

# ***CHOICE OF LAW***



***“Evil men do not understand justice, But those who seek the LORD understand all.”***  
***[Prov. 28:5, Bible, NKJV]***

***"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."***  
***[The Federalist No. 51 (1788), James Madison]***

***“The violence of the wicked will destroy them, because they refuse to do justice.”***  
***[Prov. 21:7, Bible, NKJV]***

## DEDICATION

“Many seek the ruler’s [government’s] favor [[CIVIL STATUTORY PRIVILEGES and FRANCHISES, Form #05.030](#)], But [justice \[Form #05.050\]](#) for man comes from the Lord.”  
[Prov. 29:26, Bible, NKJV]

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*“For the principal aim of society is to protect individuals in the enjoyment of those absolute rights [meaning ABSOLUTE OWNERSHIP of PRIVATE property], which were vested in them by the immutable laws of nature; but which could not be preserved in peace without the mutual assistance and intercourse, which is gained by the institution of friendly and social communities. Hence it follows, that the first and primary end of human laws is to maintain and regulate these absolute rights of individuals.”*

*“By the absolute rights [such as ABSOLUTE ownership of property] of individuals we mean those which are so in their primary and strictest sense; such as would belong to their persons merely in a state of nature, and which every man is entitled to enjoy whether out of society [as a [non-resident non-person, Form #05.020](#)] or in it [as a [STATUTORY or CONSTITUTIONAL citizen, Form #05.006](#)].” - Ibid.*

[William Blackstone, Commentaries on the Laws of England (1765), Book 1, Chapter 1; SOURCE: <https://lonang.com/library/reference/blackstone-commentaries-law-england/bla-101/>]

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**“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 [abuse of taxation power for THEFT and wealth transfer] to end? The present assault [WAR!] upon capital is but the beginning. It will be but the stepping-stone to others, larger and more sweeping, till our political contests [in the jury box and the ballot box between the HAVES and the HAVE NOTS] 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 [UNEQUAL or GRADUATED] 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.](#)”**  
[Pollock v. Farmers’ Loan and Trust Co., 157 U.S. 429 (1895)]

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**“[Make it your ambition to lead a quiet life, to mind your own business \[leave other people ALONE, which is what “justice” as legally defined actually IS, Form #05.050\]](#) and to work with your hands, just as we told you, [so that your daily life may win the respect of outsiders and so that you will not be dependent on anybody.](#)”**  
[1 Thess. 4:9-12, Bible, NIV]

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### **What Is Law?**

What, then, is law? It is the collective organization of the individual right to lawful defense.

Each of us has a natural right – from God – to defend his person, his liberty, and his property. These are the three basic requirements of life, and the preservation of any one of them is completely dependent upon the preservation of the other two. For what are our faculties but the extension of our individuality? And what is property but an extension of our faculties?

If every person has the right to defend – even by force – his person, his liberty, and his property, then it follows that a group of men have the right to organize and support a common force to protect these rights constantly. Thus the principle of collective right – its reason for existing, its lawfulness – is based on individual right. And the common force that protects this collective right cannot logically have any other purpose or any other mission than that for which it acts as a substitute. Thus,

since an individual cannot lawfully use force against the person, liberty, or property of another individual, then the common force – for the same reason – cannot lawfully be used to destroy the person, liberty, or property of individuals or groups. [The Law, Frederic Bastiat, 1850 (former judge who QUIT in disgust of his profession); SOURCE: <http://famguardian.org/TaxFreedom/CitesByTopic/law.htm>]

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“I do not, as is often done, use the word [plunder] in any vague, uncertain, approximate, or metaphorical sense. I use it in its scientific acceptance - as expressing the idea opposite to that of property [wages, land, money, or whatever]. When a portion of wealth is transferred from the person who owns it [whether by taxation or any other means] - without his [express and uncoerced] consent [Form #05.003] and without compensation, and whether by force or by fraud - to anyone who does not own it [or share ownership, meaning a moiety], then I say that property is violated; that an act of plunder is committed.

I say that this act is exactly what the law is supposed to suppress, always and everywhere. When the law itself commits this act [a constitutional tort, Form #15.009] that it is supposed to suppress, I say that plunder is still committed, and I add that from the point of view of society and welfare, this aggression against rights [Form #12.038] is even worse. In this case of legal plunder, however, the person who receives the benefits [Form #05.040] is not responsible for the act of plundering. The responsibility for this legal plunder rests with the [statutory civil, Form #05.037] law, the legislator, and society itself. Therein lies the political danger.

It is to be regretted that the word plunder is offensive. I have tried in vain to find an inoffensive word, for it would not at any time - especially now - wish to add an irritating word to our dissensions. Thus, whether I am believed or not, I declare that I do not mean to attack the intentions or the morality of anyone. Rather, I am attacking an idea [SOCIALISM, Form #05.016] which I believe to be false; a system [Form #11.401] which appears to me to be unjust [Form #05.050]; an injustice so independent of personal intentions that each of us profits from it without wishing to do so, and suffers from it without knowing the cause of the suffering.

[The Law, Frederic Bastiat, 1850 (former judge who QUIT in disgust of his profession); SOURCE: <http://famguardian.org/TaxFreedom/CitesByTopic/law.htm>]

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### **Plunder Violates Ownership**

“Where do wars and fights [in the ballot box and the jury box] come from among you? **Do they not come from your desires for pleasure [unearned money or “benefits” from the government] that war in your members [and your democratic SOCIALIST governments]? You lust [after other people’s money] and do not have.** You murder [the unborn to increase your standard of living] and covet [the unearned] and cannot obtain [except by empowering your de facto THIEF government to STEAL for you!]. You fight and war [against the rich and the nontaxpayers to subsidize your idleness and dependency with a STOLEN Social Security retirement check]. Yet you do not have because you do not ask [the Lord, but instead ask the corrupt and deceitful government]. You ask and do not receive, because you ask amiss, that you may spend it on your pleasures [“benefits”]. **Adulterers and adulteresses [harlots, Rev. 17]! Do you not know that friendship [or STATUTORY citizenship] with the world [or the governments of the world] is enmity with God?** Whoever therefore wants to be a friend [a STATUTORY “citizen”, “resident”, or “taxpayer”] of the world [or the governments of the world] makes himself an enemy of God.”  
[James 4:1-4, Bible, NKJV]

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“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 \(https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm\)](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; <http://sedm.org>]

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# 1 Introduction

*"I hate the double-minded, But I love Your [God's] law."  
[Psalms 119:113, Bible, NKJV; EDITORIAL: Anyone who thinks there are TWO law systems is double-minded]*

The most frequent form of abuse by judges is illegally and unconstitutionally switching the choice of law of human beings from the protections of the Constitution over to civil statutory code. This document will serve as a memorandum of law designed to prevent such abuse. It is intended as an exhibit to be attached to your legal pleadings.

The study of "choice of law" rules is an extremely important subject matter, because it is the area in which most of the judicial and government corruption occurs in courts across the country. Violation of these rules is why we say that there is more crime committed in courtrooms across America than any other type of crime. The organizers of this crime are covetous judges and government prosecutors who want to get into your pocket by STEALING jurisdiction they technically do not have.

The term "choice of law" describes the process that judges and attorneys must use in deciding which laws to apply to a particular case or controversy before them. In our country, there are 52 unique and distinct state and federal sovereignties that are legislatively "foreign" with respect to each other, each with their own citizens, laws, courts, and penal systems. When legal disputes arise, the task of deciding which laws from which of these sovereignties may be applied to decide a case is the very first step in resolving the crime or controversy.

The techniques described in this document are intended to make the judge's job easier with much less thinking and effort, not harder, by:

1. Returning the focus of judicial proceedings to "justice", which is simply protecting your right to be "left alone" by the government and not punished because you don't want to do business with them:<sup>1</sup>

*"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."  
[The Federalist No. 51 (1788), James Madison]*

*"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)]*

*"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]*

2. Simplifying the proceeding down moral, equitable, contract, and personal responsibility issues only that are easy to understand for a jury instead of a bunch of void for vagueness "franchise codes" that the judge won't let anyone read and really understand anyway.
3. Reduce the length and complexity of pleadings relating to the case.
4. Eliminating all opportunities for legal deception in the statutes described in:

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

<sup>1</sup> More on the subject of "justice" at: What is "Justice"?, Form #05.050; <https://sedm.org/Forms/05-MemLaw/WhatIsJustice.pdf>.

5. Relegating deciding of both the facts and the law to the jury instead of a judge with a financial conflict of interest as in the case of most statutory civil law.
6. Removing the complexity of voluminous amounts of statutory civil law and regulations from the proceeding.
7. Emphasizing that all parties concerned should do their best to take personal responsibility for any injuries they cause and minimize the number of disputed items.
8. Eliminating any possibility that government franchises can be used to bribe you to give up private property or private rights and thereby make a profitable business (a franchise) out of alienating rights that are supposed to be unalienable. This leads to what we call an ANTI-GOVERNMENT, not a real de jure government. An “anti-government” we define as a government that does the OPPOSITE of why it was created. Instead of PROTECTING private property and happiness as the Declaration of Independence requires, they STEAL it by converting it from PRIVATE to PUBLIC and destroy happiness in the process.
9. Eliminating any possibility of “privateering” by officers or jurors in the courtroom or during the civil statutory enforcement process. The “vessel” described below is “U.S. Inc” as a de facto corporation inserting itself into unwelcome aspects of your otherwise PRIVATE commerce through the abuse of government franchises:<sup>2</sup>

***PRIVATEER.** A vessel owned, equipped, and armed by one or more private individuals, and duly commissioned by a belligerent power to go on cruises and make war upon the enemy, usually by preying on his commerce. A private vessel commissioned by the state by the issue of a letter of marque to its owner to carry on all hostilities by sea, presumably according to the laws of war. Formerly a state issued letters of marque to its own subjects, and to those of neutral states as well, but a privateersman who accepted letters of marque from both belligerents was regarded as a pirate. By the Declaration of Paris (April, 1856), privateering was abolished, but the United States, Spain, Mexico, and Venezuela did not accede to this declaration. It has been thought that the constitutional provision empowering Congress to issue letters of marque deprives it of the power to join in a permanent treaty abolishing privateering. 25 Am.L.Rev. 615; 24 Am.L.Rev. 902; 19 Law Mag. & Rev. 35.  
[Black's Law Dictionary, Fourth Edition, p. 1359]*

An honest judge should appreciate all of the above. Only a dishonest or covetous judge would disagree with any of the above or try to interfere with it, mainly of course because he wants to actively interfere with holding the GOVERNMENT accountable for the damage it causes to large numbers of people who don't want any of the “benefits” of the civil statutory law and shouldn't have to therefore pay for them by accepting the civil statutory obligations that go with them.

*“Evil men do not understand justice, But those who seek the LORD understand all.”  
[Prov. 28:5, Bible, NKJV]*

For those seeking additional information, “choice of law” rules are described in the following two valuable resources:

1. *Federal Jurisdiction*, Form #05.018  
<http://sedm.org/Forms/FormIndex.htm>
2. *Conflicts in a Nutshell*, David D. Seigel, West Publishing, 1994; ISBN 0-314-02952-4. Because this document is written by attorneys who want to promote their profession, it does not contain any part of what is in this document. Never ask a barber if you need a haircut.

*“It [the common law] is good for nothing,” cries the buyer; But when he has gone his way, then he boasts.”  
[Prov. 20:14, Bible, NKJV]*

<sup>2</sup> For a treatise on the characteristics of de facto government, see:

1. *De Facto Government Scam*, Form #05.043; <https://sedm.org/Forms/05-MemLaw/DeFactoGovt.pdf>
2. *Corporatization and Privatization of the Government*, Form #05.024; <https://sedm.org/Forms/05-MemLaw/CorpGovt.pdf>

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**2    Trial by Jury Demanded**

Pursuant to the Northwest Ordinance, Article 2, July 13, 1787. which is still in force, Trial by Jury is assured to everyone. Therefore, I demand of the court a Trial by Jury as the FINAL and UNAPPEABLE resolution of this matter. Pursuant to Constitution Article 6, Section 1, that confederation agreement is still in force.

*Article VI of the US Constitution. Prior Debts, National Supremacy, Oaths of Office*  
*Clause 1. Validity of Prior Debts and Engagements*

*All Debts contracted **and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation [Articles of Confederation].***  
*[USA Constitution, Article 6, Section 1, 1789; SOURCE: <https://law.justia.com/constitution/us/article-6/>]*

Below is the Northwest Ordinance, Article 2:  
**Figure 1: Northwest Ordinance, Article 2<sup>3</sup>**

<sup>3</sup> Source: A Century of Lawmaking, 1774-1875, Library of Congress; SOURCE: <https://memory.loc.gov/cgi-bin/ampage?collId=lljc&fileName=032/lljc032.db&recNum=349>.

people and States in the said territory, and forever remain unalterable, unless by common consent, *to wit*,

Article the First. No person demeaning himself in a peaceable and orderly manner shall ever be molested on account of his mode of worship or religious sentiments in the said territory.

Article the Second. The Inhabitants of the said territory shall always be entitled to the benefits of the writ of habeas corpus, and of the trial by Jury; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law; all persons shall be bailable unless for capital offences, where the proof shall be evident, or the presumption great; all fines shall be moderate, and no cruel or unusual punishments shall be inflicted; no man shall be deprived of his liberty or property but by the judgment of his peers, or the law of the land; and should the public exigencies make it necessary for the common preservation to take any persons property, or to demand his particular services, full compensation shall be made for the same; and in the just preservation of rights and property it is understood and declared; that no law ought ever to be made, or have force in the said territory, that shall in any manner whatever interfere with, or affect private contracts or engagements, bona fide and without fraud previously formed.

Article the Third. Religion, Morality and knowledge being necessary to good government and the happiness of mankind, Schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians, their lands and property shall never be taken from them without their consent; and in their property, rights and liberty, they never shall be invaded or disturbed, unless in just and lawful wars authorised by Congress; but laws founded in justice and humanity

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3 This is not a legislative proceeding but a common law proceeding relating to territory and property outside the exclusive  
4 legislative jurisdiction of Congress under Constitution Article 1, Section 8, Clause 17. Thus, no enactment of congress may

be at issue in the Trial by Jury proceeding demanded. A specific injured party with a proven quantifiable injury is also summoned to appear before the jury.

Further, since the only law of decision is the Declaration of Independence, the Articles of Confederation, and the Northwest Ordinance, then no enactment of Congress after the Constitution was ratified is relevant or may be cited as standing during before the Jury.

### **3 Affidavit of Civil Status to FORCE the Common law as the Only Legitimate Choice of Law**

1. Whereas there is Only One, True Lawgiver (James 4:12).
2. And whereas as the Only True Lawgiver, God has issued a delegation of authority order in the form of the Bible that constrains, limits, and controls EVERY aspect of how the secular government may lawfully interact with the public and use every type of property as documented below

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

3. And whereas the First Amendment requires separation of church and state.
4. And whereas the Bible says MY BODY is literally a TEMPLE of God and therefore “church” that must be sanctified and separated from the pagan corrupt state:

*“Or do you not know that your body is the temple of the Holy Spirit who is in you, whom you have from God, and you are not your own?”*  
*[1 Cor. 6:19, Bible, NKJV]*

*“Adulterers and adulteresses [HARLOTS!/] Do you not know that friendship [and “citizenship”/domicile] with the world [or the governments of the world] is enmity with God? Whoever therefore wants to be a friend [statutory “citizen” or “taxpayer” or “resident” or “inhabitant”] of the world makes himself an enemy of God.”*  
*[James 4:4, Bible, NKJV]*

5. And whereas U.S. Supreme Court Justice Scalia testified that government franchises and privileges such as Social Security deprive Christians of sanctification and therefore destroy separation of church and state. See:
  - 5.1. *Lecture by Justice Antonin Scalia*, Lanier Theological Library  
<https://vimeo.com/74846727>
  - 5.2. *Lecture-Justice Antonin Scalia*, Youtube  
<https://youtu.be/fkChru9L3xA>
  - 5.3. *Is Capitalism or Socialism More Conducive to Christian Virtue?*, Nike Insights  
<https://nikeinsights.famguardian.org/forums/topic/peace-on-earth/>
6. And whereas it is my unalienable First Amendment right to civilly and legally and politically disassociate with any and EVERY government that refuses to do its ONLY job of protecting my private property and leaving me and my property CIVILLY ALONE, not taxing or regulating or trying to control or benefit from it. By doing so, I become LEGISLATIVELY “foreign” in relation to said government from a CIVIL perspective but NOT a statutory “alien” or “foreign national” and would assume the “separate and equal station” in relation to any and every government identified in the Declaration of Independence:

*“But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security.”*  
*[Declaration of Independence, July 4, 1776; SOURCE: <https://www.archives.gov/founding-docs/declaration-transcript>]*

See:

*Non-Resident Non-Person Position*, Form #05.020  
<https://sedm.org/Forms/05-MemLaw/NonresidentNonPersonPosition.pdf>

7. And whereas it is an act of religious idolatry, a violation of the bible delegation order, and a violation of the First Amendment to make secular laws which either command those practicing a religion to do what God forbids, or NOT do what He EXPLICITLY COMMANDS in His Law Word. Any attempt to do so would make secular government equal to or above God. That idolatry is exhaustively described in:

- 1 7.1. Government Establishment of Religion, Form #05.038  
2 <https://sedm.org/Forms/05-MemLaw/GovEstabReligion.pdf>  
3 7.2. Socialism: The New American Civil Religion, Form #05.016  
4 <https://sedm.org/Forms/05-MemLaw/SocialismCivilReligion.pdf>

- 5 8. And whereas it is a direct violation of the First Amendment right of freedom to practice religion to interfere with the  
6 execution of God's delegation order by those who are followers of His holy law and word. A Christian, after all, is  
7 legally defined as anyone who regards the bible as LAW for them personally, which has the force of law 24 hours a day  
8 and seven days a week.  
9 9. And whereas the Declaration of Independence relies upon the authority of "the Laws of Nature and of Nature's God"  
10 (The Only Lawgiver).  
11 10. And whereas man's individual rights come from the Creator/Lawgiver and not any VAIN man or government of men.  
12 11. And whereas the Creator owns and controls what He sovereignly creates, and man lawfully controls ONLY what he  
13 creates under man's delegation of authority order, which is God's Law.

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

16 "What is a Constitution? It is the form of government, delineated by the mighty hand of the people, in which  
17 certain first principles of fundamental laws are established. The Constitution is certain and fixed; it contains the  
18 permanent will of the people, and is the supreme law of the land; it is paramount to the power of the Legislature,  
19 and can be revoked or altered only by the authority that made [CREATED] it. The life-giving principle [creation]  
20 and the death-doing stroke [destruction or taking away as a privilege] must proceed from the same hand."  
21 [*VanHorne's Lessee v. Dorrance*, 2 U.S. 304 (1795) ]

22 See:

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

- 23 12. And whereas NO MAN created me or my property and therefore NO MAN or GOVERNMENT OF MEN can control  
24 me or my property without my EXPRESS and INFORMED consent.  
25 13. And whereas the ONLY thing any government can legislatively create are public offices, fictions of law, franchises,  
26 contracts, and fiat currency, none of which I want any part of and do not seek to "benefit" from in relation to any  
27 government.  
28 14. And whereas the Declaration of Independence says that all just powers derive from the CONSENT of the governed.  
29 15. And whereas the Declaration of Independence and the Articles of Confederation appear in the first volume of the Statutes  
30 at Large as enacted law.  
31 16. And whereas the Declaration of Independence identifies the right to absolutely own private property as the origin of "the  
32 pursuit of happiness".

33 *Declaration of Independence, July 4, 1776*

34 *We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator*  
35 *with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure*  
36 *these rights, Governments are instituted among Men, deriving their just powers from the consent of the*  
37 *governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the*  
38 *People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and*  
39 *organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.*  
40 [*Declaration of Independence, July 4, 1776, SOURCE: [https://www.archives.gov/founding-docs/declaration-](https://www.archives.gov/founding-docs/declaration-transcript)*  
41 *[transcript](https://www.archives.gov/founding-docs/declaration-transcript)*]

42  
43 "The provision [*Fourteenth Amendment, Section 1*], it is to be observed, places property under the same  
44 protection as life and liberty. Except by due process of law, no State can deprive any person of either. The  
45 provision has been supposed to secure to every individual the essential conditions for the pursuit of happiness;  
46 and for that reason has not been heretofore, and should never be, construed in any narrow or restricted sense."  
47 [*Munn v. Illinois*, 94 U.S. 113 (1877)]

- 48 17. And whereas any attempt to interfere with my control over myself or my property therefore constitutes a MALICIOUS  
49 interference with my right to pursue happiness and a common law trespass and a SUPREME injustice of the worst kind.  
50 18. And whereas choosing the civil law system that protects my body and my property is how I exercise my unalienable  
51 right in the Declaration of Independence to choose the "Form of Government", meaning CIVIL government, that I want  
52 to live under and which may be imposed upon me.

19. And whereas the Articles of Confederation are still in force today because:

19.1. The Articles in the preamble identify themselves as “perpetual”.

*Articles of Confederation*

*Preamble*

*To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names send greeting. Whereas the Delegates of the United States of America in Congress assembled did on the fifteenth day of November in the Year of our Lord One Thousand Seven Hundred and Seventy Seven, and in the Second Year of the Independence of America agree to certain **articles of Confederation and perpetual Union** between the States of New Hampshire, Massachusetts bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia in the Words following, viz. "Articles of Confederation and perpetual Union between the States of New Hampshire, Massachusetts bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia.*

*[Articles of Confederation, November 15, 1777, Source: <https://supreme.findlaw.com/documents/aofc.html#article%20ix>]*

19.2. When the USA Constitution was enacted in 1789, Article 6, Clause 1 identified the Confederation under the Articles as still in force:

*Article VI of the US Constitution. Prior Debts, National Supremacy, Oaths of Office  
Clause 1. Validity of Prior Debts and Engagements*

*All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.*

*[USA Constitution, Article 6, Section 1, 1789; SOURCE: <https://law.justia.com/constitution/us/article-6/>]*

20. And whereas the Northwest Ordinance is STILL in force today and is included in Volume 1 of the Statutes At Large. See:

Northwest Ordinance Website

<https://www.northwestordinance.org/>

21. And whereas I as the absolute and exclusive owner of my body and all my absolutely owned private property have an unalienable natural right to decide what system of civil law I wish to protect my person and property with.

22. And whereas there are only two systems of civil law under which I may protect myself and my property, being:

22.1. The common law.

22.2. Civil statutory legislation of Congress.

23. And whereas everyone has a natural and equal right of self-defense.

24. And whereas the choice of civil law is the main method for peacefully exercising the right of self-defense.

25. And whereas judges interfering with the unalienable right of self-defense by interfering with the PEACEABLE choice of law belonging ONLY to the owner of property ultimately sanctions and encourages VIOLENCE and anarchy and ultimately the destruction of our great republic.

26. And whereas by exercising the unalienable right to choose the system of civil law that protects my body and my property, I:

26.1. Exercise my power of consent. . .AND

26.2. Exercise the essence of the property right, which is the RIGHT TO EXCLUDE civil government from using or benefitting from my property:

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

*[Nollan v. California Coastal Comm'n, 483 U.S. 825 (1987)]*

*"In this case, we hold that the "right to exclude," so universally held to be a fundamental element of the property right,<sup>[11]</sup> falls within this category of interests that the Government cannot take without compensation."*

*[Kaiser Aetna v. United States, 444 U.S. 164 (1979)]*

FOOTNOTES:

[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).

26.3. Control how and by whom and under what circumstances my property is civilly protected.

27. And whereas any interference with my right to choose how to protect my absolutely owned private property is a common law trespass.

28. And whereas we inherit the common law from the laws of England from which our country derived.

29. And whereas Congress never "enacted" the common law, it can't be repealed legislatively.

30. And whereas we derive our system of common law from the original "jus gentium" of the Roman civil law:

**Chapter II: The Civil and the Common Law**

**29. In the original civil law, jus civile, was exclusively for Roman citizens; it was not applied in controversies between foreigners.** But as the number of foreigners increased in Rome it became necessary to find some law for deciding disputes among them. For this the Roman courts hit upon a very singular expedient. Observing that all the surrounding peoples with whom they were acquainted had certain principles of law in common, they took those common principles as rules of decision for such cases, and to the body of law thus obtained they gave the name of Jus gentium. The point on which the jus gentium differed most noticeably from the Jus civile was its simplicity and disregard of forms. All archaic law is full of forms, ceremonies and what to a modern mind seem useless and absurd technicalities. This was true of the [civil] law of old Rome. In many cases a sale, for instance, could be made only by the observance of a certain elaborate set of forms known as mancipation; if any one of these was omitted the transaction was void. **And doubtless the laws of the surrounding peoples had each its own peculiar requirements. But in all of them the consent of the parties to transfer the ownership for a price was required.** The Roman courts therefore in constructing their system of Jus gentium fixed upon this common characteristic and disregarded the local forms, so that a sale became the simplest affair possible.

30. After the conquest of Greece, the Greek philosophy made its way to Rome, and stoicism in particular obtained a great vogue among the lawyers. With it came the conception of natural law (Jus naturale) or the law of nature (jus naturae); to live according to nature was the main tenet of the stoic morality. The idea was of some simple principle or principles from which, if they could be discovered, a complete, systematic and equitable set of rules of conduct could be deduced, and the unfortunate departure from which by mankind generally was the source of the confusion and injustice that prevailed in human affairs. To bring their own law into conformity with the law of nature became the aim of the Roman jurists, and the praetor's edict and the responses were the instruments which they used to accomplish this. Simplicity and universality they regarded as marks of natural law, and since these were exactly the qualities which belonged to the jus gentium, it was no more than natural that the two should to a considerable extent be identified. The result was that under the name of natural law principles largely the same as those which the Roman courts had for a long time been administering between foreigners permeated and transformed the whole Roman law.

