property and services to me, as well as me offering property and services to the government. Any attempt to apply these principles unequally to either party to this controversy ultimately results in an abuse of you the jury to participate in, condone, and even commit a THEFT on the part of the government. Under principles of the [common law and equity](#), this scenario is called ‘unjust enrichment’, which gives rise to an implied obligation to always pay for whatever you ask someone else for. If we didn’t run the government this way, then people could abuse their power to vote and serve on jury duty to use the government as a thief and a Robinhood to equalize OUTCOMES rather than merely OPPORTUNITY and treatment. On this subject, the U.S. Supreme Court has held:

“... 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 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.

Coulter, J., in *Northern Liberties v. St. John’s Church*, 13 Pa. St., 104 says, very forcibly, ‘I think the common mind has everywhere taken in the understanding that **taxes are a public imposition, levied by authority of the government for the purposes of carrying on the government in all its machinery and operations—that they are imposed for a public purpose.**’ See, also *Pray v. Northern Liberties*, 31 Pa.St., 69; *Matter of Mayor of N.Y.*, 11 Johns., 77; *Camden v. Allen*, 2 Dutch., 398; *Sharpless v. Mayor*, supra; *Hanson v. Vernon*, 27 Ia., 47; *Whiting v. Fond du Lac*, supra.”
[*Loan Association v. Topeka*, 87 U.S. 655, 20 Wall. 655 (1874)]

This case involves nonpayment of an alleged “tax” for the specific years ____ to _____. A proper accounting under equitable principles requires us to consider the “benefits”, services, or property dispensed to me personally by the government over that period with what I actually paid. Any other approach would violate the principles of equity and unjust enrichment and make this jury an instrument of THEFT.

A “tax”, in this case is legally defined by the U.S. Supreme Court as a sum of money that supports ONLY the government or people working in or for the government. That means it cannot be paid to private, constitutionally protected parties in states of the Union, and if it IS, it ceases to be a classical “tax” as legally defined and devolves merely into a purely commercial activity conducted for profit like any private business, in which BOTH parties are treated NOT as a “government” but merely equals under equitable principles under the Clearfield Doctrine of the U.S. Supreme Court. In the instant case, I have not sought, do not want, and do not want to pay for any “benefit”, privilege, or exemption offered by any government. The ability to do so is my right under principles of equity, in fact:

*“Cujus est commodum ejus debet esse incommodum.
He who receives the benefit should also bear the disadvantage.”*

*“Que sentit commodum, sentire debet et onus.
He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433.”*

*Commodum ex injuri su non habere debet.
No man ought to derive any benefit of his own wrong. Jenk. Cent. 161.*

*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>]*

Paying or rendering a “benefit”, property, or service to someone who does not WANT it, has communicated that objection timely to the person offering, and who has identified any attempt to provide it against their will is not as a GRANT of a “benefit” but a GIFT by the provider, cannot therefore produce any equitable obligation whatsoever. Further, it is beyond the authority delegated to me by my principal, who is God under the Bible trust indenture, to ask for, accept, or pay for ANY benefit, property, or civil service that any so-called “government” might attempt to abuse to enslave me to them:

Curses of Disobedience [to God’s Laws]

“The alien [Washington, D.C. is legislatively “alien” in relation to states of the Union] who is among you shall rise higher and higher above you, and you shall come down lower and lower [malicious destruction of EQUAL PROTECTION and EQUAL TREATMENT by abusing FRANCHISES]. He shall lend to you [Federal Reserve counterfeiting franchise], but you shall not lend to him; he shall be the head, and you shall be the tail.

1 "Moreover **all these curses shall come upon you and pursue and overtake you, until you are destroyed,**
2 **because you did not obey the voice of the Lord your God, to keep His commandments and His statutes which**
3 **He commanded you.** And they shall be upon you for a sign and a wonder, and on your descendants forever.