The way in which this was at first done was by recognizing two kinds of rights, rights by the civil law and rights by natural law, and practically subordinating the former to the latter. Thus if Caius was the owner of a thing by the civil law and Titius by natural law, the courts would not indeed deny up and down the right of Caius. They admitted that he was owner; but they would not permit him to exercise his legal right to the prejudice of Titius, to whom on the other hand they accorded the practical benefits of ownership; and so by taking away the legal owner's remedies they practically nullified his right. Afterwards the two kinds of laws were more completely consolidated, the older civil law giving way to the law of nature when the two conflicted. **This double system of rights in the Roman law is of importance to the student of the English law, because a very similar dualism arose and still exists in the latter, whose origin is no doubt traceable in part to the influence of Roman ideas.** [An Elementary Treatise on the Common Law for the Use of Students, Henry T. Terry, The Maruzen-Kabushiki-Kaisha, 1906, pp. 18-20]

Roman law recognized only TWO classes of persons: statutory "citizens" and "foreigners". By "statutory citizens", we mean those CONSENSUALLY DOMICILED within the venue of the court under Federal Rule of Civil Procedure 17. Only those who consented to become statutory "citizens" could become the lawful subject of the jus civile, which was the statutory civil law. Those who were not statutory "citizens" under the Roman Law, which today means those with NO civil domicile within the territory of the author and grantor of the civil law, were regarded as:

1. "foreigners".
2. Not subject to the jus civile or statutory Roman Law.
3. Subject only to the common law, which was called jus gentium.

Note also that the above treatise characterizes TWO classes of rights: Civil rights and Natural rights. Today, these rights are called PUBLIC rights and PRIVATE rights by the courts in order to distinguish them. Public rights, in turn, are granted only to statutory “citizens” who consented to become citizens under the civil statutory law. The civil statutory law, or jus civile, therefore functions in essence as a franchise contract or compact that creates and grants ONLY public rights. Those who do not join the social compact by consenting to become statutory “citizens” therefore are relegated to being protected by natural law and common law, which is much more just and equitable.

31. And whereas no judge can repeal the common law.

32. And whereas the main purpose of the common law is to protect PRIVATE property and ensure the EQUITY of all parties.

*“And doubtless the laws of the surrounding peoples had each its own peculiar requirements. But in all of them the consent of the parties to transfer the ownership for a price was required.”*  
*[An Elementary Treatise on the Common Law for the Use of Students, Henry T. Terry, The Maruzen-Kabushiki-Kaisha, 1906, pp. 18-20]*

33. And whereas any attempt to “bundle” any government service with other UNWANTED services constitutes a CONSPIRACY to deprive me of my natural or unalienable rights under the Unconstitutional Conditions Doctrine of the U.S. Supreme Court. Such bundling includes but is not limited to requiring Social Security Numbers or Domicile as a precondition of getting a driver license, for instance.

*“It has long been established that a State may not impose a penalty upon those who exercise a right guaranteed by the Constitution.” Frost & Frost Trucking Co. v. Railroad Comm’n of California, 271 U.S. 583.*  
*“Constitutional rights would be of little value if they could be indirectly denied,” Smith v. Allwright, 321 U.S. 649, 644, or manipulated out of existence,’ Gomillion v. Lightfoot, 364 U.S. 339, 345.”*  
*[Harman v. Forssenius, 380 U.S. 528 at 540, 85 S.Ct. 1177, 1185 (1965)]*

More on the above at:

*Government Instituted Slavery Using Franchises*, Form #05.030, Section 28.2  
<https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

34. And whereas an inalienable PRIVATE or natural right described in the Declaration of Independence cannot lawfully be given up, even WITH the consent of its owner:

*“Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred.”*  
*[Black’s Law Dictionary, Fourth Edition, p. 1693]*

35. And whereas private property cannot be converted to public property, franchises, or offices WITHOUT satisfying ONE of the following common law rules for conversion, none of which I consent to:

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

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

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

*[3] third, that whenever the public needs require, the public may take it upon payment of due compensation.”*

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

More on the above at:

*Separation Between Public and Private Course*, Form #12.025  
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

36. And whereas those controlling the ownership and transfer of their absolutely owned property behave as “Merchants” under Article 2 of the Uniform Commercial Code at U.C.C. §2-104(1):

*Uniform Commercial Code*

*§ 2-104. Definitions: “Merchant”; “Between Merchants”; “Financing Agency”.*

*Primary tabs*

(1) "Merchant" means a person who deals in goods of the kind or otherwise by his occupation holds himself out as having knowledge or skill peculiar to the practices or goods involved in the transaction or to whom such knowledge or skill may be attributed by his employment of an agent or broker or other intermediary who by his occupation holds himself out as having such knowledge or skill.

37. And whereas the Uniform Commercial Code (U.C.C.) is an internationally recognized method of controlling the transfer of ownership of private property.
38. And whereas the Merchant is ALWAYS the ONLY one who can dictate the contractual terms of the SALE or TRANSFER of his or her property to another by consent.
39. And whereas I as the absolute owner of my body and my private property am a Merchant in relation to any and all governments who is possessed of an unalienable right to:
- 39.1. Determine ANY and ALL terms and conditions under which my property may lawfully be converted to a public use, a public office, and/or a public purpose.
- 39.2. Define all terms relating to the transfer of the property within the written or parole agreement effecting the transfer.
40. And whereas those who choose to be CIVILLY GOVERNED by the statutory civil law do so by consensually "electing" a domicile within a specific venue.
41. And whereas I as the absolute owner of my body and my private property may change my mind and withdraw my consent to be civilly governed under either the common law or the statutory civil law at any time.
42. And whereas slavery, involuntary servitude, and human trafficking is an international crime throughout the world:
- 42.1. It was outlawed by the Northwest Ordinance enacted July 13, 1787, which is still in effect today.

*Northwest Ordinance  
Article VI*

*There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.*  
[Northwest Ordinance, Article VI; SOURCE: <https://www.northwestoinance.org/p/blog-page.html>]

42.2. It was outlawed by the Thirteenth Amendment.

42.3. It is made a present criminal offense by 18 U.S.C. §1583 THROUGHOUT THE COUNTRY, not just on federal territory.

*"That is does not conflict with the Thirteenth Amendment, which abolished slavery and involuntary servitude, except as a punishment for crime, is too clear for argument. Slavery implies involuntary servitude—a state of bondage; the ownership of mankind as a chattel, or at least the control of the labor and services of one man for the benefit of another, and the absence of a legal right to the disposal of his own person, property, and services. This amendment was said in the Slaughter House Cases, 16 Wall, 36, to have been intended primarily to abolish slavery, as it had been previously known in this country, and that it equally forbade Mexican peonage or the Chinese coolie trade, when they amounted to slavery or involuntary servitude and that the use of the word 'servitude' was intended to prohibit the use of all forms of involuntary slavery, of whatever class or name."*  
[Plessy v. Ferguson, 163 U.S. 537, 542 (1896)]

*"It is not open to doubt that Congress may enforce the 13th Amendment by direct legislation, punishing the holding of a person in slavery or in involuntary servitude except as a punishment for crime. In the exercise of that power Congress has enacted these sections denouncing peonage, and punishing one who holds another in that condition of involuntary servitude. This legislation is not limited to the territories or other parts of the strictly national domain, but is operative in the states and wherever the sovereignty of the United States extends. We entertain no doubt of the validity of the legislation, or its applicability to the case of any person holding another in a state of peonage, and this whether there be a municipal ordinance or state law sanctioning such holding. It operates directly on every citizen of the Republic, wherever his residence may be."*  
[Clyatt v. United States, 197 U.S. 207; 25 S.Ct. 429; 49 L.Ed. 726 (1905)]

43. And whereas if I DON'T have the right to control the civil law that protects me or my property, I am literally a slave and a peon as described above. What is a slave in this context? A "slave" is defined as a human being:
- 43.1. Who can be connected with any statutory status in civil franchises or civil law to which public rights attach without their EXPRESS consent. This is a Fifth Amendment taking without compensation, a violation of the right to contract and associate, and a conversion of PRIVATE property to PUBLIC property.
- 43.2. Who can't ABSOLUTELY own PRIVATE PROPERTY. Instead, ownership is either exclusively with the government or is QUALIFIED ownership in which the REAL owner is the government and the party holding title has merely equitable interest or "qualified ownership" in the fruits.

- 43.3. Who is SOMEONE ELSE'S PROPERTY. That property is called a STATUTORY "person", "taxpayer" (under the tax code), "driver", "spouse" (under the family code) and you volunteered to become someone else's property by invoking these statuses (Form #13.008), which are government property. All such "persons" are public officers in the government. Form #05.042.
- 43.4. Who is compelled to economic or contractual servitude to anyone else, including a government. All franchises are contracts. Form #05.030.
- 43.5. Who is compelled to share any aspect of ownership or control of any property with the government. In other words, is compelled to engage in a "moiety" and surrender PRIVATE rights illegally and unconstitutionally.
- 43.6. Whose ownership of property was converted from ABSOLUTE to QUALIFIED without their EXPRESS written and informed LAWFUL consent.
- 43.7. Who is not allowed to EXCLUDE government from benefitting from or taxing property held as ABSOLUTE title. More on the civil implications of being a literal slave can be found in:

Bailey v. Poindexter, Ex'r, 55 Va. 132 (1858)  
[https://famguardian.org/TaxFreedom/CitesByTopic/CivilStatus-Bailey%20v.%20Poindexter\\_s%20Ex\\_r\\_%2055%20Va.%20132-Slave%20civil%20status.pdf](https://famguardian.org/TaxFreedom/CitesByTopic/CivilStatus-Bailey%20v.%20Poindexter_s%20Ex_r_%2055%20Va.%20132-Slave%20civil%20status.pdf)

44. And whereas any attempt to interfere with and trespass upon my unalienable right to choose the system of civil law and "Form of Government" constitutes active interference with my First Amendment right to both associate and not associate any my right to contract and NOT contract and an act of TREASON if attempted by any judge.
45. NOW, THEREFORE, I as the absolute human physical owner of my body and my property:
- 45.1. Choose the civil status of "national" but not statutory "citizen" or "resident".
- 45.2. Choose to forfeit the privileges and immunities of ANY and ALL civil statutory franchise granted through the legislation of Congress as "publici Juris"

**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.*  
[Black's Law Dictionary, Fourth Edition, pp. 786-787]

- 45.3. Forfeit the "benefits", "privileges", and "immunities" of being a CIVIL STATUTORY "citizen" or "resident" as described above, being a franchise.
- 45.4. Choose to CIVILLY govern my life under the civil laws of my God and the common law ONLY:

**The determination of the Framers Convention and the ratifying conventions to preserve complete and unimpaired state self-government in all matters not committed to the general government is one of the plainest facts which emerges from the history of their deliberations.** And adherence to that determination is incumbent equally upon the federal government and the states. **State powers can neither be appropriated on the one hand nor abdicated on the other. As this court said in Texas v. White, 7 Wall. 700, 725, 'The preservation of the States, and the maintenance of their governments, are as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National government.** The Constitution, in all its provisions, looks to an indestructible Union, composed of indestructible States.' Every journey to a forbidden end begins with the first step; and the danger of such a step by the federal government in the direction of taking over the powers of the states is that the end of the journey may find the states so despoiled of their powers, or-what

may amount to the same thing-so [298 U.S. 238, 296] relieved of the responsibilities which possession of the powers necessarily enjoins, as to reduce them to little more than geographical subdivisions of the national domain.

**It is safe to say that if, when the Constitution was under consideration, it had been thought that any such danger lurked behind its plain words, it would never have been ratified.**

[Carter v. Carter Coal Co., 298 U.S. 238 (1936)]

For an enumeration of the CIVIL laws of my God, see:

Laws of the Bible, Form #13.001

<https://sedm.org/Litigation/09-Reference/LawsOfTheBible.pdf>

45.5. Forfeit the “benefits”, “privileges” and “protections” of the statutory civil law.

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

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

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

45.6. Choose a domicile OUTSIDE of any and all civil statutory venues. Domicile is irrelevant to common law matters anyway. See:

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

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

45.7. Choose to govern any and all disputes in any court under the rules of the common law and not the statutory civil law.

45.8. Choose the system of organic law which protects my body and my private property as ONLY the following:

45.8.1. The common law.

45.8.2. The Declaration of Independence.

45.8.3. The Articles of Confederation.

45.8.4. The Northwest Ordinance.

The REASON I must do the above is because TOO MUCH LAW CAUSES CRIME! The more I have to learn, the more likely it becomes that I will mistakenly or even unknowingly commit crime. See:

What is “Law”?, Form #05.048, Section 11

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

45.9. Choose NOT to convert or donate any of my absolutely owned private property or services to a public use, a public purpose, or a public office.

45.10. Choose to EXCLUDE any and all civil statutory uses of my body and property.

45.11. Give reasonable timely notice of the terms under which I as the absolute owner of my body and my property will sell or transfer such property to any government, being the following IN FULL:

Injury Defense Franchise and Agreement, Form #06.027

<https://sedm.org/Forms/06-AvoidingFranch/InjuryDefenseFranchise.pdf>

45.12. By doing the above, choose the “Form of Government” I want under the Declaration of Independence as indicated by Thomas Jefferson.

For the purposes of this document, all references taking the form “Form #\_\_\_\_” refer to forms available for free at the following internet address:

Sovereignty Education and Defense Ministry (SEDM) Forms and Publications Page

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

For the purposes of this document, the status documented in this section is referred to as a “state national” AND a “non-resident non-person”. The following two subsections provide definitions of these two terms:

### 3.1 "State National"<sup>4</sup>

The term "state national" means those who are:

1. Born in a Constitutional but not Statutory "State" as described in the Fourteenth Amendment or the original constitution.
2. Standing on land protected by the Constitution and/or the organic law and therefore possessing natural and Constitutional and PRIVATE rights as documented in:  

Enumeration of Inalienable Rights, Form #10.002  
<https://sedm.org/Forms/10-Emancipation/EnumRights.pdf>
3. Not claiming any government statutory privilege, immunity, exemption, "benefit", domicile, or civil statutory protection in the context of a specific interaction and reserving all rights per U.C.C. §1.308.
4. Owing allegiance to THE PEOPLE as individuals and sovereigns occupying the land within the state, and not to the government that serves them under the constitution as the delegation of authority order. "State" in a political sense always refers to PEOPLE occupying land and never to GOVERNMENTS or government corporations. In biblical terms, that allegiance is called "love" and it is commanded by God in Matt. 22:34-40. God NEVER commands Christians to love governments or civil rulers and often tells people to DISOBEY them when they violate the Bible as their delegation of authority order (Form #13.007).

Equivalent to a "non-citizen national of the United States OF AMERICA" or a "free inhabitant" under the Articles of Confederation. EXCLUDES any of the following:

1. STATUTORY "person" under [26 U.S.C. §6671\(b\)](#) and [§7343](#).
2. Statutory "national and citizen of the United States\*\* at birth" as defined in [8 U.S.C. §1401](#). This is a territorial citizen rather than a state citizen.
3. "citizen of the United States\*\*[federal zone]" under [26 U.S.C. §911](#), 26 U.S.C. §3121(e), or [26 C.F.R. §1.1-1\(c\)](#).
4. "National but not citizen of the United States\*\* at birth" under [8 U.S.C. §1408](#). This is a person born in a federal possession RATHER than a state of the Union.
5. "U.S.[\*\*] non-citizen national" under [8 U.S.C. §1452](#). This is a person born in a federal possession RATHER than a state of the Union.
6. STATUTORY "U.S. person" as defined in [26 U.S.C. §7701\(a\)\(30\)](#), which is a human being born and domiciled on federal territory not within the exclusive jurisdiction of any Constitutional state.

The term is equivalent to "American National" as used by the Department of State in [8 U.S.C. §1502](#). "state" for a foreign national = the country of which that person is a national. "state" for an American national is the United States of America, or just America. "state" is not defined in 8 U.S.C. although "State" is defined in [8 U.S.C. §1101\(a\)\(36\)](#) and they are NOT equivalent. See [8 U.S.C. §1101\(a\)\(21\)](#) for another reference to a "state national". Remember the context of [8 U.S.C. §1101](#) is immigration and nationality. So when we speak of a state in this context, we are talking about international states. In that context, American nationality (or U.S. nationality) is what we are---nationality of California is meaningless in this context. So to say you are a national of California is to say you are a national of the United States[\*\*\*] OF AMERICA or an American National.

For the purposes of "State", the following definition applies:

#### *State*

*As a noun, a people permanently occupying a fixed territory bound together by common habits and custom into one body politic exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other states. The section of territory occupied by one of the United States. The people of a state, in their collective capacity, considered as the party wronged by a criminal deed; the public; as in the title of a case, "The State v. A. B." The circumstances or condition of a being or thing at a given time.*  
[The Free Dictionary, Farlex; SOURCE: <https://legal-dictionary.thefreedictionary.com/state/>]

<sup>4</sup> Source: Rules of Presumption and Statutory Interpretation, Litigation Tool #01.006, Section 7.1.24; SOURCE: <https://sedm.org/Litigation/01-General/RulesOfPresStatInterp.pdf>.

"State national" is NOT a statutory term and is not commonly used by courts of law. Therefore, if you invoke it in government correspondence or in litigation, you should take great care to define it BEFORE invoking it so that you do not invite charges of being "frivolous".

### 3.2 "Non-Person" or "Non-Resident Non-Person"<sup>5</sup>

The term "non-person" or "non-resident non-person" (Form #05.020) as used on this site we define to be a human who is all of the following:

1. 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.
2. 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.
3. Not "purposefully or consensually availing themselves" of commerce with any government. Therefore, they do not waive sovereign immunity under the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Chapter 97.
4. Obligations and Rights in relation to Governments:
  - 4.1. 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/BouviereMaxims.htm/>*

- 4.2. 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".
- 4.3. 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".
5. For the purposes of citizenship on government forms:
  - 5.1. STATUTORY "citizen" and "resident" are PUBLIC OFFICES and fictions of law within the national government and not human beings. Whenever CIVIL STATUTORY obligations (Form #12.040) attach to a civil status (Form #13.008) such as "citizen", "resident", or "person", then the civil or legal status has to be voluntary or else unconstitutional involuntary servitude is the result in violation of the Thirteenth Amendment. President Obama even admitted that "citizen" is a public office in his Farewell Address. See SEDM Exhibit #01.018 for proof. You have a RIGHT to not be an officer of the government WITHOUT even PAY! They even make you PAY for the privilege with income taxation, because the tax is imposed upon STATUTORY "citizen" and "resident" in 26 C.F.R. §1.1-1(a). Who else can institute SLAVERY like that and why can't you do that to THEM if we are all REALLY equal (Form #05.033) as the Constitution requires?

<sup>5</sup> Source: Rules of Presumption and Statutory Interpretation, Litigation Tool #01.006, Section 7.1.25; SOURCE: <https://sedm.org/Litigation/01-General/RulesOfPresStatInterp.pdf>.

- 5.2. 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\(a\)\(30\)](#)).
- 5.3. 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\*\*\*".
- 5.4. Is NOT an "alien individual" in [26 C.F.R. §1.1441-1\(c\)\(3\)\(i\)](#) because a "national" under [8 U.S.C. §1101\(a\)\(21\)](#) or "U.S. national" under [22 C.F.R. §51.1](#) owing allegiance to a state of the Union and not the national or federal government. Thus, they are not subject to the presence test under [26 U.S.C. §7701\(b\)](#) and may not lawfully be kidnapped into exclusive national government jurisdiction as a privileged alien "resident" or have a privileged "residence" ([26 C.F.R. §1.871-2\(b\)](#)) within the EITHER the statutory geographical "United States" in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10) or "United States\*" the COUNTRY in [26 C.F.R. §301.7701\(b\)-1\(c\)\(2\)](#).
- 5.5. Is legislatively but not constitutionally "foreign" and "alien" to the national government by virtue of not having a domicile (for nationals under [8 U.S.C. §1101\(a\)\(21\)](#)) or "residence" (for "alien individuals" under [26 C.F.R. §1.871-2\(b\)](#)) within the exclusive legislative jurisdiction of the national government. The words "foreign" and "alien" by themselves are NOT defined within the Internal Revenue Code. This is MALICIOUSLY deliberate so as to DECEIVE the American public in states of the Union into FALSELY declaring a domicile or residence within the exclusive jurisdiction of the national government. By using "and subject to ITS jurisdiction" after the word "citizen" in [26 C.F.R. §1.1-1\(c\)](#), the average American in states of the Union is deceived using equivocation into VOLUNTEERING for a civil STATUTORY office under the Secretary of the Treasury called "citizen" and "resident" subject to exclusive national government jurisdiction. The "citizen" in this regulation is NOT the POLITICAL citizen mentioned in the Fourteenth Amendment to the Constitution, but a STATUTORY citizen legislatively created and owned by Congress and thus a PRIVILEGE. Those in states of the Union who have neither a domicile nor residence within the exclusive jurisdiction of the national government and are not "subject to ITS jurisdiction" and who FALSELY CLAIM on a government form (Form #12.023) such as a W-9 that they are STATUTORY "U.S. persons" have in practical effect VOLUNTEERED to become privileged STATUTORY "taxpayers" and uncompensated officers of the national government EVERYWHERE IN THE WORLD who are on duty 24 hours a day, 7 days a week per [26 C.F.R. §1.1-1\(a\)](#)! The corrupt, covetous government WANTS this process of volunteering to be invisible in order to VICTIMIZE the Americans into becoming surety to pay off an endless mountain of public debt that there is NO LIMIT on. That's criminal peonage in violation of [18 U.S.C. §1581](#) if you knew you could unvolunteer and aren't allowed to. It's also criminal human trafficking. You can't UNVOLUNTEER and leave the system until you know HOW you volunteered in the first place. See "[Hot Issues: Invisible Consent](#)" for details on how your consent was procured INVISIBLY. That process of volunteering to pay income tax that state nationals don't owe is exhaustively described in: [How State Nationals Volunteer to Pay Income Tax](#), Form #08.024; <https://sedm.org/Forms/08-PolicyDocs/HowYouVolForIncomeTax.pdf>.
6. Earnings originate from outside:
- 6.1. The STATUTORY "United States\*" as defined in [26 U.S.C. §7701\(a\)\(9\)](#) and (a)(10) (federal zone) and
- 6.2. The U.S. government federal corporation as a privileged legal fiction.
- Thus, their earnings are expressly EXCLUDED rather than EXEMPTED from "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.
7. Earnings are expressly EXCLUDED rather than EXEMPTED from STATUTORY "wages" as defined in [26 U.S.C. §3401\(a\)](#) because all 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. Therefore, not subject to "wage" withholding of any kind for such services per:
- 7.1. [26 C.F.R. §31.3401\(a\)\(6\)-1\(b\)](#) in the case of income tax.
- 7.2. [26 C.F.R. §31.3121\(b\)-3\(c\)\(1\)](#) in the case of Social Security.
8. Expressly EXCLUDED rather than EXEMPTED from income tax reporting under:
- 8.1. [26 C.F.R. §1.1441-1\(b\)\(5\)\(i\)](#).
- 8.2. [26 C.F.R. §1.1441-1\(e\)\(1\)\(ii\)\(A\)\(1\)](#).
- 8.3. [26 C.F.R. §1.6041-4\(a\)\(1\)](#).
9. Expressly EXCLUDED rather than EXEMPTED from backup withholding because earnings are not reportable by [26 U.S.C. §3406](#) and [26 C.F.R. §31.3406\(g\)-1\(e\)](#). Only "reportable payments" are subject to such withholding.
10. Because they are EXCLUDED rather than EXEMPTED from income tax reporting and therefore withholding, they have no "taxable income".
- 10.1. Only reportable income is taxable.
- 10.2. 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.

10.3. 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. §91](#) 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 \(1866\)](#).

11. 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](#).
12. If they submit the [SEDM Form W-8SUB, Form #04.231](#) to control withholding and revoke their Form W-4, then they:
  - 12.1. Can submit [SSA Form 7008](#) to correct your SSA earnings to zero them out. See [SEDM Form #06.042](#).
  - 12.2. 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 #06.044](#).
13. Are eligible to replace the SSN with a TEMPORARY Individual 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:
  - 13.1. [Form W-7](#) for the application.  
<https://www.irs.gov/forms-pubs/about-form-w-7>
  - 13.2. [Understanding Your IRS Individual Taxpayer Identification Number, Publication 1915](#)  
<https://www.irs.gov/pub/irs-pdf/p1915.pdf>
  - 13.3. [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.  
<https://sedm.org/Forms/06-AvoidingFranch/SSNotEligible.pdf>
14. 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.
15. 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 excluded from this requirement by:
  - 15.1. [31 C.F.R. §1020.410\(b\)\(3\)\(x\)](#) .  
<https://www.law.cornell.edu/cfr/text/31/1020.410>
  - 15.2. [26 C.F.R. §301.6109-1\(b\)\(2\)](#) .  
<https://www.law.cornell.edu/cfr/text/26/301.6109-1>
  - 15.3. [W-8BEN Inst. p. 1,2,4,5 \(Cat 25576H\)](#).  
<https://www.irs.gov/pub/irs-pdf/iw8ben.pdf>
  - 15.4. [Instructions for the Requesters of Forms W-8BEN, W-8BEN-E, W-8ECI, W-8EXP, and W-8IMY, p. 1,2,6 \(Cat 26698G\)](#).  
<https://www.irs.gov/pub/irs-pdf/iw8.pdf>
  - 15.5. [Pub 515 Inst. p. 7 \(Cat. No 16029L\)](#).  
<https://www.irs.gov/pub/irs-pdf/p515.pdf>More on SSNs and TINs at:  
[About SSNs and TINs on Government Forms and Correspondence, Form #05.012](#)  
<https://sedm.org/Forms/05-MemLaw/AboutSSNsAndTINs.pdf>  
[About SSNs and TINs on Government Forms and Correspondence, Form #04.104](#)  
<https://sedm.org/Forms/04-Tax/1-Procedure/AboutSSNs/AboutSSNs.htm>

They are "non-persons" BY VIRTUE of not benefitting from any civil statutory privilege and therefore being "PRIVATE". By "privilege", we mean ANY of the things described in [5 U.S.C. 553\(a\)\(2\)](#):

[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 above items all have in common that they are PROPERTY coming under [Article 4, Section 3, Clause 2](#) of the Constitution that is loaned or possessed or granted temporarily to a human being with legal strings attached. Thus, Congress has direct legislative jurisdiction not only over the property itself, but over all those who USE, BENEFIT FROM, or HAVE such property physically in their custody or within their temporary control. We remind the reader that Congress enjoys control over their own property NO MATTER WHERE it physically is, including states of the Union, and that it is the MAIN source of their legislative jurisdiction within the exclusive jurisdiction of Constitutional states of the Union!:

[United States Constitution](#)  
[Article 4, Section 3, Clause 2](#)

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

**“The Constitution permits Congress to dispose of and to make all needful rules and regulations respecting the territory or other property belonging to the United States. This power applies as well to territory belonging to the United States within the States, as beyond them. It comprehends all the public domain, wherever it may be. The argument is, that the power to make ‘ALL needful rules and regulations’ ‘is a power of legislation,’ ‘a full legislative power;’ ‘that it includes all subjects of legislation in the territory,’ and is without any limitations, except the positive prohibitions which affect all the powers of Congress. Congress may then regulate or prohibit slavery upon the public domain within the new States, and such a prohibition would permanently affect the capacity of a slave, whose master might carry him to it. And why not? Because no power has been conferred on Congress. This is a conclusion universally admitted. But the power to ‘make rules and regulations respecting the territory’ is not restrained by State lines, nor are there any constitutional prohibitions upon its exercise in the domain of the United States within the States; and whatever rules and regulations respecting territory Congress may constitutionally make are supreme, and are not dependent on the situs of ‘the territory.’”**  
*[Dred Scott v. Sandford, 60 U.S. 393, 509-510 (1856)]*

By property, we mean all the things listed in [5 U.S.C. §553\(a\)\(2\)](#) such as SSNs (property of the government per [20 C.F.R. §422.103\(d\)](#)), contracts (which are property), physical property, chattel property, "benefits", "offices", [civil statuses](#), privileges, civil statutory remedies, etc. A "[public office](#)" is, after all, legally defined as someone in charge of the PROPERTY of the "public",

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

Even the public office ITSELF is property of the national government, so those claiming any civil statutory status are claiming a civil office within the government. It is otherwise unconstitutional to regulate private property or private rights. The only way you can surrender your private status is voluntarily adopt an office or civil status or the "benefits", "rights", or privileges attaching to said office or status, as we prove in:

1. [Civil Status \(Important\). SEDM](#)  
<https://sedm.org/litigation-main/civil-status/>
2. [Your Exclusive Right to Declare or Establish Your Civil Status. Form #13.008](#)  
<https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf>
3. [Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037](#)  
<https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>

It is custody or "benefit" or control of government/public property that grants government control over those handling or using such property:

*"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 \(1876\)](#)]

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

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

You cannot MIX or comingle PRIVATE property with PUBLIC property without converting the PRIVATE property ownership from absolute to qualified. You must keep them SEPARATE at all times and it is the MAIN and MOST IMPORTANT role of government to maintain that separation. Governments, after all, are created ONLY to protect private property and the FIRST step in that protection is to protect PRIVATE property from being converted to PUBLIC property. For proof, see:

[Separation Between Public and Private Course](#), Form #12.025  
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

What Congress is doing is abusing its own property to in effect create "de facto public offices" within the government, in violation of [4 U.S.C. §72](#), as is proven in:

[Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union](#), Form #05.052  
<https://sedm.org/Forms/05-MemLaw/ChallengeToIRSEnforcementAuth.pdf>

This is how we describe the reason why people should avoid privileges and thereby avoid possession, custody, use, or "benefit" of government/public property on the opening page of our site:

*"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 Opening Page; <http://sedm.org>]

"Non-resident Non-Person" or "non-person" are synonymous with "transient foreigner", "in transitu", and "stateless" (in relation to the national government). We invented this term. The term does not appear in federal statutes because statutes cannot even define things or people who are not subject to them and therefore foreign and sovereign. The term "non-individual" used on this site is equivalent to and a synonym for "non-person" on this site, even though STATUTORY "individuals" are a SUBSET of "persons" within the Internal Revenue Code. Likewise, the term "private human" is also synonymous with "non-person". Hence, a "non-person":

1. Retains their sovereign immunity. They do not waive it under the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97 or the longarm statutes of the state they occupy.
2. Is protected by the United States Constitution and not federal statutory civil law.
3. May not have federal statutory civil law cited against them. If they were, a violation of Federal Rule of Civil Procedure 17 and a constitutional tort would result if they were physically present on land protected by the United States Constitution within the exterior limits of states of the Union.
4. Is on an equal footing with the United States government in court. "Persons" would be on an UNEQUAL, INFERIOR, and subservient level if they were subject to federal territorial law.

Don't expect vain public servants to willingly admit that there is such a thing as a human "non-person" who satisfies the above criteria because it would undermine their systematic and treasonous plunder and enslavement of people they are supposed to be protecting. However, the U.S. Supreme Court has held that the "right to be left alone" is the purpose of the constitution. *Olmstead v. United States*, 277 U.S. 438. A so-called "government" that refuses to leave you alone or respect or protect your sovereignty and equality in relation to them is no government at all and has violated the purpose of its creation described in the Declaration of Independence. Furthermore, anyone from the national or state government who refuses to enforce this status, or who imputes or enforces any status OTHER than this status under any law system other than the common law is:

1. "purposefully availing themselves" of commerce within OUR jurisdiction.
2. STEALING, where the thing being STOLEN are the public rights associated with the statutory civil "status" they are presuming we have but never expressly consented to have.
3. Engaging in criminal identity theft, because the civil status is associated with a domicile in a place we are not physically in and do not consent to a civil domicile in.
4. Consenting to our Member Agreement.
5. Waiving official, judicial, and sovereign immunity.
6. Acting in a private and personal capacity beyond the statutory jurisdiction of their government employer.
7. Compelling us to contract with the state under the civil statutory "social compact".
8. Interfering with our First Amendment right to freely and civilly DISASSOCIATE with the state.
9. Engaged in a constitutional tort.

If freedom and self-ownership or "ownership" in general means anything at all, it means the right to deny any and all others, including governments, the ability to use or benefit in any way from our body, our exclusively owned private property, and our labor.

*"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)]

#### FOOTNOTES:

[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).

### 3.3 Affirmation

Know that no official has authority to force a foreign jurisdiction upon me. Any attempt to force, compel, or control this Affiant through statutory enactments of Congress or a State legislature without proper and complete verification of presumed debt obligation to said third-party-witness and notary public is Your complete and permanently binding agreement to remunerate Affiant for \$5,000,000.00 SILVER DOLLARS, lawfully minted by the treasury of the united states of America, plus court costs, filing fees and miscellaneous expenses, plus compensatory damages of three (3) times the amount of Your stipulated and unproven charges of \$\_\_\_\_\_ (TO BE DETERMINED AT TIME OF SETTLEMENT) against Affiant, without recourse to all terms stipulated by Affiant, in which government / officer-claimant will be subject to a public lien which is not a lis pendens lien upon You in Your / his / her private and corporate capacity, with final charges of interest, penalties and miscellaneous charges to be determined at time of settlement, for interfering in the Commercial Affairs / legal rights of Affiant and abrogating due process rights of same. Furthermore, saith naught!

All Rights Reserved,

\_\_\_\_\_  
Your first name; last name

State of New Mexico )  
 ) ss.: **Jurat**  
County of Bernalillo )

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord, \_\_\_\_\_, the above signed Affiant appeared before me to so swear and to attach his/her signature to this instrument.

Seal

Public Notary

Exp Date: \_\_\_\_\_

### 4 Common law or Statutes?

“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.”

[*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](http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_immunities_of_state_c.pdf)  
f]

FOOTNOTES:

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.

## 5 Constitution or Statutes?

The **most important job** of any court is to discern whether the law of a case before it derives from the constitution or from statutes. This was pointed out in the earliest Supreme Court case of *Marbury v. Madison*:

*If an act of the legislature, repugnant to the constitution, is void, does it, notwithstanding its invalidity, bind the courts, and oblige them to give it effect? Or, in other words, though it be not law, does it constitute a rule as operative as if it was a law? This would be to overthrow in fact what was established in theory; and would seem, at first view, an absurdity too gross to be insisted on. It shall, however, receive a more attentive consideration.*

*It is emphatically the province and duty of the judicial department to say what the law is. Those who apply the rule to particular cases, must of necessity expound and interpret that rule. If two laws conflict with each other, the courts must decide on the operation of each.*

**\*178 \*So if a law be in opposition to the constitution; if both the law and the constitution apply to a particular case, so that the court must either decide that case conformably to the law, disregarding the constitution; or conformably to the constitution, disregarding the law; the court must determine which of these conflicting rules governs the case. This is of the very essence of judicial duty.**

**If, then, the courts are to regard the constitution, and the constitution is superior to any ordinary act of the legislature, the constitution, and not such ordinary act, must govern the case to which they both apply.**

*Those, then, who controvert the principle that the constitution is to be considered, in court, as a paramount law, are reduced to the necessity of maintaining that courts must close their eyes on the constitution, and see only the law.*

*This doctrine would subvert the very foundation of all written constitutions. It would declare that an act which, according to the principles and theory of our government, is entirely void, is yet, in practice, completely obligatory. It would declare that if the legislature shall do what is expressly forbidden, such act, notwithstanding the express prohibition, is in reality effectual. It would be giving to the legislature a practical and real omnipotence, with the same breath which professes to restrict their powers within narrow limits. It is prescribing limits, 178\*178 and declaring that those limits may be passed at pleasure.*

*That it thus reduces to nothing what we have deemed the greatest improvement on political institutions, a written constitution, would of itself be sufficient, in America, where written constitutions have been viewed with so much reverence, for rejecting the construction. But the peculiar expressions of the constitution of the United States furnish additional arguments in favour of its rejection.*  
[Marbury v. Madison, 5 U.S. 137 (1803)]

By using the phrase "say what the law is", the Supreme Court means literally "say WHICH law applies". The above *Marbury* case is often referenced during judicial confirmation hearings in the legislature as a point of questions for nominees. The above point was again repeated later in the famous income tax case of *Pollock v. Farmers' Loan and Trust* in which the income tax was challenged and declared unconstitutional:

*Since the opinion in Marbury v. Madison, 1 Cranch, 137, 177, was delivered, **it has not been doubted that it is within judicial competency, by express provisions of the Constitution or by necessary inference and implication, to determine whether a given law of the United States is or is not made in pursuance of the Constitution, and to hold it valid or void accordingly.** "If," said Chief Justice Marshall, "**both the law and the Constitution apply to a particular case, so that the court must either decide that case conformably to the law, disregarding the Constitution; or conformably to the Constitution, disregarding the law; the court must determine which of these conflicting rules governs the case. This is of the very essence of judicial duty.**" And the Chief Justice added that the doctrine "**that courts must close their eyes on the Constitution, and see only the law,**" "**would subvert the very foundation of all written constitutions.**" Necessarily the power to declare a law unconstitutional is always exercised with reluctance; but the duty to do so, in a proper case, cannot be declined, and must be discharged in accordance with the deliberate judgment of the tribunal in which the validity of the enactment is directly drawn in question.*  
[Pollock v. Farmers' Loan & Trust Co., 157 U.S. 429 (1895)]

## 5.1 Summary of authorities

We have not seen documented in any court case ALL the considerations involved in discerning which of the two sources of law applies. These considerations can be discerned by compiling multiple authorities into one cohesive whole below:

1. The constitution applies to LAND within the exclusive jurisdiction of a constitutional state. That is why it calls itself “the law of the land”.
2. Land which originally started out within the exclusive jurisdiction of a constitutional state and protected by the Constitution must be voluntarily ceded to the exclusive jurisdiction of the national government by an act of the legislature. This process is identified in 40 U.S.C. §3112.

### [40 U.S. Code § 3112 - Federal jurisdiction](#)

#### *(a) Exclusive Jurisdiction Not Required.—*

*It is not required that the Federal Government obtain exclusive jurisdiction in the United States over land or an interest in land it acquires.*

#### *(b) Acquisition and Acceptance of Jurisdiction.—*

*When the head of a department, agency, or independent establishment of the Government, or other authorized officer of the department, agency, or independent establishment, considers it desirable, that individual may accept or secure, from the State in which land or an interest in land that is under the immediate jurisdiction, custody, or control of the individual is situated, consent to, or cession of, any jurisdiction over the land or interest not previously obtained. The individual shall indicate acceptance of jurisdiction on behalf of the Government by filing a notice of acceptance with the Governor of the State or in another manner prescribed by the laws of the State where the land is situated.*

#### *(c) Presumption.—*

**It is conclusively presumed that jurisdiction has not been accepted until the Government accepts jurisdiction over land as provided in this section.**

3. The constitution does NOT apply to land under the exclusive jurisdiction of the national government under Article 1, Section 8, Clause 17:

*Article I of the US Constitution. Legislative Department  
Section 8. Powers of Congress  
Clause 17. District of Columbia; Federal Property*

*Congress shall have power \* \* \* To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings.*

*[United States Constitution, Article 1, Section 8, Clause 17; SOURCE:  
<https://law.justia.com/constitution/us/article-1/>]*

*“Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that **the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America,** and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights.”*

4. Land under the exclusive jurisdiction of the national government and NOT protected by the Constitution includes:
  - 4.1. Territories of the national government. There are no remaining territories at this time. Everything is a possession.
  - 4.2. “Federal enclaves” or “federal areas” within the constitutional states.
5. Legislative jurisdiction over the PROPERTY of the national government applies ANYWHERE and EVERYWHERE the property is found, and reaches anyone in custody or control of the property:

Article IV of the US Constitution. States’ Relations  
Section 3. Admission of New States; Property of United States  
Clause 2. Property of the United States

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

[United States Constitution, Article 4, Section 3, Clause 2; <https://law.justia.com/constitution/us/article-4/>]

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**“The Constitution permits Congress to dispose of and to make all needful rules and regulations respecting the territory or other property belonging to the United States. This power applies as well to territory belonging to the United States within the States, as beyond them. It comprehends all the public domain, wherever it may be. The argument is, that the power to make ‘ALL needful rules and regulations’ ‘is a power of legislation,’ ‘a full legislative power;’ ‘that it includes all subjects of legislation in the territory,’ and is without any limitations, except the positive prohibitions which affect all the powers of Congress. Congress may then regulate or prohibit slavery upon the public domain within the new States, and such a prohibition would permanently affect the capacity of a slave, whose master might carry him to it. And why not? Because no power has been conferred on Congress. This is a conclusion universally admitted. But the power to ‘make rules and regulations respecting the territory’ is not restrained by State lines, nor are there any constitutional prohibitions upon its exercise in the domain of the United States within the States; and whatever rules and regulations respecting territory Congress may constitutionally make are supreme, and are not dependent on the situs of ‘the territory.’”**  
[Dred Scott v. Sandford, 60 U.S. 393, 509-510 (1856)]

6. Property, as indicated in the previous step INCLUDES the following:
  - 6.1. Civil statutory rights.
  - 6.2. Civil statutory obligations.
  - 6.3. Civil statutory STATUSES, such as “person”, “individual”, “taxpayer”, “driver”, etc. Such statuses are the OBJECT of civil statutory RIGHTS and OBLIGATIONS.
  - 6.4. Land. This includes “territories” of the national government.
  - 6.5. Buildings.
  - 6.6. Contracts.
  - 6.7. Franchises.
  - 6.8. Lawful money, consisting of gold or silver.
  - 6.9. Notes.
  - 6.10. National corporations, which are franchises of the national government.
  - 6.11. Government “benefits”.
  - 6.12. Government “privileges”.
7. Remember:
  - 7.1. Rights and their corresponding obligations are property.
  - 7.2. Anything that conveys rights is property.
  - 7.3. Civil legislation creates and grants STATUTORY rights, also called “privileges”, and is therefore property. Such privileges are also sometimes called franchises, depending on the nature of the right created and whether it is PRIVATE or PUBLIC.
  - 7.4. Contracts also convey rights and are therefore property.
  - 7.5. All franchises are contracts or agreements and therefore property.
8. Extraterritorial authority over government property is itemized in 5 U.S.C. §553(a):

[TITLE 5](#) > [PART I](#) > [CHAPTER 5](#) > [SUBCHAPTER II](#) > § 553  
§ 553. Rule making

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

(1) a military or foreign affairs function of the United States; or

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

All of the things listed above fall into the category of PROPERTY of the national government coming under the auspices of Article 4, Section 3, Clause 2. Anything that Congress legislatively creates is its property, and legislatively created public offices within the national government fall within that category. See:

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

9. Anyone in receipt, custody, or control of a legislatively granted civil statutory PRIVILEGE or PUBLIC RIGHT is “deemed” to be a public officer, even if they don’t know it:

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

10. A public officer is the ONLY lawful object of the civil legislation of Congress, and the purpose of all such legislation is to impose CIVIL OBLIGATIONS against the officer.

“The term office’ has no legal or technical meaning attached to it, distinct from its ordinary acceptations. An office is a public charge or employment; but, as every employment is not an office, it is sometimes difficult to distinguish between employments which are and those which are not offices.... A public officer is one who has some duty to perform concerning the public; and he is not the less a public officer when his duty is confined to narrow limits, because it is the duty, and the nature of that duty, which makes him a public officer, and not the extent of his authority.’ 7 Bac. Abr. 280; Carth. 479.... Where an employment or duty is a continuing one, which is defined by rules prescribed by law and not by contract, such a charge or employment is an office, and the person who performs it is an officer.... The powers vested in the government of the state of Mississippi are either legislative, judicial, or executive; and these respective branches of power have been committed to separate bodies of magistracy.... Whether an office has been created by the constitution itself, or by statute, ... the incumbent, as a component member of one of the bodies of the magistracy, is vested with a portion of the power of the government.... The words civil office under the state’... import an office in which is reposed some portion of the sovereign power of the state, and of necessity having some connection with the legislative, judicial, or executive departments of the government.... The local and limited power and duties of the levee commissioner can have no effect in determining the question whether his office is not an office under the state. A member of the board of county police, or a justice of the peace, is as much an officer under the state as the executive, the heads of department, or a member of the judiciary. The powers attached [\*\*\*66] to the office of levee commissioner evidently pertain to the executive branch of the government. Clothed with a portion of the power vested in that department, the commissioner, in the discharge of his proper functions, exercises as clearly sovereign power as the governor or a sheriff.” Shelby v. Alcorn, 36 Miss. 273, 288-290, 292. The constitution provided that “no senator [\*233] or representative” should, during his term, “be appointed to any civil office of profit under this state,” which had been created during his legislative term. The object of the clause was manifest, and the office of levee commissioner was held to be within the mischief which the prohibition was intended to prevent. [Ricker’s Petition, 66 N.H. 207 (1890)]

11. Civil statutory public offices ALWAYS attach to a SPECIFIC civil statutory status and constitute a “fiction of law”. Such civil statutory statuses might include: “President”; “Senator”, “Representative”, “person”, “taxpayer”, “individual”, “driver”, etc. There is NO SUCH THING as a civil statutory obligation owed to any government that does NOT attach to a SPECIFIC, named public office. See:  
11.1. Definition of “fiction of law”.

“Fiction of law. An assumption or supposition of law that something which is or may be false is true, or that a state of facts exists which has never really taken place. An assumption [PRESUMPTION], for purposes of justice, of a fact that does not or may not exist. A rule of law which assumes as true, and will not allow to be disproved, something which is false, but not impossible. Ryan v. Motor Credit Co., 30 N.J.Eq. 531, 23 A.2d.

607, 621. These assumptions are of an innocent or even beneficial character, and are made for the advancement of the ends of justice. They secure this end chiefly by the extension of procedure from cases to which it is applicable to other cases to which it is not strictly applicable, the ground of inapplicability being some difference of an immaterial character. See also Legal fiction." [Black's Law Dictionary, Sixth Edition, p. 623]

11.2. Your Exclusive Right to Declare or Establish Your Civil Status, Form #13.008

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

12. Government public officers are CONTRACTORS of the national government, and THE ENTIRE civil statutory code is their employment agreement!:

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

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

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

The term "compact" as used above means CONTRACT.

13. The act of voluntarily accepting ANY kind of civil statutory membership and the acquisition of the civil statutory status that describes it is exemplified with such fictions of law as "citizen" or "resident" always gives rise to a LOSS of some kind of natural or constitutional right:

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."

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

SOURCE: [http://scholar.google.com/scholar\\_case?case=6419197193322400931/](http://scholar.google.com/scholar_case?case=6419197193322400931/)

14. By accepting government property, the recipient "tacitly ASSENTS" to the obligations that attach to it:

"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)]

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

15. Invoking the “benefits” of a civil statutory status legislatively granted by Congress constitutes an IMPLIED WAIVER of ALL of the protections of the Constitution in deference to the PRIVILEGES of the granted PRIVILEGE and PUBLIC right associated with the status:

*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.](#)

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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 \(1936\)\]](#)

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*Municipal law, thus understood, is properly defined to be "a rule of civil conduct prescribed by the supreme power in a state, commanding what is right and prohibiting what is wrong."*

[. . .]

*It is also called a rule to distinguish it from a compact or agreement; **for a compact is a promise proceeding from us, law is a command directed to us.** The language of a compact is, "I will, or will not, do this"; that of a law is, "thou shalt, or shalt not, do it." It is true there is an obligation which a compact carries with it, equal in point of conscience to that of a law; but then the original of the obligation is different. **In compacts we ourselves determine and promise what shall be done, before we are obliged to do it; in laws, we are obliged to act without ourselves determining or promising anything at all.** Upon these accounts law is defined to be "a rule." [\[Readings on the History and System of the Common Law, Second Edition, Roscoe Pound, 1925, p. 4\]](#)*

16. Legislatively created civil statutory statuses and the offices they give rise to allow the government to control ANYONE and EVERYONE who exercises said offices. By “control”, we mean impose CIVIL STATUTORY OBLIGATIONS OF ANY KIND:

*“What, then, is [\[civil\] legislation](#)? It is an [assumption \[presumption\]](#) by one man, or body of men, of absolute, irresponsible dominion [because of abuse of [sovereign immunity](#) and the act of "CONSENT" by calling yourself a "citizen"] over all other men whom they call subject to their power. It is the assumption by one man, or body of men, of a right to subject all other men to their will and their service. It is the assumption by one man, or body of men, of a right to abolish outright all the natural rights, all the natural liberty of all other men; to make all other men their slaves; to arbitrarily dictate to all other men what they may, and may not, do; what they may, and may not, have; what they may, and may not, be. It is, in short, the assumption of a right to banish the [principle of human rights](#), the [principle of justice itself](#), from off the earth, and set up their own personal will [society of men and not law], pleasure, and interest in its place. All this, and nothing less, is involved in the very idea that there can be any such thing as [human \[CIVIL\] legislation](#) that is obligatory upon those upon whom it is imposed [and ESPECIALLY those who never expressly consented in writing].”*

[\[Natural Law, Chapter 1, Section IV, Lysander Spooner;](#)

[SOURCE: <http://famguardian.org/PublishedAuthors/Indiv/SpoonerLysander/NaturalLaw.htm>\]](#)

17. If you want to be free and owe no legal duties to any government, the ONLY choice you have is to avoid ALL civil statutory statuses to which civil statutory obligations attach. It is your RIGHT under the common law to do so. By doing so, one becomes a “nonresident” and “stateless” and may only defend their rights using the Constitution and the common law and NEVER the statutory law.
18. Those who are stateless and nonresident have a right under principles of equity, the common law, and the constitution to acquire rights against the government by using THEIR absolutely owned private property to create franchises and conditions under which they can, in effect, impose equitable duties upon the government. In effect, you must FIGHT

FIRE WITH FIRE, and fight FRANCHISES with ANTI-FRANCHISES. This puts the government into the position essentially of undermining their own main revenue source in order to argue that you can't do to them what they are doing to you.

*"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)]

Such an approach is consistent with the Sun Tzu Proverbs of War, which state that you must use your enemies greatest strength against them to prevail in battle. For an example of how this is done, see:

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

## 5.2 Specific authorities

*"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)]

[*EDITORIAL*: The ONLY way the above can be true is if the statutes apply where the constitution DOES NOT apply such as on federal territory or abroad rather than within a constitutional state, or if the party subjecting themselves to the statutes CONSENTS. There is NO OTHER WAY rationally to do this.]