4 "Because you did not serve [ONLY] the Lord your God with joy and gladness of heart, for the abundance of
5 everything, therefore you shall serve your [covetous thieving lawyer] enemies, whom the Lord will send against
6 you, in hunger, in thirst, in nakedness, and in need of everything; and He will put a yoke of iron [franchise
7 codes] on your neck until He has destroyed you. The Lord will bring a nation against you from afar [the
8 District of CRIMINALS], from the end of the earth, as swift as the eagle flies [the American Eagle], a nation
9 whose language [LEGALESE] you will not understand, a nation of fierce [coercive and fascist] countenance,
10 which does not respect the elderly [assassinates them by denying them healthcare through bureaucratic delays
11 on an Obamacare waiting list] nor show favor to the young [destroying their ability to learn in the public
12 FOOL system]. And they shall eat the increase of your livestock and the produce of your land [with "trade or
13 business" franchise taxes], until you [and all your property] are destroyed [or STOLEN/CONFISCATED]; they
14 shall not leave you grain or new wine or oil, or the increase of your cattle or the offspring of your flocks, until
15 they have destroyed you.
16 [Deut. 28:43-51], Bible, NKJV]

18 "The rich rules over the poor,
19 And the borrower is servant to the lender."
20 [Prov. 22:7], Bible, NKJV]

21 When a government actor is sued for wrongdoing under the constitution, they can only be sued if the Plaintiff can prove
22 they acted outside their delegated authority of their "principal" and "employer", the U.S. Inc. federal corporation. The same
23 principle applies here, except that the Plaintiff is a de facto government, and the principal is different because MY
24 principal, being God, is superior to that of any government. In the capacity of this proceeding, I am acting as an agent and
25 fiduciary of God 24 hours a day, 7 days a week and have not stepped out of the protections of the Bible trust indenture that
26 is my delegation of authority order, as documented in:

Delegation of Authority Order from God to Christians, Form #13.007
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/DelOfAuthority.pdf>

27 My delegation of authority order also forbids me from seeking the protection of anything but His laws, the common law,
28 the criminal law, and the Constitution and NEVER the civil statutory franchise protection contract called "domicile", as
29 proven in:

Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>

30 Therefore, we must settle this matter under equitable rather than civil statutory terms, and treat both parties absolutely
31 equally. A failure by you the jury or this court will have the practical effect of turning the government into an
32 unconstitutional civil religion in violation of the First Amendment, make the judge into the priest, make you into the apostle
33 of the priest, make this courtroom into a church, make the attorneys into deacons of the church, and impute or enforce
34 superior and supernatural powers to a collective corporation called "U.S. Inc" (Form #05.024) that I as the natural am not
35 allowed to have. That unlawful establishment of religion in violation of the First Amendment is documented below in:

Socialism: The New American Civil Religion, Form #05.016
<https://sedm.org/Forms/05-MemLaw/SocialismCivilReligion.pdf>

36 Over the tax period in question, a deduction of what I received from what I paid results in a net negative balance to the
37 government. That means under principles of equity that:

- 38 1. The government has no standing to sue, because they cannot demonstrate an actual injury.
- 39 2. The government is the only one in this case engaging in "unjust enrichment".
- 40 3. The government is the ONLY one receiving a net "benefit" or privilege from ME rather than the other way around. In
- 41 that scenario, I am the only "Merchant" under the U.C.C. and I am the ONLY one who can define the terms of my
- 42 offer of the privilege involved as its absolute owner. See:

Why the Government is the Only Real Beneficiary of All Government Franchises, Form #05.051
<https://sedm.org/product/why-the-government-is-the-only-real-beneficiary-of-all-government-franchises-form-05-051/>

4. The government has a moral and implied legal duty to correct this inequity by paying me the DIFFERENCE to me as a Merchant offering MY property, services, and “benefits” to them.