*"What, then, is law? It is the collective [VOLUNTARY] organization of the individual right to lawful defense. Each of us has a natural right—from God—to defend his person, his liberty, and his property. These are the three basic requirements of life, and the preservation of any one of them is completely dependent upon the preservation of the other two. For what are our faculties [RIGHTS] but the extension of our individuality? And what is property but an extension of our faculties? If every person has the right to defend—even by force—his person, his liberty, and his property, then it follows that a group of men have the right to organize and support a common force to protect these rights constantly. Thus the principle of collective right—its reason for existing, its lawfulness—is based on individual right. And the common force that protects this collective right cannot logically have any other purpose or any other mission than that for which it acts as a substitute. Thus, since an individual cannot lawfully use force against the person, liberty, or property of another individual, then the common force—for the same reason—cannot lawfully be used to destroy the person, liberty, or property of individuals or groups."*

[*The Law*, Frederic Bastiat (1801-1850), p. 2;

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

*"What, then, is legislation? It is an assumption by one man, or body of men, of absolute, irresponsible dominion over all other men whom they call subject to their power. It is the assumption by one man, or body of men, of a right to subject all other men to their will and their service. It is the assumption by one man, or body of men, of a right to abolish outright all the natural rights, all the natural liberty of all other men; to make all other men their slaves; to arbitrarily dictate to all other men what they may, and may not, do; what they may, and may not, have; what they may, and may not, be. It is, in short, the assumption of a right to banish the principle of human rights, the principle of justice itself, from off the earth, and set up their own personal will, pleasure, and interest in its place. All this, and nothing less, is involved in the very idea that there can be any such thing as human [CIVIL] legislation that is obligatory upon those upon whom it is imposed."*

[*Natural Law*, Chapter 1, Section IV, Lysander Spooner;

SOURCE: <http://famguardian.org/PublishedAuthors/Indiv/SpoonerLysander/NaturalLaw.htm>]

For more authorities like the above, see:

1. Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037  
<https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf>
2. Proof That There Is a "Straw Man", Form #05.042  
<https://sedm.org/Forms/05-MemLaw/StrawMan.pdf>
3. Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes, Form #05.008  
<https://sedm.org/Forms/05-MemLaw/WhyThiefOrPubOfficer.pdf>

### 5.3 Procedure to decide choice of law

Based on the preceding section, we can deduce a procedure to inerrantly decide the proper choice of law by asking a series of questions. We might add that corrupt judges will do EVERYTHING in their power to hide or obfuscate the below decision process, because it is the main technique they have of sophistry to kidnap you into civil statutory jurisdiction:

1. Did the case involve constitutional diversity between people in two different constitutional states under Constitution Article 3, Section 2, Clause 1 or did it involve slavery under the Thirteenth Amendment?
  - 1.1. ANSWER: NO. Proceed to step 2
  - 1.2. ANSWER: YES. Proceed to step 3.
2. Did the offense or injury occur on federal territory under the exclusive jurisdiction of Congress?
  - 2.1. ANSWER NO: Proceed to step 3.
  - 2.2. ANSWER YES: Only congressional legislation applies and NOT the constitution, except possibly the Thirteenth Amendment, which applies EVERYWHERE in the Union INCLUDING federal territory.
3. Was absolutely owned federal property of any kind involved under Article 4, Section 3, Clause 2? Such property, by the way, INCLUDES domicile on federal territory as a STATUTORY “citizen” or “resident” under Federal Rule of Civil Procedure 17 or any right NOT named in the Constitution.
  - 3.1. ANSWER NO: Proceed to step 4.
  - 3.2. ANSWER YES: Only congressional legislation applies and NOT the constitution, except possibly the Thirteenth Amendment, which applies EVERYWHERE in the Union INCLUDING federal territory.
4. Did the Plaintiff invoke the “benefit” of any legislatively granted right against either the government or any public officer such as a civil statutory “person”, “individual”, “driver”, “spouse”, “employee” etc? In other words, was the plaintiff a privileged FRANCHISEE?
  - 4.1. ANSWER NO: Proceed to step 5.
  - 4.2. ANSWER YES: Only congressional legislation applies and NOT the constitution, except possibly the Thirteenth Amendment, which applies EVERYWHERE in the Union INCLUDING federal territory.
5. Only the Constitution and/or the common law applies to the litigation.
  - 5.1. NO federal statute applies.
  - 5.2. The property that is the subject of the litigation is absolutely owned property of the Plaintiff upon whom the Defendant committed a trespass.
  - 5.3. The case may NOT be removed from a state to a federal court by the Defendant WITHOUT proving that federal property is involved. Protection of ABSOLUTELY owned, CONSTITUTIONALLY protected private property is relegated ONLY to the venue determined by the Plaintiff under common law and the constitution of the constitutional state.
6. Beyond this point, if the defendant invokes a civil statute and therefore a privilege in their defense, they are illegally:
  - 6.1. Exercising eminent domain over public property.
  - 6.2. Impersonating a public officer.
  - 6.3. Criminally simulating legal process.
7. Was the Plaintiff’s absolutely owned private property the subject of a contract or franchise with the Defendant?
  - 7.1. ANSWER NO: Common law rules apply. Damages must be proven.
  - 7.2. ANSWER YES: The terms of the contract or franchise exclusively govern the legal proceeding.
8. END

In the case of items 2.2, 3.2, and 4.2 above, use the next section to determine the EXACT statutory choice of law.

### 6 Choice of law WITHIN Statutes<sup>6</sup>

After deciding whether the law of the case must derive from the constitution or statutes and determining that it must be STATUTES, we must then decide WHICH statutes and from WHAT jurisdiction.

#### 6.1 Itemized list of choice of law rules

The following list summarizes the “choice of law” rules applying to litigation in federal court:

<sup>6</sup> Adapted from *Flawed TaDDx Arguments to Avoid*, Form #08.004, Section 3; <https://sedm.org/Forms/FormIndex.htm>.

1. Federal district and circuit courts are administrative franchise courts created under the authority of Article 4, Section 3, Clause 2 of the Constitution and which have jurisdiction only over the following:

1.1. Plenary/General jurisdiction over federal territory and property: Implemented primarily through “public law” and applies generally to all persons and things. This is a requirement of “equal protection” found in [42 U.S.C. §1981](#). Operates upon:

1.1.1. The District of Columbia under Article 1, Section 8, Clause 17 of the U.S. Constitution.

1.1.2. Federal territories and possessions under Article 4, Section 3, Clause 2 of the U.S. Constitution.

1.1.3. Special maritime jurisdiction (admiralty) in territorial waters under the exclusive jurisdiction of the general/federal government.

1.1.4. Federal areas within states of the Union ceded to the federal government. Federal judicial districts consist entirely of the federal territory within the exterior boundaries of the district, and do not encompass land not ceded to the federal government as required by 40 U.S.C. §255 and its successors, [40 U.S.C. §3111](#) and [3112](#). See section 6.4 of the [Tax Fraud Prevention Manual, Form #06.008](#) et seq for further details.

1.1.5. Domiciliaries of the federal United States\*\* temporarily abroad. See 26 U.S.C. §911 and Cook v. Tait, 265 U.S. 47, 44 S.Ct. 447, 11 Virginia Law Review, 607 (1924).

1.2. Subject matter jurisdiction:

1.2.1. “Public laws” which operate throughout the states of the Union upon the following subjects:

1.2.1.1. Excise taxes upon imports from foreign countries. See Article 1, Section 8, Clause 1 of the U.S. Constitution. Congress may NOT, however, tax any article exported from a state pursuant to Article 1, Section 9, Clause 5 of the Constitution.

**“The States, after they formed the Union, continued to have the same range of taxing power which they had before, barring only duties affecting exports, imports, and on tonnage. 2 Congress, on the other hand, to lay taxes in order 'to pay the Debts and provide for the common Defence and general Welfare of the United States', Art. 1, Sec. 8, U.S.C.A.Const., can reach every person and every dollar in the land with due regard to Constitutional limitations as to the method of laying taxes.”**  
[Graves v. People of State of New York, [306 U.S. 466](#) (1939)]

**“The difficulties arising out of our dual form of government and the opportunities for differing opinions concerning the relative rights of state and national governments are many; but for a very long time this court has steadfastly adhered to the doctrine that the taxing power of Congress does not extend to the states or their political subdivisions. The same basic reasoning which leads to that conclusion, we think, requires like limitation upon the power which springs from the bankruptcy clause. United States v. Butler, supra.”**  
[Ashton v. Cameron County Water Improvement District No. 1, [298 U.S. 513](#); 56 S.Ct. 892 (1936)]

**“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)]

1.2.1.2. Direct taxes apportioned to the states and not against individuals under Article 1, Section 9, Clause 4.

1.2.1.3. Postal fraud. See Article 1, Section 8, Clause 7 of the U.S. Constitution..

- 1.2.1.4. Counterfeiting under Article 1, Section 8, Clause 6 of the U.S. Constitution.  
1.2.1.5. Treason under Article 4, Section 2, Clause 3 of the U.S. Constitution.  
1.2.1.6. Interstate commercial crimes under Article 1, Section 8, Clause 3 of the U.S. Constitution.  
1.2.1.7. Jurisdiction over naturalization and deportation of Constitutional aliens.  
1.2.1.8. Slavery, involuntary servitude, or peonage under the Thirteenth Amendment, 42 U.S.C. §1994, 18 U.S.C. §1581. and 18 U.S.C. §1589(3).

*“Other authorities to the same effect might be cited. It is not open to doubt that Congress may enforce the Thirteenth Amendment by direct legislation, punishing the holding of a person in slavery or in involuntary servitude except as a punishment for a crime. In the exercise of that power Congress has enacted these sections denouncing peonage, and punishing one who holds another in that condition of involuntary servitude. **This legislation is not limited to the territories or other parts of the strictly national domain, but is operative in the states and wherever the sovereignty of the United States extends. We entertain no doubt of the validity of this legislation, or of its applicability to the case of any person holding another in a state of peonage, and this whether there be municipal ordinance or state law sanctioning such holding. It operates directly on every citizen of the Republic, wherever his residence may be.**”*  
[Clyatt v. U.S., 197 U.S. 207 (1905)]

- 1.2.2. “Private law” or “special law” pursuant to Article 4, Section 3, Clause 2 of the U.S. Constitution. Applies only to persons and things who individually consent through private agreement or contract. Note that this jurisdiction also includes contracts with states of the Union and private individuals in those states. Includes, but is not limited exclusively to the following:

- 1.2.2.1. Federal franchises, such as Social Security, Medicare, etc. See:

*Government Instituted Slavery Using Franchises*, Form #05.030  
<http://sedm.org/Forms/FormIndex.htm>

- 1.2.2.2. Federal employees, as described in Title 5 of the U.S. Code.

- 1.2.2.3. Federal contracts and “public offices”.

- 1.2.2.4. Federal chattel property.

- 1.2.2.5. Subtitle A of the Internal Revenue Code, but ONLY to the extent that the “public offices” or positions subject to tax are “EXPRESSLY authorized” to be executed in the geographic location they are executed per 4 U.S.C. §72. At this time, there are NO such offices that we have found. See:

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

- 1.2.2.6. Social Security, found in 42 U.S.C. Chapter 7.

For details on jurisdiction over the above, see:

*Why the Federal Income Tax is a Privilege Tax Upon Government Property*, Form #04.404  
<http://sedm.org/Forms/FormIndex.htm>

2. Internal Revenue Manual (I.R.M.), Section 4.10.7.2.9.8 says that the IRS cannot cite rulings below the Supreme Court to apply to more than the specific person who litigated:

*Internal Revenue Manual*  
[Section 4.10.7.2.9.8 \(05-14-1999\)](#)  
*Importance of Court Decisions*

*1. Decisions made at various levels of the court system are considered to be interpretations of tax laws and may be used by either examiners or taxpayers to support a position.*

*2. Certain court cases lend more weight to a position than others. A case decided by the U.S. Supreme Court becomes the law of the land and takes precedence over decisions of lower courts. The Internal Revenue Service must follow Supreme Court decisions. For examiners, Supreme Court decisions have the same weight as the Code.*

*3. Decisions made by lower courts, such as Tax Court, District Courts, or Claims Court, are binding on the Service only for the particular taxpayer and the years litigated. Adverse decisions of lower courts do not require the Service to alter its position for other taxpayers.*

Federal courts have repeatedly stated that the general government is one of finite, enumerated, delegated powers. The implication of that concept is that whatever the government can do, the people can do also because the authority to do it came from the People. Consequently, if the IRS can refuse to be bound by rulings below the U.S. Supreme Court, the same constraints apply to us as the source of all their power:

1 "Sovereignty itself is, of course, not subject to law, for it is the author and source of law...While sovereign powers  
2 are delegated to...the government, sovereignty itself remains with the people."  
3 [Yick Wo v. Hopkins, 118 U.S. 356 (1886)]

4 "The Government of the United States is one of delegated powers alone. Its authority is defined and limited by  
5 the Constitution. All powers not granted to it by that instrument are reserved to the States or the people."  
6 [United States v. Cruikshank, 92 U.S. 542 (1875)]

7 "The question is not what power the federal government ought to have, but what powers, in fact, have been given  
8 by the people... The federal union is a government of delegated powers. It has only such as are expressly conferred  
9 upon it, and such as are reasonably to be implied from those granted. In this respect, we differ radically from  
10 nations where all legislative power, without restriction or limitation, is vested in a parliament or other legislative  
11 body subject to no restriction except the discretion of its members." (Congress)  
12 [U.S. v. William M. Butler, 297 U.S. 1 (1936)]

- 13 3. [Federal Rule of Civil Procedure 17\(b\)](#) says that the capacity to sue or be sued is determined by the law of the individual's  
14 domicile. It quotes two and only two exceptions to this rule, which are:

15 3.1. A person acting in a representative capacity as an officer of a federal entity.

16 3.2. A corporation that was created and is domiciled within federal territory.

17 This means that if a person is domiciled within the exclusive jurisdiction of a state of the Union and not within a federal  
18 enclave, then state law are the rules of decision rather than federal law. Since state income tax liability in nearly every  
19 state is dependent on a federal liability first, this makes an income tax liability impossible for those domiciled outside  
20 the federal zone or inside the exclusive jurisdiction of a state, because such persons cannot be statutory "U.S. citizens"  
21 as defined in 8 U.S.C. §1401 nor "residents" as defined in 26 U.S.C. §7701(b)(1)(A).

22 [IV. PARTIES](#) > Rule 17.

23 [Rule 17. Parties Plaintiff and Defendant; Capacity](#)

24 (b) Capacity to Sue or be Sued.

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

26 (1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;

27 (2) for a corporation, by the law under which it was organized; and

28 (3) for all other parties, by the law of the state where the court is located, except that:

29 (A) a partnership or other unincorporated association with no such capacity under that state's law may sue  
30 or be sued in its common name to enforce a substantive right existing under the United States Constitution  
31 or laws; and

32 (B) 28 U.S.C. §§754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue  
33 or be sued in a United States court.

34 [SOURCE: <http://www.law.cornell.edu/rules/frcp/Rule17.htm>]

35 A person engaged in a "trade or business" occupies a "public office" within the U.S. government, which is a federal  
36 corporation (28 U.S.C. §3002(15)(A)) created and domiciled on federal territory. They are also acting in a representative  
37 capacity as an officer of said corporation. Therefore, such "persons" are the ONLY real taxpayers against whom federal  
38 law may be cited outside of federal territory. Anyone in the government who therefore wishes to enforce federal law  
39 against a person domiciled outside of federal territory (the "United States" as defined in 26 U.S.C. §7701(a)(9) and  
40 (a)(10) ) and who is therefore not a statutory "U.S. citizen" or "resident" (alien) therefore must satisfy the burden of  
41 proof with evidence to demonstrate that the defendant lawfully occupied a public office within the U.S. government in  
42 the context of all transactions that they claim are subject to tax. See:

The "Trade or Business" Scam, Form #05.001

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

- 43 4. [28 U.S.C. §2679\(d\)\(3\)](#) indicates that any action against an officer or employee of the United States, if he was not acting  
44 within his lawful delegated authority or in accordance with law, may be removed to State court and prosecuted  
45 exclusively under state law because not a federal question.
- 46 5. For a person domiciled in a state of the Union, federal law may only be applied against them if they are involved in a  
47 franchise or "public right". Franchises and public rights deal exclusively with "public rights" created by Congress  
48 between private individuals and the government. Litigation involving franchises generally is done only in Article IV  
49 legislative courts and not Article III constitutional courts. Northern Pipeline Const. Co. v. Marathon Pipe Line Co., 458  
50 U.S. 50, 102 S.Ct. 2858 (1983).
- 51 6. Any government representative, and especially one from the Department of Justice or the IRS, who does any of the  
52 following against anyone domiciled outside of federal territory and within a state of the Union is trying to maliciously

destroy the separation of powers, destroy or undermine your Constitutional rights, and unconstitutionally and unlawfully enlarge their jurisdiction and importance.

6.1. Cites a case below the Supreme Court or from a territorial or franchise court such as the District of Circuit Courts or U.S. Tax Court. This is an abuse of case law for political rather than lawful purposes and it is intended to deceive and injure the hearer. Federal courts, incidentally, are NOT allowed to involve themselves in such “political questions”, and therefore should not allow this type of abuse of case law, but judges who are fond of increasing their retirement benefits often will acquiesce if you don’t call them on it as an informed American. This kind of bias on the part of federal judges, incidentally, is highly illegal under [28 U.S.C. §144](#) and [28 U.S.C. §455](#).

6.2. Enforces federal franchises such as the “trade or business” franchise (income tax, I.R.C. Subtitle A) against persons not domiciled on federal territory. The U.S. Supreme Court said in the License Tax Cases, [72 U.S. 462](#), 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866) that they could not enforce federal franchises outside of federal territory.

6.3. Presumes or infers that “United States” as used in the Constitution is the same thing as “United States” as defined in federal statutory law. They are mutually exclusive, in fact.

7. Every occasion in which courts exceed their jurisdiction that we are aware of originates from the following important and often deliberate and malicious abuses by government employees, judges, and prosecutors. We must prevent and overcome these abuses in order to keep the government within the bounds of the Constitution:

7.1. Misunderstanding or misapplication of the above choice of law rules.

7.2. Failure or refusal to adjust the meaning of “words of art” based on their context and the legal definitions that apply in that context. See:

*Geographical Definitions and Conventions, Form #11.215*  
<http://sedm.org/SampleLetters/DefinitionsAndConventions.htm>

7.3. A violation of or disregard for the rules of statutory construction, usually by abusing the word “includes”. See:

*Legal Deception, Propaganda, and Fraud, Form #05.014*  
<http://sedm.org/Forms/FormIndex.htm>

7.4. Presumptions, usually about the meanings of words. See:

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

The U.S. Supreme Court identified the enemies of republican freedom originating from the above causes, when it held:

*“The chief enemies of republican freedom are [mental sloth](#), [conformity](#), [bigotry](#), [superstition](#), [credulity](#), monopoly in the market of ideas, and utter, benighted ignorance.”*  
[*Adderley v. State of Florida*, 385 U.S. 39, 49 (1967)]

The book Conflicts in a Nutshell confirms some of the above conclusions by saying the following:

*“After some 96 years of this, the Supreme Court acknowledged the unfair choice of forum this gave the plaintiff in a case governed by decisional rather than statutory law merely because the plaintiff and defendant happened to come from different states. Reconstructing the Rules of Decision Act, the Supreme Court in *Erie* overruled *Swift* and held that state law governs in the common law as well as in the statutory situation. Subsequent cases clarified that this means forum law; the law of the state in which the federal court is sitting.*

*“The result is that the federal court in a diversity case sits in effect as just another state court, seeking out forum state law for all substantive issues. The Rules of Decision Act does not apply to procedural matters, however; for matters of procedure a federal court, sitting in a diversity or any other kind of case, applies its own rules. This has been so since 1938, when, coincidentally (*Erie* was also decided in 1938), the Federal Rules of Civil Procedure arrived on the scene.”*  
[*Conflicts in a Nutshell*, David D. Seigel, West Publishing, 1994; ISBN 0-314-02952-4, p. 317]

See section 5.1.4 of the Tax Fraud Prevention Manual, Form #06.008 for further details on how the DOJ, IRS, and the Federal Judiciary abuse case law for political rather than legitimate or Constitutional legal purposes. See also the memorandum of law entitled “Political Jurisdiction” to show how they abuse due process to injure your Constitutional rights by politicizing the courtroom:

*Political Jurisdiction, Form #05.004*  
<http://sedm.org/Forms/FormIndex.htm>

## 6.2 Summary of choice of law rules

The above choice of law rules for federal district and circuit courts can be further summarized below:

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### **Choice of Law**

Copyright Sovereignty Education and Defense Ministry, <http://sedm.org>  
Litigation Tool 01.010, Rev. 3-12-2022

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EXHIBIT: \_\_\_\_\_

1. Civil Jurisdiction originates from one or more of the following. Note that jurisdiction over all the items below originates from Article 4, Section 3, Clause 2 of the United States Constitution and relates to community “property” of the states under the stewardship of the federal government.
  - 1.1. Persons domiciled on federal territory wherever physically located. These persons include:
    - 1.1.1. Statutory “U.S. citizens” pursuant to 8 U.S.C. §1401.
    - 1.1.2. Statutory “residents” (aliens) lawfully admitted pursuant to 8 U.S.C. §1101(a)(3).
    - 1.1.3. “U.S. persons” defined in 26 U.S.C. §7701(a)(30).
  - 1.2. Engaging in franchises offered by the national government to persons domiciled only on federal territory, wherever physically situated. This includes jurisdiction over:
    - 1.2.1. Public officers, who are called “employees” in 5 U.S.C. §2105.
    - 1.2.2. Federal agencies and instrumentalities.
    - 1.2.3. Federal corporations
    - 1.2.4. Social Security, which is also called Old Age Survivor’s Disability Insurance (OASDI).
    - 1.2.5. Medicare.
    - 1.2.6. Unemployment insurance, which is also called FICA.
  - 1.3. Management of federal territory and contracts.
2. Criminal jurisdiction originates from crimes committed only on federal territory.

### **6.3 Effects of government franchises on choice of law**

In law, rights are property:

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

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

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

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

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

*Criminal code. "Property" means anything of value. including real estate, tangible and intangible personal property, contract rights, choses-in-action and other interests in or claims to wealth, admission or transportation tickets, captured or domestic animals, food and drink, electric or other power. Model Penal Code. Q 223.0. See also Property of another, infra. Dusts. Under definition in Restatement, Second, Trusts, Q 2(c), it denotes interest in things and not the things themselves.  
[Black's Law Dictionary, Fifth Edition, p. 1095]*

Anything that conveys rights is also property. Contracts convey rights and therefore are property. All franchises are contracts between the grantor and grantee and therefore also are property.

As a rule, franchises spring from contracts between the sovereign power and private citizens, made upon valuable considerations, for purposes of individual advantage as well as public benefit,<sup>7</sup> and thus a franchise partakes of a double nature and character. So far as it affects or concerns the public, it is *publici juris* and is subject to governmental control. The legislature may prescribe the manner of granting it, to whom it may be granted, the conditions and terms upon which it may be held, and the duty of the grantee to the public in exercising it, and may also provide for its forfeiture upon the failure of the grantee to perform that duty. But when granted, it becomes the property of the grantee, and is a private right, subject only to the governmental control growing out of its other nature as *publici juris*.<sup>8</sup>  
[American Jurisprudence 2d, Franchises, §4: Generally (1999)]

Corporations are only one of several types of government franchises. Below is an example:

"The power of making all needful rules and regulations respecting the territory [property] of the United States, is one of the specified powers of congress. Under this power, it has never been doubted, that congress had authority to establish corporations [franchises] in the territorial governments. But this power is derived entirely from implication. It is assumed, as an incident to the principal power."  
[M'Culloch v. State, 17 U.S. 316, 1819 WL 2135 (U.S.,1819)]

Therefore, contracts, franchises, territory, and domicile (which is a protection franchise) all constitute "property" of the national government and are the origin of all civil jurisdiction over "persons" in federal courts. Jurisdiction of federal courts over such "property" extends into the states and wherever said property is found:

"The Constitution permits Congress to dispose of and to make all needful rules and regulations respecting the territory or other property belonging to the United States. This power applies as well to territory belonging to the United States within the States, as beyond them. It comprehends all the public domain, wherever it may be. The argument is, that the power to make 'ALL needful rules and regulations' 'is a power of legislation,' 'a full legislative power;' 'that it includes all subjects of legislation in the territory,' and is without any limitations, except the positive prohibitions which affect all the powers of Congress. Congress may then regulate or prohibit slavery upon the public domain within the new States, and such a prohibition would permanently affect the capacity of a slave, whose master might carry him to it. And why not? Because no power has been conferred on Congress. This is a conclusion universally admitted. But the power to 'make rules and regulations respecting the territory' is not restrained by State lines, nor are there any constitutional prohibitions upon its exercise in the domain of the United States within the States; and whatever rules and regulations respecting territory Congress may constitutionally make are supreme, and are not dependent on the situs of 'the territory.'"  
[Dred Scott v. Sandford, 60 U.S. 393, 509-510 (1856)]

It is jurisdiction mainly over government/public franchises which is the origin of nearly all civil jurisdiction that federal courts assert over most Americans. Franchises are the main method by which your legal identity is "kidnapped" and transported to a foreign jurisdiction.

"For the upright will dwell in the land,  
And the blameless will remain in it;  
But the wicked [those who allow themselves through their covetousness to be enticed by a government bribe in the form of a franchise] will be cut off [legally kidnapped pursuant to Federal Rule of Civil Procedure 17(b)] from the earth [and transported to a foreign land to serve tyrants like the Israelites were kidnapped and transported to Egypt].  
And the unfaithful will be uprooted from it."  
[Prov. 2:21-22, Bible, NKJV]

For an example of how this legal kidnapping or "identity theft" operates, see 26 U.S.C. §7701(a)(39) and 26 U.S.C. §7408(d). The "citizen" or "resident" described in these two code sections is a person who participates in the "protection franchise", or should we say "protection racket" called "domicile", which domicile is on federal territory and not within any state of the Union. If you would like to know more about how this process of legal kidnapping operates both spiritually and legally, see section 13.2 of the following:

Government Instituted Slavery Using Franchises, Form #05.030  
<http://sedm.org/Forms/FormIndex.htm>

<sup>7</sup> Georgia R. & Power Co. v. Atlanta, 154 Ga. 731, 115 S.E. 263; Lippencott v. Allander, 27 Iowa 460; State ex rel. Hutton v. Baton Rouge, 217 La. 857, 47 So.2d. 665; Tower v. Tower & S. Street R. Co. 68 Minn 500, 71 N.W. 691.

<sup>8</sup> Georgia R. & Power Co. v. Atlanta, 154 Ga. 731, 115 S.E. 263; Lippencott v. Allander, 27 Iowa 460; State ex rel. Hutton v. Baton Rouge, 217 La. 857, 47 So.2d. 665; Tower v. Tower & S. Street R. Co. 68 Minn 500, 71 N.W. 691.

All franchises cause those engaged in them to take on a “public character” and become government agents, officers, and “public officers” of one kind or another and the “office” they occupy has an effective domicile on federal territory. The public office is the “res” or subject of nearly all civil proceedings in the district and circuit “franchise courts”, and not the physical person occupying said office.

*“Res. Lat. **The subject matter of a trust [the Social Security Trust or “public trust” (government), in most cases] or will [or legislation].** In the civil law, a thing; an object. As a term of the law, this word has a very wide and extensive signification, including not only things which are objects of property, but also such as are not capable of individual ownership. And in old English law it is said to have a general import, comprehending both corporeal and incorporeal things of whatever kind, nature, or species. By “res,” according to the modern civilians, is meant everything that may form an object of rights, in opposition to “persona,” which is regarded as a subject of rights. “Res,” therefore, in its general meaning, comprises actions [or CONSEQUENCES of choices and CONTRACTS/AGREEMENTS you make by procuring BENEFITS] of all kinds; while in its restricted sense it comprehends every object of right, except actions. This has reference to the fundamental division of the Institutes that all law relates either to persons, to things, or to actions.*

*Res is everything that may form an object of rights and includes an object, subject-matter or status. In re Riggle's Will, 11 A.D.2d. 51 205 N.Y.S.2d. 19, 21, 22. **The term is particularly applied to an object, subject-matter, or status, considered as the defendant [hence, the ALL CAPS NAME] in an action, or as an object against which, directly, proceedings are taken.** Thus, in a prize case, the captured vessel is “the res”; and proceedings of this character are said to be in rem. (See In personam; In Rem.) “Res” may also denote the action or proceeding, as when a cause, which is not between adversary parties, is entitled “In re \_\_\_\_\_”. [Black's Law Dictionary, Sixth Edition, pp. 1304-1306]*

The trust they are talking about in the phrase “subject matter of a trust” is the “public trust”. Government is a public trust:

TITLE 5--ADMINISTRATIVE PERSONNEL  
CHAPTER XVI--OFFICE OF GOVERNMENT ETHICS  
PART 2635--STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE EXECUTIVE BRANCH--  
Table of Contents  
Subpart A--General Provisions  
Sec. 2635.101 Basic obligation of public service.

*(a) **Public service is a public trust.** Each employee has a responsibility to the United States Government and its citizens to place loyalty to the Constitution, laws and ethical principles above private gain. To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each employee shall respect and adhere to the principles of ethical conduct set forth in this section, as well as the implementing standards contained in this part and in supplemental agency regulations.*

In the case below, this source of civil jurisdiction over government franchises is called “statutory law”:

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

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

[. . .]

*Given that the statutory authorization for the challenges exercised in this case is clear, the remainder of our state action analysis centers around the second part of the Lugar test, whether a private litigant, in all fairness, must be deemed a government actor in the use of peremptory challenges. Although we have recognized that this aspect of the analysis is often a fact-bound inquiry, see Lugar, supra, 457 U.S. at 939, our cases disclose certain principles of general application. **Our precedents establish that, in determining whether a particular action or course of conduct is governmental in character, it is relevant to examine the following: the extent to which the actor relies on governmental assistance and benefits, see Tulsa Professional Collection Services, Inc. v. Pope, 485 U.S. 478 (1988); Burton v. Wilmington Parking Authority, 365 U.S. 715 (1961); whether the actor is performing a traditional governmental function, see Terry v. Adams, 345 U.S. 461 (1953); Marsh v. Alabama, 326 U.S. 501 (1946); cf. San Francisco Arts & Athletics, Inc. v. United States Olympic [500 U.S. 614, 622] Committee, 483 U.S. 522, 544 -545 (1987); and whether the injury caused is aggravated in a unique way by the incidents of governmental authority, see Shelley v. Kraemer, 334 U.S. 1 (1948).** Based on our application of these*

three principles to the circumstances here, we hold that the exercise of peremptory challenges by the defendant in the District Court was pursuant to a course of state action.  
[Edmonson v. Leesville Concrete Company, 500 U.S. 614 (1991)]

In support of the above conclusions, the following memorandum of law exhaustively analyzes the subject of civil statutory jurisdiction of the national government over persons domiciled outside of federal territory and in states of the Union and concludes that all statutory law is law only for the government and franchisees who are also part of the government:

Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037  
<http://sedm.org/Forms/FormIndex.htm>

#### **6.4 How choice of law rules are illegally circumvented by corrupted government officials to STEAL from You**

In cases against the government, corrupt judges and prosecutors employ several important tactics that you should be very aware of in order to:

1. Circumvent choice of law rules documented in the previous sections and thereby to illegally and unconstitutionally enforce federal law outside of federal territory within a foreign state called a state of the Union.
2. STEAL private property from you and use it for their own benefit, in what amounts to a criminal and financial conflict of interest per 18 U.S.C. §208, 28 U.S.C. §144, and 28 U.S.C. §455.
3. Unlawfully enlarge their jurisdiction and importance in what amounts to treason in violation of 18 U.S.C. §2381.
4. Break down the constitutional separation between the states and the federal government that is the foundation of the Constitution and the MAIN protection for your PRIVATE rights. See:

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

All of the above tactics are referred to in the legal field as “identity theft”. We have documented all the various methods that corrupt judges and government lawyers use to effect this criminal identity theft in the following document:

Government Identity Theft, Form #05.046  
<http://sedm.org/Forms/FormIndex.htm>

The most frequent methods to circumvent choice of law rules indicated in the previous sections are the following tactics:

1. Abuse “words of art” to deceive and undermine the sovereignty of the non-governmental opponent. This includes:
  - 1.1. Add things or classes of things to the meaning of statutory terms that do not EXPRESSLY appear in their definitions, in violation of the rules of statutory construction. See:
  - 1.2. Violate the rules of statutory construction by abusing the word “includes” to add things or classes of things to definitions of terms that do not expressly appear in the statutes and therefore MUST be presumed to be purposefully excluded.
  - 1.3. Refuse to allow the jury to read the definitions in the law and then give them a definition that is in conflict with the statutory definition. This substitutes the JUDGES will for what the law expressly says and thereby substitutes PUBLIC POLICY for the written law.
  - 1.4. Publish deceptive government publications that are in deliberate conflict with what the statutes define terms to mean and then tell the public that they CANNOT rely on the publication. The [IRS does this with ALL of their publications](#) and it is FRAUD. See:

Reasonable Belief About Income Tax Liability, Form #05.007  
DIRECT LINK: <http://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf>  
FORMS PAGE: <http://sedm.org/Forms/FormIndex.htm>

- 1.5. PRESUME that ALL of the four contexts for “United States” are equivalent.  
For details on this SCAM, see:

Legal Deception, Propaganda, and Fraud, Form #05.014  
<http://sedm.org/Forms/FormIndex.htm>

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

Why You are a Political Citizen but Civil Non-Citizen, National, and Nonresident Alien, Form #05.006

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

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

3. PRESUME that "nationality" and "domicile" are equivalent. They are NOT. See:

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

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

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

4. Use the word "citizenship" in place of "nationality" OR "domicile", and refuse to disclose WHICH of the two they mean in EVERY context.
5. Confuse the POLITICAL/CONSTITUTIONAL meaning of words with the civil STATUTORY context. For instance, asking on government forms whether you are a POLITICAL/CONSTITUTIONAL citizen and then FALSELY PRESUMING that you are a STATUTORY citizen under 8 U.S.C. §1401.
6. Confuse the words "[domicile](#)" and "[residence](#)" or impute either to you without satisfying the burden of proving that you EXPRESSLY CONSENTED to it and thereby illegally kidnap your civil legal identity against your will. One can have only one "domicile" but many "residences" and BOTH require your consent. See:

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

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

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

7. Confuse "federal" with "national" or use these words interchangeably. They are NOT equivalent and this lack of equivalence is a product of the separation of powers doctrine that is the foundation of the USA Constitution.

*"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)]*

**"NATIONAL GOVERNMENT.** The government of a whole nation, as distinguished from that of a local or territorial division of the nation, and also as distinguished from that of a league or confederation.

*"A national government is a government of the people of a single state or nation, united as a community by what is termed the 'social compact,' and possessing complete and perfect supremacy over persons and things, so far as they can be made the lawful objects of civil government. A federal government is distinguished from a national government by its being the government of a community of independent and sovereign states, united by compact."* Piqua Branch Bank v. Knoup, 6 Ohio.St. 393."

*[Black's Law Dictionary, Revised Fourth Edition, 1968, p. 1176]*

**"FEDERAL GOVERNMENT.** The system of government administered in a state formed by the union or confederation of several independent or quasi independent states; also the composite state so formed.

*In strict usage, there is a distinction between a confederation and a federal government. The former term denotes a league or permanent alliance between several states, each of which is fully sovereign and independent, and each of which retains its full dignity, organization, and sovereignty, though yielding to the central authority a controlling power for a few limited purposes, such as external and diplomatic relations. In this case, the component states are the units, with respect to the confederation, and the central government acts upon them, not upon the individual citizens. In a federal government, on the other hand, the allied states form a union, not, indeed, to such an extent as to destroy their separate organization or deprive them of quasi sovereignty with respect to the administration of their purely local concerns, but so that the central power is erected into a true state or nation, possessing sovereignty both external and internal, while the administration of national affairs is directed, and its effects felt, not by the separate states deliberating as units, but by the people of all, in their collective capacity, as citizens of the nation.* The distinction is expressed, by the German writers, by the use of the two words "Staatenbund" and "Bundesstaat;" the former denoting a league or confederation of states, and the latter a federal government, or state formed by means of a league or confederation."

*[Black's Law Dictionary, Revised Fourth Edition, 1968, p. 740]*

Here is a table comparing the two:

**Table 1: "National" v. "Federal"**

| # | Description   | "National" government  | "Federal" government  |
|---|---|--|---|
| 1 | Legislates for  | Federal territory and NOT states of the Union  | Constitutional states of the Union and NOT federal territory  |
| 2 | Social compact  | None. Jurisdiction is unlimited per Article 1, Section 8, Clause 17  | Those domiciled within states of the Union  |
| 3 | Type of jurisdiction exercised  | General jurisdiction   | Subject matter jurisdiction (derived from Constitution)   |
| 4 | Citizens  | 1. Statutory "nationals and citizens at birth" per 8 U.S.C. §1401.<br>2. "U.S. citizens" per 26 U.S.C. §3121(e) and 26 C.F.R. §1.1-1(c).<br>3. EXCLUDES constitutional "Citizens" or "citizens of the United States" per Fourteenth Amendment. | 1. "Citizens".<br>2. Fourteenth Amendment "citizens of the United States".<br>3. EXCLUDES statutory citizens per 8 U.S.C. §1401 "U.S. citizens" per 26 U.S.C. §3121(e) and 26 C.F.R. §1.1-1(c). |
| 5 | Courts  | Federal District and Circuit Courts (legislative franchise courts that can only hear disputes over federal territory and property per Art. 4, Sect. 3, Clause 2 of USA Constitution).  | 1. State courts.<br>2. U.S. Supreme Courts.   |
| 6 | Those domiciled within this jurisdiction are                                      | Statutory "aliens" in relation to states of the Union.   | Statutory "aliens" in relation to the national government.  |
| 7 | Those domiciled here are subject to Internal Revenue Code, Subtitles A through C? | Yes  | No  |

For further details on this SCAM, see:

*Two Political Jurisdictions: "National" Government v. "Federal" Government*, Family Guardian Fellowship  
<http://famguardian.org/Subjects/Taxes/Remedies/USvUSA.htm>

8. Abuse franchises such as the income tax, Social Security, Medicare, etc. to be used to UNLAWFULLY create new public offices in the U.S. government. This results in a de facto government in which there are no private rights or private property and in which EVERYONE is illegally subject to the whims of the government. See:

*De Facto Government Scam*, Form #05.043

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

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

9. Connect the opponent to a government franchise or to PRESUME they participate and let the presumption go unchallenged and therefore agreed to. This is done:
- 9.1. PRESUMING that because someone connected ONE activity to a government franchise, that they elected to act in the capacity of a franchisee for ALL activities. This is equivalent to outlawing PRIVATE rights and PRIVATE property.
- 9.2. Refusing to acknowledge or respect the method by which PRIVATE property is donated to a PUBLIC use, which is by VOLUNTARILY associating formerly PRIVATE property with a de facto license represent a public office in the government called a Social Security Number (SSN) or Taxpayer Identification Number (TIN).
- 9.3. Calling use of SSNs and TINs VOLUNTARY and yet REFUSING to prosecute those who COMPEL their use. This results in a LIE.
- 9.4. Compelling the use of Social Security Numbers or Taxpayer Identification Numbers. This is combated using the following:
- 9.4.1. *Why It is Illegal for Me to Request or Use a Taxpayer Identification Number*, Form #04.205  
<http://sedm.org/Forms/FormIndex.htm>
- 9.4.2. *About SSNs and TINs on Government Forms and Correspondence*, Form #05.012  
<http://sedm.org/Forms/FormIndex.htm>
- 9.4.3. *Resignation of Compelled Social Security Trustee*, Form #06.002  
<http://sedm.org/Forms/FormIndex.htm>

- 9.5. Using forms signed by the government opponent in which they claimed a status under a government franchise, such as statutory “taxpayer”, “individual”, “U.S. person”, “U.S. citizen”, etc. This is combatted by attaching the following to all tax forms one fills out:

Tax Form Attachment, Form #04.201  
<http://sedm.org/Forms/FormIndex.htm>

## **7 Constraints upon common law and constitutional actions in state or federal court**

1. No legislature can REPEAL the common law.
  - 1.1. They can only repeal legislation they have ENACTED.
  - 1.2. The common law was never enacted by the legislature.
  - 1.3. The common law PRECEDES the constitution and is mentioned in the constitution.
  - 1.4. The constitution has not been repealed.
2. A republic and sovereignty generally are based on private property and personal responsibility.
  - 2.1. On this subject, President Theodore Roosevelt said:

*“We of this mighty western Republic have to grapple with the dangers that spring from popular self-government tried on a scale incomparably vaster than ever before in the history of mankind, and from an abounding material prosperity greater also than anything which the world has hitherto seen.*

*As regards the first set of dangers, it behooves us to remember that men can never escape being governed. Either they must govern themselves or they must submit to being governed by others. If from lawlessness or fickleness, from folly or self-indulgence, they refuse to govern themselves then most assuredly in the end they will have to be governed from the outside. They can prevent the need of government from without only by showing they possess the power of government from within. A sovereign cannot make excuses for his failures; a sovereign must accept the responsibility for the exercise of power that inheres in him; and where, as is true in our Republic, the people are sovereign, then the people must show a sober understanding and a sane and steadfast purpose if they are to preserve that orderly liberty upon which as a foundation every republic must rest.”*  
[President Theodore Roosevelt; Opening of the Jamestown Exposition; Norfolk, VA, April 26, 1907]

- 2.2. On this subject we say:

*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; <http://sedm.org>]

- 2.3. The only reason we need court is because people REFUSE to voluntarily take responsibility for the damage they cause others without compulsion. Everyone appearing in court is there because the injured Plaintiff wants to use the court to compel the Defendant to take responsibility for the damage they caused.
  - 2.4. Everyone calls the judge “Your Honor”. The ONLY way you can literally and realistically “honor” the judge is to ensure that you take COMPLETE and PERSONAL responsibility for all of your choices and actions and blame NO ONE. That means if you hurt someone, you offer them remedy WITHOUT going to court and thereby take responsibility. When you do this, the Bible explains what happens:

1 "He [God and His divine law] brings the princes to nothing; He makes the judges of the earth useless."  
2 [Isaiah 40:23, Bible, NKJV]

3 Princes and judges are UNNECESSARY when you and your neighbor COOPERATIVELY govern your own lives  
4 and settle disputes privately or in common law court under the delegated authority of God's Holy Law.

5 2.5. If you doubt any of the above, consider what happens to people who are criminally prosecuted by the government.

6 They are put in jail and pressured to plead out so their case never has to go to trial:

7 2.5.1. If you FORCE the judge to take it to trial, he will literally THROW THE BOOK AT YOU.

8 2.5.2. If you plead out and avoid trial, you get a reduced sentence.

9 2.5.3. All of the above acts as an incentive and reward system to pressure into taking responsibility for the  
10 consequences of your bad choices.

11 2.6. If you want to ENSURE the WORST possible outcome against you in any legal dispute, all you have to do is:

12 2.6.1. Refuse to take responsibility for the damage you caused.

13 2.6.2. Blame someone else for the damages you caused.

14 2.6.3. Interfere with judicial or government efforts to enforce the judgement.

15 3. The MAIN purpose of establishing government is to protect ONLY PRIVATE, absolutely owned property:

16 3.1. The right to ABSOLUTELY OWNED PRIVATE PROPERTY is what the courts call "the pursuit of happiness"  
17 as used in the Declaration of Independence.

18 3.2. A government that won't protect ABSOLUTELY OWNED PRIVATE PROPERTY is not a government, but a de  
19 facto government. See:

*De Facto Government Scam*, Form #05.043

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

20 3.3. The FIRST step in protecting ABSOLUTELY OWNED PRIVATE PROPERTY is to prevent it from being  
21 converted into PUBLIC property, PUBLIC rights, or STATUTORY privileges. In other words, if the only thing the  
22 government does is try to STEAL or CONVERT your PRIVATE property to their use or "benefit" without your  
23 express, informed, WRITTEN consent, then they are not only NOT a government but an ANTI-GOVERNMENT.  
24 By that we mean they do the OPPOSITE of what governments are established to do in the first place.

25 3.4. If the ONLY thing a judge or a government prosecutor will concern themselves with making a profitable business  
26 out of converting or STEALING your private property through the abuse of government franchises that benefit  
27 mainly them at your expense, then they are criminal thieves operating with a financial conflict of interest who must  
28 recuse themselves from the case.

29 4. REMEMBER: If you can never approach the government in court on an equal footing as a fellow sovereign, then the  
30 courthouse is a church and government is literally GOD in violation of the First Amendment. In that scenario,

31 4.1. "United States" as a corporation under 28 U.S.C. §3002(15)(A) is an unconstitutional "Title of Nobility.

32 4.2. Those who are Christians are practicing idolatry and "worshipping other gods" in violation of the First Four  
33 commandments of the Ten Commandments in Exodus 20.

34 5. NO ONE can lawfully FORCE you to accept or pay for "benefits" or government property you don't want:

35 5.1. YOU are the only absolute owner of your own body and your own property. That's the main implication of the  
36 Thirteenth Amendment. Hence, "self-ownership".

37 5.2. Ownership and responsibility always go together. You cannot OWN yourself without also taking complete and  
38 exclusive responsibility for feeding and supporting yourself and for the consequences of all of your choices and  
39 actions.

40 5.3. Taking control of either your or your property requires your consent.

41 *"Quod meum est sine me auferri non potest.*

42 *What is mine cannot be taken away without my consent. Jenk. Cent. 251. Sed vide Eminent Domain.*

43 *Id quod nostrum est, sine facto nostro ad alium transferri non potest.*

44 *What belongs to us cannot be transferred to another without our consent. Dig. 50, 17, 11. But this must be*  
45 *understood with this qualification, that the government may take property for public use, paying the owner its*  
46 *value. The title to property may also be acquired, with the consent of the owner, by a judgment of a competent*  
47 *tribunal."*

48 [*Bouvier's Maxims of Law*, 1856; SOURCE:

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

50 5.4. Maxims of law on this subject:

51 *Invito beneficium non datur.*

52 *No one is obliged to accept a benefit against his consent. Dig. 50, 17, 69. But if he does not dissent he will be*  
53 *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>]*

5.5. If the above maxims are violated, you have a common law trespass upon you and your property.

6. Common law actions in court and delegated authority:

6.1. The United States Government is a government of “delegated powers”.

<https://famguardian.org/TaxFreedom/CitesByTopic/DelegationOrders.htm>

6.2. The “sovereign” in our system of government is PEOPLE, not fictions of law called “persons”. This group of PEOPLE is called the “State”.

***“State. A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other communities of the globe. United States v. Kusche, D.C.Cal., 56 F.Supp. 201 207, 208. The organization of social life which exercises sovereign power in behalf of the people. Delany v. Moralitis, C.C.A.Md., 136 F.2d. 129, 130. In its largest sense, a “state” is a body politic or a society of men. Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d. 636, 254 N.Y.S.2d 763, 765. A body of people occupying a definite territory and politically organized under one government. State ex re. Maisano v. Mitchell, 155 Conn. 256, 231 A.2d. 539, 542. A territorial unit with a distinct general body of law. Restatement, Second, Conflicts, §3. Term may refer either to body politic of a nation (e.g. United States) or to an individual government unit of such nation (e.g. California).***

[...]

***The people of a state, in their collective capacity, considered as the party wronged by a criminal deed; the public; as in the title of a cause, “The State vs. A.B.”***  
*[Black’s Law Dictionary, Sixth Edition, p. 1407]*

6.3. People within the “State” as individuals cannot delegate an authority to a corporation called “government” that they as private humans do not ALSO possess.

6.4. The act of delegation of any authority to a government does not remove the authority or control over the authority delegated from the Principal.

6.5. Therefore, INDIVIDUAL MEMBERS of the “State” as private humans must as all times have THE SAME and equal authority in a common law court as an entire government of men.

6.6. When the government corporation created by the Constitution acting as an agent of its Principle, the “sovereign people” sues anyone in court, it must produce AT LEAST one physical human being within “the State” who was personally injured by the action. Without such an injured party there is no standing to sue and compel a remedy in court.

6.7. On this subject, Jesus said:

*“No servant [or government, or biological person] can serve two masters [or “gods” above them]; 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].”*  
*[Luke 16:13, Bible, NKJV]*

7. A suit against the United States government federal corporation involving constitutional rights and NOT civil statutory privileges does NOT need express legislative consent of the government or a waiver of sovereign immunity under the Foreign Sovereign Immunities Act (F.S.I.A.), 28 U.S.C. Chapter 97 to have standing to sue.

7.1. There is an “implied waiver” of immunity in the case violations of constitutional or common law rights.

7.2. The Constitution is “self-executing” and the rights it confers do not need legislation enacted by Congress to enforce.

See:

*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)]

## 8. All law is prima facie territorial:

### 8.1. Authorities on this:

"It is a well established principle of law that all federal regulation applies only within the territorial jurisdiction of the United States unless a contrary intent appears."  
[*Foley Brothers, Inc. v. Filardo*, 336 U.S. 281 (1949)]

"The laws of Congress in respect to those matters [outside of Constitutionally delegated powers] do not extend into the territorial limits of the states, but have force only in the District of Columbia, and other places that are within the exclusive jurisdiction of the national government."  
[*Caha v. U.S.*, 152 U.S. 211 (1894)]

"There is a canon of legislative construction which teaches Congress that, unless a contrary intent appears [legislation] is meant to apply only within the territorial jurisdiction of the United States."  
[*U.S. v. Spelar*, 338 U.S. 217 at 222.]

### 8.2. Whenever the national government seeks to enforce its TERRITORIAL law extraterritorially within a constitutional state, it waives official, judicial, and sovereign immunity and comes down the level of an ordinary human in equity under the Clearfield Doctrine:

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

See *Jones*, 1 Cl.Ct. at 85 ("Wherever the public and private acts of the government seem to commingle, a citizen or corporate body must by supposition be substituted in its place, and then the question be determined whether the action will lie against the supposed defendant"); *O'Neill v. United States*, 231 Ct.Cl. 823, 826 (1982) (sovereign acts doctrine applies where, "[w]here [the] contracts exclusively between private parties, the party hurt by such governing action could not claim compensation from the other party for the governing action"). The dissent ignores these statements (including the statement from *Jones*, from which case *Horowitz* drew its reasoning literally verbatim), when it says, post at 931, that the sovereign acts cases do not emphasize the need to treat the government-as-contractor the same as a private party.  
[*United States v. Winstar Corp.*, 518 U.S. 839 (1996)]

### 8.3. Any attempt to invade the states of the Union to essentially bribe its inhabitants with "benefits" constitutes:

#### 8.3.1. An "invasion" within the meaning of Article 4, Section 4 of the Constitution.

#### 8.3.2. A violation of the License Tax Cases:

"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 [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)]

9. Any judge who tries to FORCE the obligations of a civil statutory status upon you is:

9.1. Engaging in criminal identity theft. See:

*Government Identity Theft*, Form #05.046  
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

9.2. Conspiring to criminally impersonate a public officer called a civils statutory "person", "taxpayer", etc. 18 U.S.C. §912.

9.3. Engaging in criminal human trafficking. 18 U.S.C. §1590.

9.4. Engaging in criminal peonage if the obligation is a tax obligation. Peonage is compelled servitude to pay off a debt, whether that debt is public or private. 18 U.S.C. §1583

10. Choice of law in federal CIVIL court is dictated by Federal Rule of Civil Procedure 17:

10.1. Without a domicile on federal territory as a Plaintiff, you can't invoke federal civil statutory law as standing.

10.2. Kidnapping your identity from the protections of the constitution and the common law because of a criminal financial conflict of interest in violation of 18 U.S.C. §208, 28 U.S.C. §144, and 28 U.S.C. §455. See:

*Government Identity Theft*, Form #05.046  
<https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf>

10.3. Criminally "simulating legal process" by pretending that it has jurisdiction over you.

10.4. If the court allows you to waive the domicile prerequisite, it is engaging in a criminal conspiracy with you to impersonate a federal fictional office called "person". See:

*Proof That There Is a "Straw Man"*, Form #05.042  
<https://sedm.org/Forms/05-MemLaw/StrawMan.pdf>

10.5. Operating as a private human, a de facto officer, and not a government entity because they are exceeding the limits of their statutory authority.

10.6. Violating the Separation of Powers Doctrine as described in:

*Government Conspiracy to Destroy the Separation of Powers*, Form #05.023  
<https://sedm.org/Forms/05-MemLaw/SeparationOfPowers.pdf>

11. There is no federal common law within states of the Union, according to the Supreme Court in *Erie Railroad v. Tompkins*, 304 U.S. 64 (1938). Consequently, the rulings of federal district and circuit courts have no relevancy to state citizens domiciled in states of the union who do not declare themselves to be "U.S. citizens" under 8 U.S.C. §1401 and who would litigate under diversity of citizenship, as described in Article III, Section 2 of the U.S. Constitution but NOT 28 U.S.C. §1332.

*"There is no Federal Common Law, and Congress has no power to declare substantive rules of Common Law applicable in a state. Whether they be local or general in their nature, be they commercial law or a part of the Law of Torts"*  
[*Erie Railroad v. Tompkins*, 304 U.S. 64 (1938)]

**"Common law.** As distinguished from statutory law created by the enactment of legislatures, the common law comprises the body of those principles and rules of action, relating to the government and security of persons and property, which derive their authority solely from usages and customs of immemorial antiquity, or from the judgments and decrees of the courts recognizing, affirming, and enforcing such usages and customs and, in this sense, particularly the ancient unwritten law of England. In general, it is a body of law that develops and derives through judicial decisions, as distinguished from legislative enactments. The "common law" is all the statutory and case law background of England and the American colonies before the American revolution. *People v. Rehman*, 253 C.A.2d. 119, 61 Cal.Rptr. 65, 85. It consists of those principles, usage and rules of action applicable to government and security of persons and property which do not rest for their authority upon any express and positive declaration of the will of the legislature. *Bishop v. U.S., D.C.Tex.*, 334 F.Supp. 415, 418.

*"Calif. Civil Code, Section 22.2, provides that the "common law of England, so far as it is not repugnant to or inconsistent with the Constitution of the United States, or the Constitution or laws of this State, is the rule of decision in all the courts of this State."*

"In a broad sense, "common law" may designate all that part of the positive law, juristic theory, and ancient custom of any state or nation which is of general and universal application, thus marking off special or local rules or customs.