Since I am the only Merchant involved in this interaction offering property for sale, I am the ONLY one allowed to write the terms of procuring my services. Those terms are documented below:

Injury Defense Franchise and Agreement, Form #06.027
<https://sedm.org/Forms/06-AvoidingFranch/InjuryDefenseFranchise.pdf>

Further, the so-called “benefits” being enforced in this case cannot even lawfully be offered or enforced within a constitutional state of the union as described in:

1. *Why You Aren’t Eligible for Social Security*, Form #06.001
<https://sedm.org/Forms/06-AvoidingFranch/SSNotEligible.pdf>
2. *Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union*, Form #05.052
<https://sedm.org/Forms/05-Memlaw/ChallengeToIRSEnforcementAuth.pdf>

It is a maxim of law and equity that one should not be allowed to “benefit” from illegal, injurious, or non-consensual acts against anyone. Thus, there is NO BENEFIT whatsoever delivered by the government to me AT ALL. Further, it is a crime for the government to try to BRIBE me illegally to create an office with a bribe of “benefits” that are not lawfully available to me. See [18 U.S.C. §§201](#) and [210](#), and [18 U.S.C. §912](#).

Therefore, you, the jury and this court have a moral obligation to:

1. Dismiss the government’s action against me.
2. Sanction them for the criminal and illegal and even unconstitutional conduct in this case per the terms of the above agreement, Form #06.027 equitably governing this relationship.

9 Law of Nations: When a citizen has a right to “quit” his country

The Law of Nations was the book upon which the USA Constitution was written by the founders. Look what it says about the right of a “citizen” to “quit” his country. Changing one's domicile to a place outside the country or expatriating are two methods of “quitting”, we might add. The quote below is from Law of Nations, Book 1, Section 223. Notice they refer to the state as a “contracting party” and the laws of the state as a “social compact” and therefore contract:

§ 223. Cases in which a citizen has a right to quit his country.

There are cases in which a citizen has an absolute right to renounce his country, and abandon it entirely — a right founded on reasons derived from the very nature of the social compact. 1. If the citizen cannot procure subsistence in his own country, it is undoubtedly lawful for him to seek it elsewhere. For, political or civil society being entered into only with a view of facilitating to each of its members the means of supporting himself, and of living in happiness and safety, it would be absurd to pretend that a member, whom it cannot furnish with such things as are most necessary, has not a right to leave it.

2. If the body of the society, or he who represents it, absolutely fail to discharge their obligations [of protection] towards a citizen, the latter may withdraw himself. *For, if one of the contracting parties does not observe his engagements, the other is no longer bound to fulfil his; as the contract is reciprocal between the society and its members. It is on the same principle, also, that the society may expel a member who violates its laws.*

3. If the major part of the nation, or the sovereign who represents it, attempt to enact laws relative to matters in which the social compact cannot oblige every citizen to submission, those who are averse to these laws have a right to quit the society, and go settle elsewhere. *For instance, if the sovereign, or the greater part of the nation, will allow but one religion in the state, those who believe and profess another religion have a right to withdraw, and take with them their families and effects. For, they cannot be supposed to have subjected themselves to the authority of men, in affairs of conscience;³ and if the society suffers and is weakened by their departure, the blame must be imputed to the intolerant party; for it is they who fail in their observance of the social compact — it is they who violate it, and force the others to a separation. We have elsewhere touched upon some other instances of this third case, — that of a popular state wishing to have a sovereign (§ 33), and that of an independent nation taking the resolution to submit to a foreign power (§ 195).*

10 A Breach of Contract¹⁰

Imagine that you have agreed with an auto dealer to purchase the luxurious Belchfire X-1 automobile, for which you agree to pay \$45,000, with monthly payments to extend over a period of three years. You sign the sales agreement and are then told to return the following day to sign the formal contract, which you do. When you arrive two days later to pick up the car, the dealer presents you with the title and keys to a much lesser model, the Klunkermobile J. When you ask the dealer to explain the switch, he points to a provision in the contract that reads: "Dealer shall be entitled to make 'reasonable' adjustments it considers to be 'necessary and proper' to further the 'general welfare' of the parties hereto." He also tells you that the amount of the payments will remain the same as for the Belchfire X-1; that to provide otherwise would be to impair the obligations of the contract. You strongly object, arguing that the dealer is making a fundamental alteration of the contract. The dealer then informs you that this dispute will be reviewed by a third party – his brother-in-law – who will render a decision in the matter.