"For federal common law, see that title.

"As a compound adjective "common-law" is understood as contrasted with or opposed to "statutory," and sometimes also to "equitable" or to "criminal."  
[Black's Law Dictionary, Sixth Edition, p. 276]

12. The [Rules of Decision Act, 28 U.S.C. §1652](#), requires that the laws of the states of the Union are the only rules of decision in federal courts. This means that federal courts MUST cite state law and not federal law in all tax cases and MAY NOT cite federal case law in the case of persons not domiciled on federal territory and who are therefore not statutory "U.S. citizens" or "U.S. residents".

[TITLE 28 > PART V > CHAPTER 111 > § 1652](#)  
[§1652. State laws as rules of decision](#)

*The laws of the several states, except where the Constitution or treaties of the United States or Acts of Congress otherwise require or provide, shall be regarded as rules of decision in civil actions in the courts of the United States, in cases where they apply.*

The thing they deliberately and self-servingly don't tell you in this act is specifically when federal law applies extraterritorially in a state of the Union, which is ONLY in the case of federal property, contracts, franchises, and domiciliaries and NO OTHERS. What all these conditions have in common is that they relate to federal territory and property and come under Article 4, Section 3, Clause 2 of the United States Constitution and may only be officiated in an Article 4 legislative franchise court, which includes all federal District and Circuit Courts. See the following for proof that all federal District and Circuit courts are Article 4 legislative franchise courts and not Article 3 constitutional courts:

- 12.1. What Happened to Justice?, Litigation Tool #08.001

<http://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm>

- 12.2. Authorities on Jurisdiction of Federal Courts, Family Guardian Fellowship

<http://famguardian.org/Subjects/LawAndGovt/ChallJurisdiction/AuthoritiesArticle/AuthOnJurisdiction.htm>

## **8 Why no act of Congress including the Writ of Certiorari Act can deny my right to have this case heard<sup>9</sup>**

The principles upon which this Court has functioned for over 200+ years is that of the rule of law, the principles of law and the honorable manner in which it interprets United States law while protecting the unalienable private rights of Americans from any attempts of the government to deny or violate said rights. This is the very purpose of establishing government itself, in fact.

Both Rights and the corresponding Obligations they impose upon governments are property:

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

The word is also commonly used to denote everything which is the subject of ownership, corporeal or incorporeal, tangible or intangible, visible or invisible, real or personal, everything that has an exchangeable value or which goes to make up wealth or estate. It extends to every species of valuable right and interest, and includes real

<sup>9</sup> Source: *U.S. Supreme Court Petition/Motion-Constitutional*, Litigation Tool #07.007; <https://sedm.org/Litigation/LitIndex.htm>.

1 and personal property, easements, franchises, and incorporeal hereditaments, and includes every invasion of  
2 one's property rights by actionable wrong. *Labberton v. General Cas. Co. of America*, 53 Wash.2d. 180, 332  
3 P.2d. 250, 252, 254.  
4 [Black's Law Dictionary, Fifth Edition, p. 1095]

5 Who OWNS the property or RIGHT being vindicated determines who can deny it or take it away as the proven owner.  
6 Anyone in government who intends to exercise the power to DENY or TAKE AWAY a right therefore has the burden of  
7 proving that it is the ABSOLUTE OWNER of that specific right. A failure to satisfy this burden of proof gives rise to the  
8 exercise of "arbitrary power" prohibited by the Constitution:

9 "When we consider the nature and the theory of our institutions of government, the principles upon which they  
10 are supposed to rest, and review the history of their development, we are constrained to conclude that they do  
11 not mean to leave room for the play and action of purely personal and arbitrary power."  
12 [*Yick Wo v. Hopkins*, 118 U.S. 356, 369, 6 S. Sup.Ct. 1064, 1071]

13 The CREATOR of a right is the ABSOLUTE OWNER. That act of Creation is what this court calls "the life-giving  
14 principle". To wit:

15 "What is a Constitution? It is the form of government, delineated by the mighty hand of the people, in which  
16 certain first principles of fundamental laws are established. The Constitution is certain and fixed; it contains the  
17 permanent will of the people, and is the supreme law of the land; it is paramount to the power of the Legislature,  
18 and can be revoked or altered only by the authority that made it. The life-giving principle and the death-doing  
19 stroke must proceed from the same hand."  
20 [*VanHorne's Lessee v. Dorrance*, 2 U.S. 304 (1795)]

21 "The great principle is this: because the constitution will not permit a state to destroy [a PRIVATE or natural  
22 or unalienable right], it will not permit a law involving the power to destroy."  
23 [*Providence Bank v. Billings*, 29 U.S. 514 (1830)]

24 Per the above, this court cannot destroy constitutional or private or natural rights under a trust indenture that it did  
25 not create by an act of deliberate omission in hearing this case.

26 THE PEOPLE called the "State" as Principal, created the absolutely owned, unalienable, PRIVATE rights recognized in the  
27 Constitution. Only PEOPLE, and not legal fictions serving on official business within the fictional corporation called  
28 "government", can exercise the Sovereignty of the "State" as I am doing now in this pleading:

29 "State. A people permanently occupying a fixed territory bound together by common-law habits and custom  
30 into one body politic exercising, through the medium of an organized government, independent sovereignty and  
31 control over all persons and things within its boundaries, capable of making war and peace and of entering into  
32 international relations with other communities of the globe. *United States v. Kusche*, D.C.Cal., 56 F.Supp. 201  
33 207, 208. The organization of social life which exercises sovereign power in behalf of the people. *Delany v.*  
34 *Moralitis*, C.C.A.Md., 136 F.2d. 129, 130. In its largest sense, a "state" is a body politic or a society of men.  
35 *Beagle v. Motor Vehicle Acc. Indemnification Corp.*, 44 Misc.2d. 636, 254 N.Y.S.2d 763, 765. A body of people  
36 occupying a definite territory and politically organized under one government. *State ex re. Maisano v. Mitchell*,  
37 155 Conn. 256, 231 A.2d. 539, 542. A territorial unit with a distinct general body of law. *Restatement, Second,*  
38 *Conflicts*, §3. Term may refer either to body politic of a nation (e.g. *United States*) or to an individual government  
39 unit of such nation (e.g. *California*).

40 [...]

41 The people of a state, in their collective capacity, considered as the party wronged by a criminal deed; the public;  
42 as in the title of a cause, "*The State vs. A.B.*"  
43 [*Black's Law Dictionary*, Sixth Edition, p. 1407]

44 The Agent of the Sovereign People, being the "government" as a fictional corporation created by the Constitution, is their  
45 Servant and Agent. Enactments of the Legislature within that corporation can control only PUBLIC property (*publici juris*)  
46 absolutely owned by and/or created by that corporation. The Servant/Agent cannot be and is not greater than its Master and  
47 Creator, the Sovereign People, which includes me. The Servant and Agent cannot therefore OWN or CONTROL its master  
48 and Creator by interfering with the very rights that MAKE its Master the Master.

49 "... the maxim that the King can do no wrong has no place in our system of government; yet it is also true, in  
50 respect to the State itself, that whatever wrong is attempted in its name is imputable to its government and not  
51 to the State, for, as it can speak and act only by law, whatever it does say and do must be lawful. That which  
52 therefore is unlawful because made so by the supreme law, the Constitution of the United States, is not the

word or deed of the State, but is the mere wrong and trespass of those individual persons who falsely spread and act in its name."

*"This distinction is essential to the idea of constitutional government. To deny it or blot it out obliterates the line of demarcation that separates constitutional government from absolutism, free self- government based on the sovereignty of the people from that despotism, whether of the one or the many, which enables the agent of the state to declare and decree that he is the state; to say 'L'Etat, c'est moi.' Of what avail are written constitutions, whose bills of right, for the security of individual liberty, have been written too often with the blood of martyrs shed upon the battle-field and the scaffold, if their limitations and restraints upon power may be overpassed with impunity by the very agencies created and appointed to guard, defend, and enforce them; and that, too, with the sacred authority of law, not only compelling obedience, but entitled to respect? And how else can these principles of individual liberty and right be maintained, if, when violated, the judicial tribunals are forbidden to visit penalties upon individual offenders, who are the instruments of wrong, whenever they interpose the shield of the state? **The doctrine is not to be tolerated.** The whole frame and scheme of the political institutions of this country, state and federal, protest against it. Their continued existence is not compatible with it. It is the doctrine of absolutism, pure, simple, and naked, and of communism which is its twin, the double progeny of the same evil birth."*

[[Poindexter v. Greenhow, 114 U.S. 270, 5 S.Ct. 903 \(1885\)](#) ]

This pleading is therefore NOT a petition under the Writ of Certiorari Act of 1925, 43 Stat. 936-942, Ch. 229. A Writ of Certiorari is "not a matter of [PRIVATE] right but of judicial discretion", meaning PRIVILEGE or PUBLIC right. Privileges involve dispensing PROPERTY of the grantor and therefore OWNER. Government as a fictional corporation is neither the Creator nor the owner of the right sought to be vindicated in this case.

This pleading is therefore a petition under the Original Jurisdiction of the U.S. Supreme Court, not the skulduggery of former President William H. Taft turned Chief Justice and original sponsor of the Writ of Certiorari Act of 1925.<sup>10</sup>

The Constitution does not recognize or authorize ANY property to be absolutely owned by the U.S. Supreme Court as grantor which could ever be a lawful subject of any such PRIVILEGE as a Writ of Cert. The Constitution also does not recognize any method by which the U.S. Supreme Court could create or enact ANY statute ("make law") which might give rise to ANY civil privilege that would abrogate a Constitutionally granted or created right. That would make the Servant greater than its Sovereign Master and Creator. The U.S. Supreme Court is not empowered by the Constitution to legislate privileges into existence ("make law"), to write any kind of judicial rule as part of the civil or criminal rules of civil procedure, or by custom and usage to give "the force of law" to ANY aspect of its own personal discretion by commission or omission. That is a power reserved EXCLUSIVELY to Congress. That is why what Congress does is called "an act". The U.S. Supreme court cannot "act" on ANYTHING, but only respond to the acts of others in harmony with the Constitution and NO OTHER.

Likewise, Congress in exercising its legislative power and discretion in CREATING PUBLIC RIGHTS/publici juris, has no authority to control, tax, regulate, or "benefit" from the use of any type of property that the U.S. Inc. fictional governmental corporation does not already own or did not legislatively create, unless of course that property was abused to injure the equal rights of another. That would once again make the Servant greater than its Principal and Master, the Sovereign People.

*"From the differences existing between feudal sovereignties and Governments founded on compacts, it necessarily follows that their respective prerogatives must differ. Sovereignty is the right to govern; a nation or State-sovereign is the person or persons in whom that resides. In Europe the sovereignty is generally ascribed to the Prince; here it rests with the people; there, the sovereign actually administers the Government; here, never in a single instance; our Governors are the agents of the people, and at most stand in the same relation to their sovereign, in which regents in Europe stand to their sovereigns. Their Princes have personal powers, dignities, and pre-eminences, our rulers have none but official; nor do they partake in the sovereignty otherwise, or in any other capacity, than as private citizens."*

[*Chisholm v. Georgia, 2 Dall (U.S.) 419 (1793)*]

The very essence of government is "justice" itself", which implies LEAVING PRIVATE RIGHTS ALONE and never interfering with them or denying them:

*"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."*

[[The Federalist No. 51 \(1788\)](#), James Madison]

<sup>10</sup> See: [Great IRS Hoax](#), Form #11.301, Section 6.7.1; <https://famguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>.

"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)]

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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]

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"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]

Per the Magna Carta upon which our jurisprudence and the common law is founded, any attempt to turn "justice" or remedy into a revocable privilege, such as a Writ of Certiorari through legislation, is an INJUSTICE. To wit:

[29] No freeman is to be taken or imprisoned or disseised of his free tenement or of his liberties or free customs, or outlawed or exiled or in any way ruined, nor will we go against such a man or send against him save by lawful judgement of his peers or by the law of the land. To no-one will we sell or deny of delay right or justice." [Magna Carta Translation, National Archives, <https://www.archives.gov/exhibits/featured-documents/magna-carda/translation.html>]

"Granting" justice through a Writ and imposing conditions upon the grant is an act of "selling" justice and exchanging RIGHTS for PRIVILEGES.

Once again, Congress can only regulate, control, tax, or deny rights that it either absolutely owns or legislatively created, and it DID NOT create the PRIVATE rights at issue in this appeal. It didn't create ME, the Petitioner so it can't control me as a man/woman or the private rights I exercise unless I am injuring another. I would have to be consensually acting as a statutory civil fiction and therefore public office or agent to be so controlled, and I am NOT in this case:

'We are of opinion that a statute of a state granting powers and privileges to corporations must, in the absence of plain indications to the contrary, be held to apply only to corporations created by the state, and over which it has power of visitation and control. ... The legislature in such cases is dealing with its own creations, whose rights and obligations it may limit, define, and control.' To the same effect are *Catlin v. Trustees*, 113 N.Y. 133, 20 N.E. 864; *White v. Howard*, 46 N.Y. 144; *In re Balleis' Estate*, 144 N.Y. 132, 38 N. E. 1007; *Minot v. Winthrop*, 162 Mass. 113, 38 N.E. 512; *Dos P. Inh. Tax Law*, c. 3, 34. If the ruling of the court of appeals of New York in this particular case be not absolutely binding upon us, we think that, having regard to the purpose of the law to impose a tax generally upon inheritances, the legislature intended to allow an exemption only in favor of such corporations as it had itself created, and which might reasonably be supposed to be the special objects of its solicitude and bounty.

"In addition to this, however, the United States are not one of the class of corporations intended by law to be exempt [163 U.S. 625, 631] from taxation. What the corporations are to which the exemption was intended to apply are indicated by the tax laws of New York, and are confined to those of a religious, educational, charitable, or reformatory purpose. We think it was not intended to apply it to a purely political or governmental corporation, like the United States. *Catlin v. Trustees*, 113 N.Y. 133, 20 N. E. 864; *In re Van Kleeck*, 121 N.Y. 701, 75 N. E. 50; *Dos P. Inh. Tax Law*, c. 3, 34. *In Re Hamilton*, 148 N.Y. 310, 42 N.E. 717, it was held that the execution did not apply to a municipality, even though created by the state itself."

[U.S. v. Perkins, 163 U.S. 625 (1896)]

The Writ of Certiorari Act of 1925, 43 Stat. 936-942, Ch. 229, is a CREATION of Congress that cannot affect rights or the property they represent that were not ALSO legislatively created by that Congress, nor can it DENY or ABRIDGE any Constitutionally recognized right created by the Sovereign “State” rather than Congress. As this court held on this subject:

“The life-giving principle and the death-doing stroke must proceed from the same hand.”  
[VanHorne’s Lessee v. Dorrance, 2 U.S. 304 (1795)]

To recognize any other approach is a recipe for anarchy that would turn this great and honorable Court into an instrument of anarchy and lawlessness, and turn our “society of laws” into a “society of men”. Marbury v. Madison, 5 U.S. 137 (1803).

To deny a private right recognized but not created by the Constitution is to in effect “make law”, or in this case REPEAL law and STEAL PRIVATE, absolutely owned property. This honorable court should not be in the business of doing either, and certainly not for its own “benefit” or aggrandizement. Governments, per the Declaration of Independence, are created EXCLUSIVELY to protect PRIVATE rights and PRIVATE property, which it calls “pursuit of happiness”. Any attempt by this court to deny or interfere with the use or enjoyment of such PRIVATE property therefore constitutes a malicious attempt to deprive the Petitioner of happiness and to circumvent the ONLY purpose for creating government to begin with. In that sense, such an act would be ANTI-GOVERNMENTAL, in that it works a purpose OPPOSITE of creating government to begin with.

For the purposes of this petition, the rights vindicated are not of “congressional creation”. For the purpose of this petition, Congressionally created rights are PUBLIC rights and publici juris. Constitutionally recognized rights are PRIVATE rights. As this court held on this subject:

“The distinction between public rights and private rights has not been definitively explained in our precedents. Nor is it necessary to do so in the present cases, for it suffices to observe that a matter of public rights must at a minimum arise “between the government and others.” Ex parte Bakelite Corp., supra, at 451, 49 S.Ct., at 413. In contrast, “the liability of one individual to another under the law as defined,” Crowell v. Benson, supra, at 51, 52 S.Ct., at 292, is a matter of private rights. Our precedents clearly establish that only controversies in the former category may be removed from Art. III courts and delegated to legislative courts or administrative agencies for their determination. See Atlas Roofing Co. v. Occupational Safety and Health Review Comm’n, 430 U.S. 442, 450, n. 7, 97 S.Ct. 1261, 1266, n. 7, 51 L.Ed.2d. 464 (1977); Crowell v. Benson, supra, 285 U.S., at 50-51, 52 S.Ct., at 292. See also Katz, Federal Legislative Courts, 43 Harv.L.Rev. 894, 917-918 (1930).FN24 Private-rights disputes, on the other hand, lie at the core of the historically recognized judicial power.”

[...]

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)]

Petitioner’s substantive PRIVATE constitutionally recognized but not created rights to due process, cited violations of his substantive rights as protected by the Constitution and the Judges of this Court and the Appellate Court’s oaths of office to uphold the Constitution and the laws of the United States therefore make the discretionary nature of a Writ of Certiorari immaterial.

Any attempt to convert PRIVATE rights into PUBLIC rights or privileges is, in fact an act of Treason if it does not involve the consent of the absolute owner of the original PRIVATE right, which Petitioner in this case DOES NOT GIVE and has no delegated authority to give as a full-time representative of a Sovereign God under His delegation of authority order, the Holy Bible.

*“Quod meum est sine me auferri non potest.  
What is mine [private property in this case] cannot be taken away without my consent”  
[Bouvier’s Law Dictionary Unabridged, 8th Edition, p. 2159]*

Where is separation of church and state when you REALLY need it, keeping in mind that the Holy Book identifies my BODY (which it calls a Temple 1 Cor. 6:19-20 and therefore a CHURCH) and all that I own as God’s property (Psalm 89:11) and me as the Trustee over that property (Gen. 1:28), which is therefore PRIVATE property. The founders hid these realities in the constitution by mentioning property in only one place in the constitution, under Article 4, Section 3, Clause 2 and giving the impression that it referred only to land. Traitors, all of them.

The PRIVATE property and PRIVATE rights at issue in this appeal cannot be denied by this court without satisfying one of the three rules below, and none of these rules are satisfied by a non-consenting party such as the Petitioner who has harmed NO ONE and seeks only the JUSTICE of having his property and rights restored:

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

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

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

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

The burden of this court in DENYING this appeal is to demonstrate that one of these rules are satisfied for converting the property and rights at issue from PRIVATE absolutely owned to government/public rights without the consent of the owner in denying this appeal.

While Petitioner agrees that a Writ of Certiorari is “not a matter of right but of judicial discretion”, Petitioner’s substantive PRIVATE rights to due process, cited violations of his substantive rights as protected by the Constitution and the Judges of this Court and the Appellate Court’s oaths of office to uphold the Constitution and the laws of the United States make the discretionary nature of the Writ of Certiorari AS A PUBLIC PRIVILEGE rather than a PRIVATE right entirely immaterial.

On this subject this Court in *Miranda vs. Arizona*, 384 U.S. 436 held:

*“Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.”*

Likewise, other courts have similarly held the same:

*“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)]*

In the words of this Court, the rights of American nationals under the Constitution supersede any rules or legislation by either THIS court or Congress which might allegedly give this Court leave to deny a substantive right of an American national acting NOT as an agent and creature of the state called a STATUTORY “citizen”, but as a private human being with inalienable rights. The only thing that membership in any community as a “citizen” or “resident” can do is DESTROY or take away private or natural rights, in fact, and I seek to PRESERVE such rights by avoiding surrendering them as PRIVILEGES to this hopefully honorable court:

1 *"When one becomes a member of society [such as a STATUTORY "citizen" or "resident", he necessarily parts*  
2 *with some rights or privileges which, as an individual not affected by his relations to others, he might retain.*  
3 *"A body politic," as aptly defined in the preamble of the Constitution of Massachusetts, "is a social compact by*  
4 *which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be*  
5 *governed by certain laws for the common good." This does not confer power upon the whole people to control*  
6 *rights which are purely and exclusively private, [Thorpe v. R. & B. Railroad Co., 27 Vt. 143](#); but it does authorize*  
7 *the establishment of laws requiring each citizen to so conduct himself, and so use his own property, as not*  
8 *unnecessarily to injure another. This is the very essence of government, and [125\\*125](#) has found expression in the*  
9 *maxim sic utere tuo ut alienum non lædas."*  
10 *[Munn v. Illinois, 94 U.S. 113 (1876),*  
11 *SOURCE: [http://scholar.google.com/scholar\\_case?case=6419197193322400931](http://scholar.google.com/scholar_case?case=6419197193322400931)]*

12 Petitioner's constitutionally protected PRIVATE rights to due process, to property and to liberty are not dependent upon the  
13 nature of a Writ of Certiorari filed by the Petitioner (or any other writ whether or not created by act of Congress), but rather  
14 his/her PRIVATE rights are protected by the nature of the Constitution and the nature of the Appellate Court and  
15 government's willful disregard/violations of said absolutely owned PRIVATE property and rights to due process and liberty.

16 Standing to pursue this suit originates from a fundamental destruction of the separation of powers between the state and  
17 federal government. Of that subject, this court has recently said that anyone, including individuals, can and should bring  
18 suits when their rights have been adversely affected:

19 *This Court has repeatedly emphasized that "the Constitution diffuses power the better to secure liberty."*  
20 *Morrison, supra, at 694 (quoting Youngstown Sheet & Tube Co. v. Sawyer, [343 U.S. 579, 635](#) (1952) (Jackson,*  
21 *J., concurring)). See also Morrison, supra, at 697 (SCALIA, J., dissenting) ("The Framers of the Federal*  
22 *Constitution . . . viewed the principle of separation of powers as the absolutely central guarantee of a just*  
23 *Government"). Recognizing this, the Court has repeatedly adjudicated separation-of-powers claims brought by*  
24 *people acting in their individual capacities. See, e. g., Mistretta, supra (adjudicating claim that United States*  
25 *Sentencing Commission violates separation of powers on direct appeal by an individual defendant who had been*  
26 *sentenced pursuant to guidelines created by the Commission)."*  
27 *[United States v. Munoz-Flores, 495 U.S. 385 (1990)]*

## 9 Summary of Six Geographical Jurisdictions

This section contains a summary of the six unique geographical jurisdiction. Each specific geographical jurisdiction has different characteristics, a different “creator” or “source” of its laws, and a different classification of rights that jurisdiction exercises, whether PUBLIC or PRIVATE.

**Table 2: Summary of Three Geographical Jurisdictions**

| # | Characteristic  | Specific Geographies                               |  |  |   |   |   |
|---|---|--|--|--|---|---|---|
|   |   | Territorial<br>(exclusive federal<br>jurisdiction) | Federal Enclaves                                   | Federal Possessions  | Extraterritorial-States<br>of the Union   | Constitutional-States of<br>the Union   | Abroad  |
| 1 | Specific geographies  | Federal territories<br>(none currently)            | Federal areas within<br>the states of the<br>Union | Puerto Rico<br>Swains Island<br>Virgin Islands<br>American Samoa | States of the Union   | States of the Union   | Foreign countries                                 |
| 2 | Constitution/organic law<br>applies?  | Thirteenth<br>Amendment<br>ONLY                    | Thirteenth<br>Amendment ONLY                       | Thirteenth Amendment<br>ONLY                                     | Yes   | Yes   | No  |
| 3 | Statutory/non-federal<br>jurisdiction?  | Yes  | Yes  | Yes (but only in the case<br>of federal property)                | Yes (but only in the<br>case of federal<br>property)                                      | Yes (but only in the<br>case of federal property)   | Yes (but only in the case of<br>federal property) |
| 4 | Creator of rights exercised   | Congress   | Congress   | Congress   | The People  | The People  | Congress  |
| 5 | Rights enforced are Public or<br>Private? <sup>11</sup>                                       | Public   | Public   | Public   | Private   | Private   | Public  |
| 6 | Requires consent of those<br>claiming right?  | No   | No   | No   | Yes (accept federal<br>property)  | Yes (accept federal<br>property)  | Yes (except federal property)                     |
| 7 | A privilege/franchise   | Yes  | Yes  | Yes  | No-constitutional<br>Yes-statutory  | No-constitutional<br>Yes-statutory  | Yes   |
| 8 | Writ of Certiorari applies?<br>(Writ of Certiorari Act of 1925,<br>43 Stat. 936-942, Ch. 229) | Yes  | Yes  | Yes  | No, if constitutional<br>rights at issue.<br>Yes, if statutory<br>privileges are at issue | No, if constitutional<br>rights at issue.<br>Yes, if statutory<br>privileges are at issue | Yes   |
| 9 | Type of congressional<br>jurisdiction exercised   | Exclusive  | Exclusive  | Exclusive  | Subject matter  | Subject matter  | Subject matter                                    |

### **NOTES:**

1. A recommended method for challenging the assertion of civil jurisdiction within constitutional statutes of the union is the following:
  - 1.1. *Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union*, Form #05.052  
<https://sedm.org/Forms/05-Memlaw/ChallengeToIRSEnforcementAuth.pdf>
  - 1.2. *U.S. Supreme Court Petition/Motion-Statutory*, Litigation Tool #07.003  
<https://sedm.org/Litigation/07-Appeals/SCPetition-Stat.zip>

<sup>11</sup> See Note 4 below.

2. Lines 3 and 6: Examples of using or accepting federal property:

2.1. Invoking a congressionally created civil statutory status such as “citizen”, “resident”, “taxpayer”, “person”, “individual”, “employee”, “employer”, etc. See:

*Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037

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

2.2. Using a STATUTORY SSN or TIN on a government form absent duress or compulsion. These numbers are government property per 20 C.F.R. §422.103(d) and 26 U.S.C. §6109 respectively.

2.3. Receiving a federal “benefit” per 5 U.S.C. §553(a)(2).

2.4. Accepting an office within the government per 5 U.S.C. §2105(a). This invokes jurisdiction per 5 U.S.C. §553(a)(2) .

2.5. Use of a USA Passport. The passport says it is property of the U.S. government and must be returned upon request.

3. Lines 3 and 6: References to “government property”, we have found NO CONSTITUTIONAL AUTHORITY by which a human being can be made the direct object of congressional legislation of Congress by simply possessing or using government property.

3.1. Only by voluntarily accepting a government office IN CONNECTION with property LAWFULLY ASSIGNED to the custody of the office can this happen.

3.2. The government has the burden of proving otherwise if proving such constitutional authority as moving party if it claims to have such authority.

4. Line 5: For a description of the distinctions between PUBLIC and PRIVATE property and/or rights, see:

4.1. *Separation Between Public and Private Course*, Form #12.025

<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>

4.2. *Private Right or Public Right? Course*, Form #12.044

<https://sedm.org/LibertyU/PrivateRightOrPublicRight.pdf>

5. Line 8: An example of how to circumvent the Writ of Certiorari Act of 1925, 43 State. 936-942, Ch. 229 in the case of state nationals is found in:

*U.S. Supreme Court Petition/Motion-Constitutional*, Litigation Tool #07.007

<https://sedm.org/Litigation/07-Appeals/SCPetition-Const.zip>

## 10 Do secular judges REALLY even have any biblical authority to CHANGE the Choice of CIVIL law AWAY from God's law?

"Many seek the ruler's [government's] favor [[CIVIL STATUTORY PRIVILEGES and FRANCHISES, Form #05.030](#)], But [justice \[Form #05.050\]](#) for man comes from the Lord."  
[Prov. 29:26, Bible, NKJV]

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"An astonishing and horrible thing  
Has been committed in the land:  
The prophets [economists] prophesy falsely,  
And the priests [judges of legislative franchise courts under Article I and IV] rule by their own power [by  
unconstitutionally "making law", Form #01.009];  
And [My \[God's SOCIALIST, Form #05.016\] people](#) love to have it so.  
But what will you do in the end?"  
[Jer. 5:31, Bible, NKJV]

Secular judges THINK they have legitimate authority to CHANGE the source of CIVIL law away from God's law, but DO THEY? Really?

God stands in the divine assembly;  
He judges among the gods (divine beings).

How long will you judge unjustly  
And show partiality to the wicked? Selah[pause and think about it].

Vindicate the weak and fatherless;  
Do justice and maintain the rights of the afflicted and destitute.

Rescue the weak and needy;  
Rescue them from the hand of the wicked [civil rulers].

The rulers do not know nor do they understand;  
They walk on in the darkness [of complacent satisfaction];  
All the foundations of the earth [the fundamental principles of the administration of justice] are shaken.

I said, "You are [a]gods;  
Indeed, all of you are sons of the Most High.

"Nevertheless you will die like men  
And fall like any one of the princes."

Arise, O God, judge the earth!  
For to You belong all the nations.  
[Psalm 81:1-8, Bible, Amplified Version]

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The Messiah's Triumph and Kingdom

Why do the [a]nations [b]rage,  
And the people plot a [c]vain thing?  
The kings of the earth set themselves,  
And the rulers take counsel together,  
Against the Lord and against His Anointed,[d] saying,  
"Let us break Their bonds in pieces  
And cast away Their cords from us."

He who sits in the heavens shall laugh;  
The Lord shall hold them in derision.  
5 Then He shall speak to them in His wrath,  
And distress them in His deep displeasure:  
6 "Yet I have [e]set My King

[f]On My holy hill of Zion. ”

“I will declare the [g]decree:  
The Lord has said to Me,  
‘You are My Son,  
Today I have begotten You.  
Ask of Me, and I will give You  
The nations for Your inheritance,  
And the ends of the earth for Your possession.  
You shall [h]break them with a rod of iron;  
You shall dash them to pieces like a potter’s vessel. ’ ”

Now therefore, be wise, O kings;  
Be instructed, you judges of the earth.  
I I Serve the Lord with fear,  
And rejoice with trembling.  
Kiss the Son, lest He be angry,  
And you perish in the way,  
When His wrath is kindled but a little.  
Blessed are all those who put their trust in Him.  
[Psalm 2:1-12, Bible, NKJV]

According to Rousas John Rushdoony, the SOURCE OF LAW is always the God of any society:

**Law is in every culture religious in origin. Because law governs man and society, because it establishes and declares the meaning of justice and righteousness, law is inescapably religious, in that it establishes in practical fashion the ultimate concerns of a culture. Accordingly, a fundamental and necessary premise in any and every study of law must be, first, a recognition of this religious nature of law.**

**Second, it must be recognized that in any culture the source of law is the god of that society. If law has its source in man's reason, then reason is the god of that society. If the source is an oligarchy, or in a court, senate, or ruler, then that source is the god of that system.** Thus, in Greek culture law was essentially a religiously humanistic concept,

*In contrast to every law derived from revelation, nomos for the Greeks originated in the mind (nous). So the genuine nomos is no mere obligatory law, but something in which an entity valid in itself is discovered and appropriated...It is "the order which exists (from time immemorial), is valid and is put into operation."*<sup>12</sup>

*Because for the Greeks mind was one being with the ultimate order of things, man's mind was thus able to discover ultimate law (nomos) out of its own resources, by penetrating through the maze of accident and matter to the fundamental ideas of being. As a result, Greek culture became both humanistic, because man's mind was one with ultimacy, and also neoplatonic, ascetic, and hostile to the world of matter, because mind, to be truly itself, had to separate itself from non-mind.*

**Modern humanism, the religion of the state, locates law in the state and thus makes the state, or the people as they find expression in the state, the god of the system.** As Mao Tse-Tung has said, "Our God is none other than the masses of the Chinese people."<sup>13</sup> In Western culture, law has steadily moved away from God to the people (or the state) as its source, although the historic power and vitality of the West has been in Biblical faith and law.

**Third, in any society, any change of law is an explicit or implicit change of religion. Nothing more clearly reveals, in fact, the religious change in a society than a legal revolution. When the legal foundations shift from Biblical law to humanism, it means that the society now draws its vitality and power from humanism, not from Christian theism.**

*Fourth, no disestablishment of religion as such is possible in any society. A church can be disestablished, and a particular religion can be supplanted by another, but the change is simply to another religion. Since the foundations of law are inescapably religious, no society exists without a religious foundation or without a law-system which codifies the morality of its religion.*

**Fifth, there can be no tolerance in a law-system for another religion. Toleration is a device used to introduce a new law-system as a prelude to a new intolerance. Legal positivism, a humanistic faith, has been savage in its hostility to the Biblical law-system and has claimed to be an "open" system. But Cohen, by no means a**

<sup>12</sup> Hermann Kleinknecht and W. Gutbrod, *Law* (London: Adam and Charles Black, 1962), p. 21

<sup>13</sup> Mao Tse-Tung, *The foolish Old Man Who Removed Mountains* (Peking: Foreign Languages Press, 1966), p. 3.

1 *Christian, has aptly described the logical positivists as "nihilists" and their faith as "nihilistic absolutism."<sup>14</sup>*  
2 *Every law-system must maintain its existence by hostility to every other law-system and to alien religious*  
3 *foundations or else it commits suicide.*

4 *In analyzing now the nature of Biblical law, it is important to note first that, for the Bible, law is revelation. The*  
5 *Hebrew word for law is torah which means instruction, authoritative direction.<sup>15</sup> The Biblical concept of law is*  
6 *broader than the legal codes of the Mosaic formulation. It applies to the divine word and instruction in its totality:*

7 *...the earlier prophets also use torah for the divine word proclaimed through them (Is. viii.*  
8 *16, cf. also v. 20; Isa. xxx. 9 f.; perhaps also Isa. i. 10). Besides this, certain passages in*  
9 *the earlier prophets use the word torah also for the commandment of Yahweh which was*  
10 *written down: thus Hos. viii. 12. Moreover there are clearly examples not only of ritual*  
11 *matters, but also of ethics.*

12 *Hence it follows that at any rate in this period torah had the meaning of a divine instruction,*  
13 *whether it had been written down long ago as a law and was preserved and pronounced*  
14 *by a priest, or whether the priest was delivering it at that time (Lam. ii. 9; Ezek. vii. 26;*  
15 *Mal. ii. 4 ff.), or the prophet is commissioned by God to pronounce it for a definite situation*  
16 *(so perhaps Isa. xxx. 9).*

17 *Thus what is objectively essential in torah is not the form but the divine authority.<sup>16</sup>*

18 *The law is the revelation of God and His righteousness. There is no ground in Scripture for despising the law.*  
19 *Neither can the law be relegated to the Old Testament and grace to the New:*

20 *The time-honored distinction between the OT as a book of law and the NT as a book of*  
21 *divine grace is without grounds or justification. Divine grace and mercy are the*  
22 *presupposition of law in the OT; and the grace and love of God displayed in the NT events*  
23 *issue in the legal obligations of the New Covenant. Furthermore, the OT contains evidence*  
24 *of a long history of legal developments which must be assessed before the place of law is*  
25 *adequately understood. Paul's polemics against the law in Galatians and Romans are*  
26 *directed against an understanding of law which is by no means characteristic of the OT as*  
27 *a whole.<sup>17</sup>*

28 *There is no contradiction between law and grace. The question in James's Epistle is faith and works, not faith and*  
29 *law.<sup>18</sup> Judaism had made law the mediator between God and man, and between God and the world. It was this*  
30 *view of law, not the law itself, which Jesus attacked. As Himself the Mediator, Jesus rejected the law as mediator*  
31 *in order to re-establish the law in its God-appointed role as law, the way of holiness. He established the law by*  
32 *dispensing forgiveness as the law-giver in full support of the law as the convicting word which makes men*  
33 *sinners.<sup>19</sup> The law was rejected only as mediator and as the source of justification.<sup>20</sup> Jesus fully recognized the*  
34 *law, and obeyed the law. It was only the absurd interpretations of the law He rejected. Moreover,*

35 *We are not entitled to gather from the teaching of Jesus in the Gospels that He made any*  
36 *formal distinction between the Law of Moses and the Law of God. His mission being not*  
37 *to destroy but to fulfil the Law and the Prophets (Mt. 5:17), so far from saying anything in*  
38 *disparagement of the Law of Moses or from encouraging His disciples to assume an*  
39 *attitude of independence with regard to it, He expressly recognized the authority of the*  
40 *Law of Moses as such, and of the Pharisees as its official interpreters. (Mt. 23:1-3).<sup>21</sup>*

41 *With the completion of Christ's work, the role of the Pharisees as interpreters ended, but not the authority of the*  
42 *Law. In the New Testament era, only apostolically received revelation was ground for any alteration in the law.*  
43 *The authority of the law remained unchanged.*

<sup>14</sup> Morris Raphael Cohen, *Reason and Law* (New York: Collier Books, 1961), p. 84 f.

<sup>15</sup> Ernest F. Kevan, *The Moral Law* (Jenkintown, Penna.: Sovereign Grace Publishers, 1963) p. 5 f. S.R. Driver, "Law (In Old Testament)," in James Hastings, ed., *A Dictionary of the Bible*, vol. III (New York: Charles Scribner's Sons, 1919), p. 64.

<sup>16</sup> Kleinknecht and Gutbrod, *Law*, p. 44

<sup>17</sup> W.J. Harrelson, "Law in the OT," in *The Interpreter's Dictionary of the Bible*, (New York: Abingdon Press, 1962), III, 77.

<sup>18</sup> Kleinknecht and Gutbrod, *Law*, p. 125.

<sup>19</sup> *Ibid.*, pp. 74, 81-91.

<sup>20</sup> *Ibid.*, p. 95.

<sup>21</sup> Hugh H. Currie, "Law of God," in James Hastings, ed., *A Dictionary of Christ and the Gospels* (New York: Charles Scribner's Sons, 1919), I, 685.

1 St. Peter, e.g. required a special revelation before he would enter the house of the  
2 uncircumcised Cornelius and admit the first Gentile convert into the Church by baptism  
3 (acts 10:1-48) --a step which did not fail to arouse opposition on the part of those who  
4 "were of the circumcision" (cf. 11:1-18).<sup>22</sup>

5 The second characteristic of Biblical law is that it is a treaty or covenant. Kline has shown that the form of the  
6 giving of the law, the language of the text, the historical prologue, the requirement of imprecations and  
7 benedictions, and much more, all point to the fact that the law is a treaty established by God with His people.  
8 Indeed, "the revelation committed to the two tables was rather a suzerainty treaty or covenant than a legal code."<sup>23</sup>  
9 The full covenant summary, the Ten Commandments, was inscribed on each of the two tables of stone, one table  
10 or copy of the treaty for each party in the treaty, God and Israel.<sup>24</sup>

11 The two stone tables are not, therefore, to be likened to a stele containing one of the half-  
12 dozen or so known legal codes earlier than or roughly contemporary with Moses as though  
13 God had engraved on these tables a corpus of law. The revelation they contain is nothing  
14 less than an epitome of the covenant granted by Yahweh, the sovereign Lord of heaven and  
15 earth, to his elect and redeemed servant, Israel.

16 Not law, but covenant. That must be affirmed when we are seeking a category  
17 comprehensive enough to do justice to this revelation in its totality. At the same time, the  
18 prominence of the stipulations, reflect in the fact that "the ten words" are the element used  
19 as pars pro toto, signifies the centrality of law in this type of covenant. There is probably  
20 no clearer direction afforded the biblical theologian for defining with biblical emphasis  
21 the type of covenant God adopted to formalize his relationship to his people than that given  
22 in the covenant he gave Israel to perform, even "the ten commandments." Such a covenant  
23 is a declaration of God's lordship, consecrating a people to himself in a sovereignly  
24 dictated order of life.<sup>25</sup>

25 This latter phrase needs re-emphasis: the covenant is "a sovereignly dictated order of life." God as the sovereign  
26 Lord and Creator gives His law to man as an act of sovereign grace. It is an act of election, of electing grace  
27 (Deut. 7:7 f.; 8:17; 9:4-6, etc.).

28 The God to whom the earth belongs will have Israel for His own property, Ex. xix. 5. It is  
29 only on the ground of the gracious election and guidance of God that the divine commands  
30 to the people are given, and therefore the Decalogue, Ex. xx. 2, places at its forefront the  
31 fact of election.<sup>26</sup>

32 In the law, the total life of man is ordered: "there is no primary distinction between the inner and the outer life;  
33 the holy calling of the people must be realized in both."<sup>27</sup>

34 The third characteristic of the Biblical law or covenant is that it constitutes a plan for dominion under God. God  
35 called Adam to exercise dominion in terms of God's revelation, God's law (Gen. 1:26 ff.; 2:15-17). This same  
36 calling, after the fall, was required of the godly line, and in Noah it was formally renewed (Gen. 9:1-17). It was  
37 again renewed with Abraham, with Jacob, with Israel in the person of Moses, with Joshua, David, Solomon  
38 (whose Proverbs echo the law), with Hezekiah and Josiah, and finally with Jesus Christ. The sacrament of the  
39 Lord's Supper is the renewal of the covenant: "this is my blood of the new testament" (or covenant), so that the  
40 sacrament itself re-establishes the law, this time with a new elect group (Matt. 26:28; Mark 14:24; Luke 22:20;  
41 1 Cor. 11:25). The people of the law are now the people of Christ, the believers redeemed by His atoning blood  
42 and called by His sovereign election. Kline, in analyzing Hebrews 9:16, 17, in relation to the covenant  
43 administration, observes:

44 ...the picture suggested would be that of Christ's children (cf. 2:13) inheriting his universal  
45 dominion as their eternal portion (note 9:15b; cf. also 1:14; 2:5 ff.; 6:17; 11:7 ff.). And  
46 such is the wonder of the messianic Mediator-Testator that the royal inheritance of his  
47 sons, which becomes of force only through his death, is nevertheless one of co-regency  
48 with the living Testator! For (to follow the typographical direction provided by Heb.  
49 9:16,17 according to the present interpretation) Jesus is both dying Moses and succeeding

<sup>22</sup> Olaf Moe, "Law," in James Hastings, ed., *Dictionary of the Apostolic Church* (New York: Charles Scribner's Sons, 1919), I, 685.

<sup>23</sup> Meredith G. Kline, *Treaty of the Great King, The Covenant Structure of Deuteronomy: Studies and Commentary* (Grand Rapids: William B. Eerdmans, 1963), p. 16. See also J.A. Thompson: *The Ancient Near Eastern Treaties and the Old Testament* (London: The Tyndale Press, 1964).

<sup>24</sup> Kline, *op. cit.*, p. 19.

<sup>25</sup> *Ibid.*, p. 17.

<sup>26</sup> Gustave Friedrich Oehler, *Theology of the Old Testament* (Grand Rapids: Zondervan, 1883), p. 177.

<sup>27</sup> *Ibid.*, p. 182.

Joshua. Not merely after a figure but in truth a royal Mediator redivivus, he secures the divine dynasty by succeeding himself in resurrection power and ascension glory.<sup>28</sup>

The purpose of God in requiring Adam to exercise dominion over the earth remains His continuing covenant word: man, created in God's image and commanded to subdue the earth and exercise dominion over it in God's name, is recalled to this task and privilege by his redemption and regeneration.

The law is therefore the law for Christian man and Christian society. Nothing is more deadly or more derelict than the notion that the Christian is at liberty with respect to the kind of law he can have. Calvin whose classical humanism gained ascendancy at this point, said of the laws of states, of civil governments:

I will briefly remark, however, by the way, what laws it (the state) may piously use before God, and be rightly governed by among men. And even this I would have preferred passing over in silence, if I did not know that it is a point on which many persons run into dangerous errors. For some deny that a state is well constituted, which neglects the polity of Moses, and is governed by the common laws of nations. The dangerous and seditious nature of this opinion I leave to the examination of others; it will be sufficient for me to have evinced it to be false and foolish.<sup>29</sup>

Such ideas, common in Calvinist and Lutheran circles, and in virtually all churches, are still heretical nonsense.<sup>30</sup> Calvin favored "the common law of nations." But the common law of nations in his day was Biblical law, although extensively denatured by Roman law. And this "common law of nations" was increasingly evidencing a new religion, humanism. Calvin wanted the establishment of the Christian religion; he could not have it, nor could it last long in Geneva, without Biblical law.

Two Reformed scholars, in writing of the state, declare, "It is to be God's servant, for our welfare. It must exercise justice, and it has the power of the sword."<sup>31</sup> Yet these men follow Calvin in rejecting Biblical law for "the common law of nations." But can the state be God's servant and by-pass God's law? And if the state "must exercise justice," how is justice defined, by the nations, or by God? There are as many ideas of justice as there are religions.

The question then is, what law is for the state? Shall it be positive law, after calling for "justice" in the state, declare, "A static legislation valid for all times is an impossibility." Indeed!<sup>32</sup> Then what about the commandment, Biblical legislation, if you please, "Thou shalt not kill," and "Thou shalt not steal"? **Are they not intended to valid for all time and in every civil order? By abandoning Biblical law, these Protestant theologians end up in moral and legal relativism.**

Roman Catholic scholars offer natural law. The origins of this concept are in Roman law and religion. For the Bible, there is no law in nature, because nature is fallen and cannot be normative. Moreover the source of law is not nature but God. There is no law in nature but a law over nature, God's law.<sup>33</sup>

**Neither positive law [man's law] nor natural law can reflect more than the sin and apostasy of man: revealed law [e.g. ONLY THE BIBLE] is the need and privilege of Christian society. It is the only means whereby man can fulfill his creation mandate of exercising dominion under God. Apart from revealed law [the BIBLE!], man cannot claim to be under God but only in rebellion against God.**  
[The Institutes of Biblical Law, Rousas John Rushdoony, 1973, The Craig Press, Library of Congress Catalog Card Number 72-79485, pp. 4-5, Emphasis added]

To summarize the findings of the above:

1. The purpose of law is to describe and codify the morality of a culture. Since only religion can define morality, then all law is religious in origin.

<sup>28</sup> Kline, *Treaty of the Great King*, p. 41.

<sup>29</sup> John Calvin, *Institutes of the Christian Religion*, bk. IV, chap. XX, para. XIV. In the John Allen translation (Philadelphia: Presbyterian Board of Christiana Education, 1936), II, 787 f.

<sup>30</sup> See H. de Jongste and J.M. van Krimpen, *The Bible and the Life of the Christian*, for similar opinions (Philadelphia: Presbyterian and Reformed Publishing Co., 1968), p. 66 ff.

<sup>31</sup> *Ibid.*, p. 73.

<sup>32</sup> *Ibid.*, p. 75.

<sup>33</sup> The very term "nature" is mythical. See R.J. Rushdoony, "The Myth of Nature," in *The Mythology of Science* (Nutley, N.J.: The Craig Press, 1967), pp. 96-98.

2. In any culture, the source of law becomes the god of that society. If law is based on Biblical law, then the God of that society is the true God. If it becomes the judges or the rulers, who are at war with God, then these rulers become the god of that society.
3. In any society, any change of law is an explicit or implicit change of religion.
4. The disestablishment of religion in any society is an impossibility, because all civilizations are based on law and law is religious in nature.
5. There can be no tolerance in a law system for another religion. All religious systems eventually seek to destroy their competition for the sake of self-preservation. Consequently, governments tend eventually to try to control or eliminate religions in order to preserve and expand their power.
6. The laws of our society must derive from Biblical law. Any other result leads to “humanism”, apostasy, and mutiny against God, who is our only King and our Lawgiver.
7. Humanism is the worship of the “state”, which is simply a collection of people under a democratic form of government. By “worship”, we mean obedience to the dictates and mandates of the collective majority. The United States is NOT a democracy, it is a Republic based on individual rights and sovereignty, NOT collective sovereignty.
8. The consequence of humanism is moral relativism and disobedience to God’s laws, which is sin and apostasy and leads to separation from God.

Choice of law? Do Christians really have a choice of law? Nothing is more heretical than to think Christians have a choice as to the CIVIL law they can consent in any capacity to “serve”. The First Commandment (Exodus 20:3) FORBIDS Christians to serve anything other than God, or to allow any ruler to put themselves BETWEEN them and God or equal to God. Its idolatry to even think otherwise.

*“The law is therefore the law for Christian man and Christian society. **Nothing is more deadly or more derelict than the notion that the Christian is at liberty with respect to the kind of law he can have.**”*  
[The Institutes of Biblical Law, Rousas John Rushdoony, 1973, The Craig Press, Library of Congress Catalog Card Number 72-79485, p. 9]

To think that a Christian is somehow obligated SIMULTANEOUSLY to all the following types of law that conflict with EACH OTHER:

1. God's law
2. International law
3. Federal law.
4. National (territorial) law.
5. State law.
6. County law.
7. City ordinances.
8. Church law.
9. And dozens of presumed contract-rules etc.

. . is crazy on steroids. This is proven below and also later in section 8:

Laws of the Bible, Form #13.001, Section 6.6: How CHANGING the source of Law from God to Caesar enslaves the people  
<https://sedm.org/Litigation/09-Reference/LawsOfTheBible.pdf>

ONE God means only ONE law. In a society where there are multiple sources of law, we have multi-theism instead of monotheism. You cannot serve only one God without only one law system.

This is what God must have intended to prevent when he commanded us:

*“Thou shall have no gods before me.”*  
[Exodus 20:3, Bible, NKJV]

A cluttered legal mind distracted by the complexity of idolatrous civil statutes is a confused mind.

*“The Lord is well pleased for His righteousness’ sake; He will exalt the law [HIS law, not man’s law] and make it honorable. But this is a people robbed and plundered! [by tyrants in government] All of them are snared in*

[legal] holes [by the sophistry of greedy lawyers], and they are hidden in prison houses; they are for prey, and no one delivers; for plunder, and no one says, "Restore!"

Who among you will give ear to this? Who will listen and hear for the time to come? Who gave Jacob for plunder, and Israel to the robbers? [IRS] Was it not the Lord, He against whom we have sinned? For they would not walk in His ways, nor were they obedient to His law, therefore He has poured on him the fury of His anger and the strength of battle; it has set him on fire all around, yet he did not know; and it burned him, yet he did not take it to heart."  
[Isaiah 42:21-25, Bible, NKJV]

In fact, Jesus HIMSELF, the Son of God, was an ANARCHIST towards man's civil law and Christians are COMMANDED to be like Him. See:

1. Section 12 later, entitled "Jesus refused a domicile, refused to participate in all human franchises, benefits, and privileges, and refused the "civil status" that made them possible".
2. Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002, Section 11.18  
<https://sedm.org/Forms/05-MemLaw/Domicile.pdf>
3. Socialism: The New American Civil Religion, Form #05.016, Sections 8.1.4 and 17.4  
<https://sedm.org/Forms/05-MemLaw/SocialismCivilReligion.pdf>

Satan himself, the antithesis of Jesus, did EXACTLY the opposite of Jesus in a CIVIL legal context, as we explain later in section 13.

The ONLY way we are aware of for Judges to avoid all of the realities of this section are the following tactics:

1. To speak in Latin when dealing with sensitive issues that threaten their power so that the court ruling goes right over the head of 99% of the audience.
2. To refuse to speak about or IGNORE these issues raised in a pleading before the court. Under the common law, such acts of deliberate gross negligence constitute CONSTRUCTIVE FRAUD:

"Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading."  
[U.S. v. Prudden, 424 F.2d. 1021 (5<sup>th</sup> Cir. 1970)]

"Silence can be equated with fraud where there is a legal or moral duty to speak, or where an inquiry left unanswered would be intentionally misleading. . . We cannot condone this shocking behavior by the IRS. Our revenue system is based on the good faith of the taxpayer and the taxpayers should be able to expect the same from the government in its enforcement and collection activities."  
[U.S. v. Tweel, 550 F.2d. 297, 299 (5<sup>th</sup> Cir. 1977)]

3. To turn justice in a CONSTITUTIONAL and not STATUTORY context into a PRIVILEGE that can be DENIED at the discretion of the judge. They do this by turning JUSTICE into a privilege that can be denied, as Former President Taft and Chief Justice at the time did with the Certiorari Act of 1925<sup>34</sup>. The Act allowed the Supreme Court to deny appeals on what it wants you to believe are ANY SUBJECT MATTER, INCLUDING constitutional issues described herein. Congress CANNOT, by legislation, command ANY court to NOT hear issues relating to CONSTITUTIONAL rather than STATUTORY violations. Only STATUTORY rights that it legislatively CREATED can be turned into a privilege and thereby denied under its discretion. Any other approach would sanction TREASON punishable by death. 18 U.S.C. §2381. This was confirmed by the U.S. Supreme Court pointed out in Northern Pipeline Constr. Co. v. Marathon Pipe Line Co., 458 U.S. 50, 102 S.Ct. 2858 (1983):<sup>35</sup>

"The distinction between public rights and private rights has not been definitively explained in our precedents.[I wonder WHY?: Because it is the source of ALL of their equivocation and injustice] Nor is it necessary to do so in the present cases, for it suffices to observe that a matter of public rights must at a minimum arise "between the government and others." Ex parte Bakelite Corp., supra, at 451, 49 S.Ct., at 413. In contrast, "the liability of one individual to another under the law as defined," Crowell v. Benson, supra, at 51, 52 S.Ct., at 292, is a matter of private rights. Our precedents clearly establish that only controversies in the former category may be removed from Art. III

<sup>34</sup> See: Judiciary Act of 1925, Wikipedia: [https://en.wikipedia.org/wiki/Judiciary\\_Act\\_of\\_1925](https://en.wikipedia.org/wiki/Judiciary_Act_of_1925).