Welcome to the study of Constitutional Law!

The rationalization for the existence of political systems has, at least since the Enlightenment, depended upon the illusion of a "social contract"; that governments come into existence only through the "consent of the governed" as expressed in a written constitution. I know of no state system that ever originated by a contract among individuals. This is particularly true in America, where the detailed history of the drafting and ratification of the Constitution illustrates the present system having been coercively imposed by some upon others. If you doubt this, a reading of the history of Rhode Island will provide you with one example.

By its very nature, a contract depends upon a voluntary commitment by two or more persons to bind themselves to a clearly expressed agreement. The common law courts have always held that agreements entered into through coercion, fraud, or any other practice that does not reflect a "meeting of the minds" of individuals are wholly unenforceable. Nor have the courts looked favorably upon transactions that purport to bind parties forever. If I should agree to work for you for \$5,000 a month and, after two years of such employment, choose to go work elsewhere, no court of law – not even in Texas – would compel me to continue working for you.

The idea that contractual obligations can arise other than through voluntary undertakings has been firmly established in our culture. Statist efforts to impose duties upon others are often promoted under the myth of an "implied" contract (e.g., by driving a car, you "impliedly consent" to purchase insurance; by living in America, you "impliedly consent" to be bound to obligations to which you never agreed). By this logic, if I lived in a high-crime area, it could be argued that I had "impliedly consented" to be mugged, or to be bound by the rules of the local street-corner gang. The idea that the government can force people into contractual relationships is at the heart of the current Supreme Court case dealing with "Obamacare." The enactment of such a form of "involuntary servitude" is what leads a few thoughtful minds to question whether it violates the 13th Amendment!

Even accepting the fantasy of a "social contract" theory of the state creates more fundamental problems. The legitimacy of a contract depends upon the existence of "consideration." This means that the party seeking enforcement must demonstrate a change of one's legal position to their detriment (e.g., giving up something of value, making a binding promise, foregoing a right, etc.) Statists may argue that their system satisfies this requirement – by supposedly agreeing to protect the lives and property of the citizenry and agreeing to respect those rights of people that are spelled out in the "Bill of Rights." The problem is that – thanks to the opinions of numerous brothers-in-law who comprise the Supreme Court – the powers given to the state have been given expansive definitions, and the rights protected by the "Bill of Rights" are given an increasingly narrow interpretation.

Thus, Congress' exclusive authority to declare war is now exercised by presidential whim; while its power to legislate does not depend upon any proposed law having been either fully drafted or read! Fourth and Fifth Amendment "guarantees" re "searches and seizures" or "due process of law" are so routinely violated as to arouse little attention from Boobus Americans. First Amendment rights of "speech" allow the state to confine speakers to wire cages kept distant from their intended audiences, while the right of "peaceable assembly" is no hindrance to police-state brutalities directed against

¹⁰ Adapted from *A Breach of Contract*, Butler Shaffer; <http://lewrockwell.com/shaffer/shaffer252.html>.

peaceful protestors. With very little criticism from Boobus, one president declared his support for a dictatorship, while his successor proclaimed to the world his unilateral authority to kill anyone of his choosing – including Americans! Meanwhile, torture and the indefinite detention of people without trial continue to be accepted practices.

Having been conditioned to believe that the Constitution exists to limit the powers of the state and to guarantee your liberty, you try employing such reasoning with the car dealer. You direct his attention to another contractual provision that reads: "All rights under this agreement not reserved to the Dealer shall belong to the Buyer." But he tells you that he is adhering to the specific terms of the contract by making "reasonable adjustments" that are "necessary and proper" to "further the general welfare of the parties." Whatever "rights" you have are, by definition, limited by this broad grant of authority.

This is where conservatives get so confused over the inherently repressive nature of the Constitution. They tend to believe that the 10th Amendment "guarantees" to them – and/or the states – "powers not delegated to the United States." But the federal government powers enumerated in this document are overly broad (e.g., "general welfare," "necessary and proper," and "reasonable") and must be interpreted. This authority to provide the government with such powers to interpret its own powers is nowhere spelled out in the Constitution; but was usurped by the Supreme Court in the case of *Marbury v. Madison*.

Once the courts – or the car dealer's brother-in-law – define the range of the parties' respective authorities, the mutually-exclusive logic of the 10th Amendment applies: if the government or the dealer is recognized as having expansive definitions of authority, there is very little that remains inviolate for the individual. The language of the 9th Amendment is more suitable to the argument on behalf of a broader definition of liberty. This provision reads:

"The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."

This catch-all language suggests that the Ninth Amendment protections are far broader than the combined "rights" of all the other amendments. A reading of judicial history reveals only a very small handful of cases ever having been decided under this section. Of course, the words in this amendment are also subject to interpretation by state officials. This fact is what conservatives fail to understand when they bleat about wanting "to get back to the Constitution." The government has never strayed from the Constitution; these words have been in that document from the beginning. They have, however, been interpreted according to the ever-changing preferences of those in power.

As the state continues to not simply eat away at – but to gluttonously devour – the liberty its defenders still pretend it is its purpose to protect, it is timely to consider the remedies available to individuals. As one who prefers the peaceful processes of a civilized society – rather than the violent and destructive means that define the state – my thoughts return to contract theory. I must admit, at the outset, that the make-believe "social contract" foundations of the state reveal the wholesale breach of the obligations of both parties. The failure of the state to restrain its voracious and ruinous appetites is already a matter of record, even to its defenders whose intellectual dishonesty and/or cowardice will not permit them to express the fact. But there is a concurrent obligation on the part of those subject to state rule that finds expression in words carved onto the entrance to the Nebraska state capitol building: "The Salvation of the State is Watchfulness in the Citizen." It was the failure of most people to live up to this standard that led me to write, a few years ago, about the need to impeach the American people! The "watchfulness" of most Americans is confined to such television programs as "American Idol" or "Dancing With the Stars."

The breaches on both sides of this alleged contract are of such enormity as would lead any competent court of law to regard any such "agreement" as a nullity; subject to enforcement by neither party. Such defenses as "frustration of purpose," "impossibility of performance," "unconscionability," "unequal bargaining power," "fraud in the inducement," and other concepts have regularly been used by the courts to excuse further performance by the parties to a contract.

I propose that we respond to our alleged obligations to the state – duties we never agreed to in the first place – in the same manner by which we would treat our hypothetical car dealer in the marketplace: to walk away and take our business elsewhere! Whatever goods or services we desire in our lives, and which we have been conditioned to believe can only be provided by the state, can be found in the willingness of our neighbors to freely and genuinely contract with us in ways that do not depend upon predation, restraint, or violence. It is time for us to discover the peaceful and creative nature of a society grounded in a voluntary "meeting of the minds" of free men and women!

How would we express our intention to invalidate the contract, from a legal perspective? By generating legal evidence of all the following in the government's own records:

1. Changing our citizenship status in government records to that of a non-resident CONSTITUTIONAL but not STATUTORY citizen.
2. Quitting all government franchises and licenses.
3. Stop filling out government forms and rescind all forms we have filled out.
4. Changing our tax status to that of a “non-resident NON-person”.

All of the above are accomplished by:

Path to Freedom, Form #09.017, Section 2
<http://sedm.org/Forms/FormIndex.htm>

11 Conclusions

The Social Compact in the United States of America is little more than human farming at this time. Each country is literally a farm, the farmers are the elites running the banking system, and their minions in the capital of each farm manage the farm to ensure productivity and net benefit to them. People have become mere cattle called “human resources”. STATUTORY “citizens”, “residents”, and “persons” are the Farm Animals. Government identifying numbers are used for inventory and farm management to supervise and control the farm animals and maximize profit to the farmer. They are a symbol of BEING owned. The Federal Trade Commission calls them a “franchise mark”. See for yourself:

1. *About SSNs and TINs on Government Forms and Correspondence*, Form #05.012
<https://sedm.org/Forms/05-MemLaw/AboutSSNsAndTINs.pdf>
2. *Social Security: Mark of the Beast*, Form #11.407
<http://famguardian.org/Publications/SocialSecurity/TOC.htm>

Welcome to [The Matrix \(Form #12.020\)](#), Neo!

The Real Matrix-Stefan Molyneux
<https://sedm.org/media/the-real-matrix/>

12 Resources for Further Research and Rebuttal

If you would like to study the subjects described herein further, we highly recommend the following resources:

1. *Your Irresponsible, Lawless, and Anarchist Beast Government*, Form #05.054-the practical result of implementing the current social compact. Contains EXTENSIVE evidence useful in court.
<https://sedm.org/Forms/05-MemLaw/YourIrresponsibleLawlessGov.pdf>
2. *How to Leave the Government Farm*, Form #12.020
<https://sedm.org/media/how-to-leave-the-government-farm/>
3. *Hot Issues: Invisible Consent**, SEDM -how you give consent to live on the farm without knowing it.
<https://sedm.org/invisible-consent/>
4. *The Social Contract or Principles of Political Right*, Jean Rousseau-a classic that describes the "citizenship contract". Rousseau is the father of socialism and he describes being a "citizen" as a contract or compact, just like Vattel in his [Law of Nations](#)
 - 4.1. [PDF](#)
https://famguardian.org/Publications/TheSocialContract-Rousseau/The_social_contract.pdf
 - 4.2. [HTML](#)
<https://famguardian.org/Publications/TheSocialContract-Rousseau/Rousseau%20Social%20Contract.htm>
 - 4.3. [Constitution Research Version](#) (OFFSITE LINK)
<http://constitution.famguardian.org/1-Authors/jjr/socon.htm>
 - 4.4. [Google Books](#) (OFFSITE LINK)
http://books.google.com/books?id=exNPAAAAMAAJ&printsec=frontcover&source=gbs_ge_summary_r&cad=0
5. *Annotated Constitution*, Justia-The PRETEND social compact
<https://law.justia.com/constitution/us/>
6. *The Jones Plantation Film*, Larken Rose-dramatization of the how the present social compact works.
<https://jonesplantationfilm.com/>

- 1 7. *The Jones Plantation*, Larken Rose-dramatization of the how the present social compact works
2 <https://youtu.be/vb8Rj5xkDPk>
- 3 8. *The Real Matrix*-Stefan Molyneux
4 <https://sedm.org/media/the-real-matrix/>
- 5 9. *Proof that Involuntary Income Taxes on Your Labor are Slavery*, Form #05.055
6 <https://sedm.org/product/proof-that-involuntary-income-taxes-on-your-labor-are-slavery-form-05-055/>
- 7 10. *How American Nationals Volunteer to Pay Income Tax*, Form #08.024
8 <https://sedm.org/Forms/08-PolicyDocs/HowYouVolForIncomeTax.pdf>
- 9 11. *Government Corruption*, Form #11.401- a complete description of how corruption of our present government allowed
10 the current social compact to evolve into its present form.
11 <https://sedm.org/home/government-corruption/>
- 12 12. *Tax Deposition Questions*, Section 14: Citizenship, SEDM-powerful evidence of citizenship law to use against the
13 government.
14 <https://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section%2014.htm>