<sup>35</sup> More on the SCAM to introduce the Certiorari Act of 1925 by Ex President Taft at:  
Great IRS Hoax, Form #11.302, Section 6.7.1; <https://fanguardian.org/Publications/GreatIRSHoax/GreatIRSHoax.htm>.

courts and delegated to legislative courts or administrative agencies for their determination. See *Atlas Roofing Co. v. Occupational Safety and Health Review Comm'n*, 430 U.S. 442, 450, n. 7, 97 S.Ct. 1261, 1266, n. 7, 51 L.Ed.2d 464 (1977); *Crowell v. Benson*, supra, 285 U.S., at 50-51, 52 S.Ct., at 292. See also Katz, *Federal Legislative Courts*, 43 Harv.L.Rev. 894, 917-918 (1930). Private-rights disputes, on the other hand, lie at the core of the historically recognized judicial power."

[...]

Although *Crowell* and *Raddatz* do not explicitly distinguish between rights created by Congress [PUBLIC RIGHTS] and other rights, such a distinction underlies in part *Crowell's* and *Raddatz's* 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)]

4. To abuse equivocation to deceive the litigants before them into confusing two mutually exclusive and non-overlapping contexts for legal terms. This is especially true of geographical and citizenship terms.<sup>36</sup>

More on judicial SCAMS like the above can be found in:

How Judges Unconstitutionally "Make Law", Litigation Tool #01.009  
<https://sedm.org/Litigation/01-General/HowJudgesMakeLaw.pdf>

## 11 How CHANGING the source of Law from God to Caesar enslaves the people<sup>37</sup>

"Having thus avowed my disapprobation of the purposes, for which the terms, State and sovereign, are frequently used, and of the object, to which the application of the last of them is almost universally made; it is now proper that I should disclose the meaning, which I assign to both, and the application, [2 U.S. 419, 455] which I make of the latter. In doing this, I shall have occasion incidentally to evince, how true it is, that States and Governments were made for man; and, at the same time, how true it is, that his creatures and servants have first deceived, next vilified, and, at last, oppressed their master and maker."

[Justice Wilson, *Chisholm v. Georgia*, 2 Dall. (2 U.S.) 419, 1 L.Ed. 440, 455 (1793)]

God and Caesar are competitors for the protection, affection, allegiance, and "tithes" of the people. They are, in effect competing religions structured almost identically to each other. For proof, see:

1. Laws of the Bible, Form #13.001, Section 6.1  
<http://sedm.org/Forms/FormIndex.htm>
2. SEDM Ministry Introduction, Form #12.014  
<http://sedm.org/Forms/FormIndex.htm>
3. Socialism: The New American Civil Religion, Form #05.016  
<http://sedm.org/Forms/FormIndex.htm>

In this section we will establish that allowing Caesar to change the source of Law from God to himself results in the following:

1. Allows equality and equal protection to be destroyed, and thus makes Caesar into a pagan idol.

<sup>36</sup> See: Legal Deception, Propaganda, and Fraud, Form #05.014, Sections 15.1 and 16.1; <https://sedm.org/Forms/05-MemLaw/LegalDecPropFraud.pdf>.

<sup>37</sup> Source: Laws of the Bible, Form #13.001, Section 6.6; <https://sedm.org/Litigation/09-Reference/LawsOfTheBible.pdf>.

- 1 2. Makes the people SLAVES and/or public officers of Caesar.
- 2 3. Violates the first four commandments of the Ten Commandments by making the people “serve other gods”.
- 3 4. Surrenders or abandons the common law as the source of law, which is derived from the laws of God.
- 4 5. Surrenders or abandons ALL the protections of the Constitution for your PRIVATE rights.
- 5 6. Replaces PRIVATE rights with PUBLIC rights and privileges.

6 By “source of law” in this section, we mean the AUTHOR of the STATUTES or the origin of authority for the STATUTE.

- 7 1. A statute that has a constitutional origin for its authority protects PRIVATE rights.
  - 8 2. A statute that has CAESAR as the origin of the PUBLIC right is a PRIVILEGE or franchise that enslaves the people.
- 9 This is exhaustively proven in the following:

10 [Government Instituted Slavery Using Franchises](http://sedm.org/Forms/FormIndex.htm), Form #05.030  
11 <http://sedm.org/Forms/FormIndex.htm>

12 Our Declaration of Independence recognizes “the Creator” as the source of our rights. Since GOD created your  
13 PRIVATE/CONSTITUTIONAL rights, God is the ONLY one who can lawfully take them away. That is why the  
14 Declaration of Independence says these PRIVATE rights are “inalienable”. An inalienable right is one that YOU  
15 CANNOT LAWFULLY GIVE AWAY, even WITH your consent:

16 “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator  
17 with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure  
18 these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,  
19 - “  
20 [Declaration of Independence]

21 “Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred.”  
22 [Black’s Law Dictionary, Fourth Edition, p. 1693]

23 As we established in the previous section, the creator of a thing is always the owner of a thing in the legal field. The biblical  
24 concept of God as the Sovereign **CREATOR** of EVERYTHING therefore destroys any possibility that Caesar could ever  
25 acquire the right to control or enslave the people. This ensures that the only lawful role of Caesar under God’s Laws would  
26 be that of being a SERVANT who is BELOW rather than a TYRANT ABOVE the people.

27 “You know that the rulers of the Gentiles lord it over them, and those who are great exercise authority over them.  
28 Yet it shall not be so among you; but whoever desires to become great among you, let him be your servant.  
29 And whoever desires to be first among you, let him be your slave---just as the Son of Man did not come to be  
30 served, but to serve, and to give His life a ransom for many.”  
31 [Matthew 20:25-28, Bible, NKJV]

32 A servant who is BELOW the Sovereign People, also called a “public servant” cannot “lord it over” the people as Jesus  
33 warned that rulers should NOT do. Furthermore, if in fact the people as Sovereigns are ABOVE their public servants, they  
34 can never be INFERIOR in court or even subservient or obligated to them to do ANYTHING. Hence SLAVERY or  
35 LEGALISM is impossible. As the Founding Fathers indicated in the Federalist Papers:

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

47 In recognition of the above, courts have declared the following on the subject of whether Congress can write law for anything  
48 BUT public servants in the government:

49 “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 following subsections further address the thesis of this section. If you would like to know more about the subject, see:

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

## **11.1 What's so bad about the civil statutory law? Why care about avoiding it or pursuing common law or constitutional law to replace it?<sup>38</sup>**

Our investigation into the subject of domicile began with abuse by the family courts and the statutory codes that regulate and control it. This sort of legal abuse by what we now call “legislative franchise courts” such as the family court is what gets most people interested in the freedom subject and our website to begin with. Traffic court is another court that abuses people as well and it too is a “legislative franchise court”. At the time of the abuse, we couldn’t figure out exactly what it was about the process that was unjust or unfair, but we resolved to not only thoroughly document it, but to identify how to avoid it and exactly how to prosecute those who instituted the abuse for those who “un-volunteered”. That quest is what gave birth to our entire website and this document, in fact.

The basic principle of justice is to:

1. Govern and support your own life. In other words, ask for nothing from government.
2. Leave other people alone. Respect them and protect their right of self-ownership, choice, and self-government.
3. Only enforce nonconsenting people AFTER they injure someone else.
4. Limit all government to recovering the cost of the injury, not government civil penalties on top of it.

So how does the civil code, or what we call the “civil protection franchise” undermine the above, we asked ourselves in studying this important subject?:

1. It grants a monopoly on protection to the government. All monopolies are evil because:
  - 1.1. There is no competition.
  - 1.2. All attempts to privatize selected services are penalized and prosecuted by hostile bureaucrats who want to “protect their turf” and their retirement check.
  - 1.3. The postal service, for instance, has a monopoly on mail but shouldn’t have. Lysander Spooner, the founder of libertarian thought and a lawyer, attempted to compete with the postal service and put them to shame, and he was prosecuted for it.
2. It creates and perpetuates an UNEQUAL relationship between the “government grantor” of the civil protection franchise and you.
  - 2.1. You become inferior and subservient to the grantor of the franchise. That is why they call those who are subject to it a “subject”.
  - 2.2. This results in idolatry in violation of the Bible.
3. It destroys ABSOLUTE ownership of PRIVATE property.
  - 3.1. The government becomes the ABSOLUTE owner and you become a CUSTODIAN over THEIR property.
  - 3.2. The PUBLIC OFFICE called “citizen” or “resident” is merely an employment position you fill as custodian over the GOVERNMENT’S property, meaning ALL property.
  - 3.3. The use of government identifying number in association with the title to property becomes prima facie evidence that you are engaged in the franchise and that the property is “PRIVATE PROPERTY DONATED TO A PUBLIC USE TO PROCURE THE BENEFITS OF THE CIVIL PROTECTION FRANCHISE”.
4. It interferes with your right to contract:
  - 4.1. The parties to every civil contract, when using government ID and associated license numbers, unknowingly insert the government into the relationship as an agent of the protection franchise, often without the knowledge of the parties.
  - 4.2. Those who wish to contract the government OUT of the relationship by negotiating either binding arbitration or invoking the common law and not the statute law are interfered with by corrupt judges who want to pad their pocket by inserting themselves into the relationship not as coaches, but OWNERS of both participants who become “employees” or “officers” under the civil code.
5. The civil protection franchise is abused by politicians as a method to institute class warfare between the people:

<sup>38</sup> Adapted from *Why Domicile and Becoming a “Taxpayer” Require Your Consent*, Form #05.002, Section 11.1; <http://sedm.org/Forms/FormIndex.htm>.

- 5.1. The voting booth and the jury box become a battle ground used by the poor to steal from the rich.
- 5.2. The tax code is used as a vehicle to abuse the government's taxing power to transfer wealth from the have-nots to the haves.
- 5.3. The tax code is abused essentially to punish success with taxes and reward failure with subsidies, thus destroying the economy and all incentive to be productive or responsible.
- 5.4. The promise of "benefits" by campaigning politicians become essentially a vehicle to ILLEGALLY and CRIMINALLY bribe voters with loot STOLEN through the illegal use of the government's taxing powers.
6. It places NO limits on the PRICE you pay for the "benefit" of its "protection". Politicians can and do impose any duty upon those who are subject to it because the premise is that you had to consent to be subject to it.
7. The administrators of the franchise REFUSE to recognize on the forms and processes administering the franchise:
  - 7.1. Your right to NOT participate . . .OR
  - 7.2. Your right to quit. . .OR
  - 7.3. The right to document the existence of duress in signing up on the forms administering the franchise.Try walking into a Social Security office and ask for forms to quit the system as we have. You will be escorted out by an armed guard and be accused of being a terrorist if you refuse to cooperate!
8. You aren't allowed to QUALIFY or LIMIT HOW MUCH you pay or what specific PRIVATE rights you are willing to give up or can be forced to give up in order to procure its "benefits".
  - 8.1. There is no opportunity to negotiate a better deal.
  - 8.2. You can't go to anyone else for the service to improve your bargaining position.
  - 8.3. It therefore behaves as an "adhesion contract" that is unconscionable.
9. It results in a SURRENDER of ALL common law and natural rights.
  - 9.1. The civil code is predicated on consent
  - 9.2. Anything you consent to cannot form the basis of an injury under the common law or the Constitution.
10. When you sign up for one franchise under the civil statutory protection franchise, such as the vehicle code by getting a driver license, you are COERCED and expected to be party to ANY and EVERY other government franchise.
  - 10.1. They demand a Social Security Number, and therefore FORCE you to sign up for Social Security as well. The DMV does this.
  - 10.2. This completely destroys your power of choice and your autonomy and self-government.
  - 10.3. It makes it impossible to procure the protection of the vehicle code WITHOUT becoming a public officer who has to do ANYTHING and EVERYTHING congress can dream up to put in your "employment agreement" called the civil code.
11. People who do not want its benefits:
  - 11.1. Are punished with civil penalties that don't apply to them and can't lawfully be enforced against them.
  - 11.2. Are told they are crazy or stupid.
  - 11.3. Are treated unfairly as "anarchists" or even violent or terrorists, as is being done with the "Sovereign Citizen Movement" at this time. This is an unjust and unfair and undeserved stereotype designed mainly and essentially to protect the governments at least perceived authority to essentially use the civil franchise as a way to justify its right to essentially STEAL from the average American.
12. In court, those who refuse to consent to the franchise and who become the illegal target of enforcement of the PROVISIONS of the franchise are maliciously interfered with in violation of the Bill of Rights by:
  - 12.1. Refusing to recognize or protect their unalienable constitutional rights.
  - 12.2. Refusing to recognize their right to invoke the common law against EVERYONE, INCLUDING the government, who at that point is on an EQUAL rather than INFERIOR relationship to them.
  - 12.3. Forcing them into a franchise court such as family court, traffic court, or tax court that CANNOT lawfully hear a matter NOT involving a franchisee.
  - 12.4. Telling them they are crazy, ignorant, or stupid when they try to invoke the common law or the constitution instead of the franchise in their defense.

Is it any surprise that the Roman Empire, which was the origin of the above system of usury under the Roman "jus civile", failed and collapsed? Anyone that would build the security of private property upon such a frail and evil foundation is bound to fail quickly, and every government that has ever tried throughout history has failed for the same reason. Below is a description of HOW that failure happened:

1. *The Truth About the Fall of Rome: Modern Parallels*-Stefan Molyneux  
<https://odysee.com/@freedomain:b/the-truth-about-the-fall-of-rome-modern:9?t=5&sunset=lbrytv>
2. *A History of the Decline and Fall of the Roman Empire*, Edward Gibbon  
<http://famguardian.org/Publications/DeclineFallRomanEmpire/index.htm>

- 1 3. *The Fall of Rome and Modern Parallels* - Lawrence Reed, Foundation for Economic Education  
2 <https://youtu.be/FPFH6eGqsg>  
3 4. *The Fall of Rome and Modern Parallels* - Stefan Molyneux  
4 <https://odyssey.com/@freedomain:b/the-fall-of-rome-and-modern-parallels:f?t=50&sunset=lbrytv>  
5 Is there a better way? Absolutely. God's law is the PERFECT law of liberty:

6 "But he who looks into the **perfect law of liberty [God's law]** and continues in it, and is not a forgetful hearer but  
7 a doer of the work, this one will be blessed in what he does."  
8 [James 1:25, Bible, NKJV]

9 "The Spirit of the Lord God is upon Me [Jesus],  
10 Because the Lord has anointed Me  
11 To preach good tidings to the poor;  
12 He has sent Me to heal the brokenhearted,  
13 To proclaim liberty to the [government] captives [*trapped like hunted animals within the civil franchise code*],  
14 And the opening of the prison to those who are bound [*to a PUBLIC office called "citizen" or "resident"*];  
15 [Isaiah 61:1, Bible, NKJV]

16 "The Spirit of the Lord is upon Me,  
17 Because He has anointed Me  
18 To preach the gospel to the poor;  
19 **He has sent Me to heal the brokenhearted,**  
20 **To proclaim liberty to the captives**  
21 **And recovery of sight to the blind,**  
22 **To set at liberty those who are [government] oppressed;**  
23 **To proclaim the acceptable year of the Lord."**  
24 [Luke 4:18-19, Bible, NKJV]

25 If you would like exhaustive coverage of God's "perfect law of liberty", read the following:

- 26 1. *Laws of the Bible*, Form #13.001  
27 <http://sedm.org/Forms/FormIndex.htm>  
28 2. *Bible Law Course*, Form #12.015  
29 <http://sedm.org/Forms/FormIndex.htm>

30 By the way, "the perfect law of liberty" forbids those subject to it from consenting to or coming under the civil statutory  
31 jurisdiction of any other law system, or any ruler who grants or administers it, and says that doing so is IDOLATRY.

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

38 "Awake, awake, O Zion, clothe yourself with strength. Put on your garments of splendor, O Jerusalem, the holy  
39 city. The uncircumcised and defiled will not enter you again. **Shake off your dust; rise up, sit enthroned, O**  
40 **Jerusalem [Christians]. Free yourself from the chains [contracts and franchises] on your neck, O captive**  
41 **Daughter of Zion. For this is what the LORD says: "You were sold for nothing [free government cheese worth**  
42 **a fraction of what you had to pay them to earn the right to "eat" it], and without money you will be redeemed."**  
43 [*Isaiah 52:1-3*, Bible, NKJV]

44  
45 "I [God] brought you up from Egypt [government slavery to a civil ruler called Pharaoh] and brought you to the  
46 land of which I swore to your fathers; and I said, 'I will never break My covenant with you. And **you shall make**  
47 **no covenant [contract or franchise or agreement of ANY kind] with the inhabitants of this [corrupt pagan]**  
48 **land; you shall tear down their [man/government worshipping socialist] altars.'** But you have not obeyed Me.  
49 Why have you done this?

50 "Therefore I also said, **I will not drive them out before you; but they will become as thorns [terrorists and**  
51 **persecutors] in your side and their gods will be a snare [slavery!] to you."**

52 So it was, when the Angel of the LORD spoke these words to all the children of Israel, that the people lifted up  
53 their voices and wept.

NOW do you know why we began our search for something BETTER and more EQUAL and JUST than the civil protection franchise or statutory “code”? The amount of INJUSTICE evident in the above list of defects is truly mind-boggling almost to the point of making life not even worth living if called to endure it. That’s what George Carlin said about the miserable existence we suffer under presently because of a defective legal system:

*I’m divorced from it now*, George Carlin  
<https://youtu.be/MyGhRRgB0bA>

The video below describes the MASSIVE injustices of the present [de facto civil franchise](#) system as “The Matrix”:

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

Lastly, lest we be accused of being “narcissistic psychopathic anarchists”, let us now emphasize what we DO NOT object to about the civil protection franchise. What we like about it is the opportunity it provides for remedy when an injury occurs between PRIVATE people one to another. That remedy is NOT exclusive, because you can abandon a domicile and instead invoke the common law. Outside of the sphere or remedy for PRIVATE injury, nothing but problems result that are easily remedied by God’s “perfect law of liberty”. The problems occur mainly when the GOVERNMENT is the party doing the injuring, which happens far more frequently than PRIVATE injury. Like any mafia, the government only protects itself and uses the law as an excuse to persecute political dissidents. This we call “selective enforcement” and it happens all the time, and ESPECIALLY with the IRS. The abuse of discretion to target of conservative groups by the IRS and the scandal that ensued in 2015 comes to mind. That mafia is described in the following funny video:

*The Government Mafia*, Clint Richardson  
<https://sedm.org/media/government-mafia/>

The fact that government essentially is allowed to behave literally as a criminal mafia under the auspices of the civil statutory protection franchise is how the original Roman Empire grew so large to begin with. Look at how the Romans treated Jesus in crucifying Him, and you understand why they were unjust. He refused to pay His “protection money” so they broke His kneecaps, even though they could find no legal fault in Him.

*“Then the whole multitude of them arose and led Him to Pilate. And they began to accuse Him, saying, “We found this fellow perverting the nation, and forbidding to pay taxes to Caesar [TAX PROTESTER], saying that He Himself is Christ, a King [SOVEREIGN].”*  
[Luke 23:2, Bible, NKJV]

For a fascinating book about Jesus’ tax protest activity, see:

*Jesus of Nazareth: Illegal Tax Protester*, Ned Netterville  
Link 1: <http://www.scribd.com/doc/2421538/Jesus-Tax-Protestor#scribd>  
Link 2: [http://my.mmosite.com/5317812/blog/item/jesus\\_of\\_nazareth\\_illegal\\_tax\\_protestor\\_dec\\_2006\\_pdf.html](http://my.mmosite.com/5317812/blog/item/jesus_of_nazareth_illegal_tax_protestor_dec_2006_pdf.html)

## 11.2 **Citing government STATUTES or franchise provisions cause a waiver of COMMON LAW rights and protections**<sup>39</sup>

All Congressionally created rights and statutes cause a forfeiture of the protections of the common law. Here is one authority on the subject:

*It is provided by the Federal Constitution<sup>40</sup> that: “The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.”*

<sup>39</sup> Adapted from *Government Instituted Slavery Using Franchises*, Form #05.030, Section 13.2; <http://sedm.org/Forms/FormIndex.htm>.

<sup>40</sup> Art. 4, sec. 2, cl. I.

This clause [Article 4, Section 2, Clause 1 of the United States Constitution] (hereafter **called for the sake of convenience the Comity Clause**<sup>41</sup>), it was said by Alexander Hamilton, may be esteemed the basis of the Union.<sup>42</sup> Its object and effect are outlined in Paul v. Virginia<sup>43</sup> in the following words:

It was undoubtedly the object of the clause in question to place the citizens of each State upon the same footing with citizens of other States, so far as the advantages resulting from citizenship in those States are concerned. **It relieves them from the disabilities of alienage in other States;** it inhibits discriminating legislation against them by other States; It gives them the right of free ingress into other States and egress from them. It insures to them in other States the same freedom possessed by the citizens of those States in the acquisition and enjoyment of property and in the pursuit of happiness; and it secures to them in other States the equal protection of the laws. **It has been justly said that no provision in the Constitution has tended so strongly to constitute the citizens of the United States one people as this. Indeed, without some provision of the kind removing from the citizens of each State the disabilities of alienage in the other States, the Republic would have constituted little more than a league of States; it would not have constituted the Union which now exists.**

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.<sup>44</sup>

The Comity Clause, as is indicated by the quotation from Paul v. Virginia, **was primarily intended to remove the disabilities of alienage from the citizens of every State while passing through or doing business in any of the several States. But even without this removal of disability, the citizens of the several States would have been entitled to an enjoyment of the privileges and immunities accorded to alien friends; and these were by no means inconsiderable at the English law.** In the early period of English history practically the only class of aliens of any importance were the foreign merchants and traders. To them the law of the land afforded no protection; for the privilege of trading and for the safety of life and limb they were entirely dependent on the royal favor, the control of commerce being a royal prerogative, hampered by no law or custom as far as concerned foreign merchants. These could not come into or leave the country, or go from one place to another, or settle in any town for purposes of trading, or buy and sell, except upon the payment of heavy tolls to the king. This state of affairs was changed by Magna Charta, chapter forty-one. . .

[The Privileges and Immunities of State Citizenship, Roger Howell, PhD, 1918, pp. 9-10;  
SOURCE: [http://anguardian.org/Publications/ThePrivAndImmOfStateCit/The\\_privileges\\_and\\_immunities\\_of\\_state\\_c.pdf](http://anguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_immunities_of_state_c.pdf)]

NOTE the following VERY important facts which arise from the above:

1. They refer to franchise "privileges and immunities" as "private law", meaning obligatory ONLY upon those who contract with the government individually BY CONSENT.
2. **They indicate that those who avail themselves of franchise "privileges" FORFEIT the protections of the common law.** In other words, their "employment agreement", codified in the franchise, REPLACES the equality and equal protection they started with under the common law and the Constitution and REPLACES equal protection with PRIVILEGE and inferiority in relation to the government grantor of the statutory franchise.
3. Citizens, meaning those domiciled WITHIN one state, are STATUTORY "aliens" in relation to every other state of the Union.
4. "Alienage" is a product of DOMICILE and not NATIONALITY, because every citizen of every state share United States\*\*\* NATIONALITY.
5. The ALIENAGE is a STATUTORY relationship tied to domicile and NOT a CONSTITUTIONAL alienage tied to nationality.
6. The Comity clause **removes** the **DISABILITIES OF ALIENAGE** but NOT STATUTORY ALIENAGE itself.
7. There IS no "comity clause" that limits the FEDERAL government in relation to federal territories. Hence, state citizens are ALSO "foreign", and "transient foreigners" in relation to these areas and may LAWFULLY be discriminated against by the NATIONAL government. In fact they ARE in the Internal Revenue Code, because:  
7.1. They are not statutory "aliens" under any act of Congress.

<sup>41</sup> Willoughby, Constitutional Law, vol. I, p. 213.

<sup>42</sup> The Federalist, No. LXXX.

<sup>43</sup> 8 Wall. 168, 19 L.Ed. 357.

<sup>44</sup> 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.

- 7.2. They are “nonresident aliens” under 26 U.S.C. §7701(b)(1)(B) if they lawfully occupy an elected or appointed public office. Otherwise, they are:
- 7.2.1. STATUTORY “non-resident non-persons” instead of STATUTORY “U.S. citizens” per 26 U.S.C. §3121(e).
- 7.2.2. Exclusively private.
- 7.2.3. Not subject and foreign under the Internal Revenue Code, but also not an “exempt individual” under 26 U.S.C. §7701(b)(5).
- 7.3. If they are public officers in the national government ONLY, they pay a FLAT 30% rate per 26 U.S.C. §871(a) instead of a reduced GRADUATED rate found in 26 U.S.C. §1.
- <https://www.law.cornell.edu/uscode/text/26/871>
8. All “individuals” in the I.R.C. are statutory “aliens”. 26 C.F.R. §1.1441-1(c)(3), which therefore implies state or foreign domiciled parties ONLY.
9. The “individual” identified at the top of the 1040 form as “U.S. individual” is a STATUTORY ALIEN, meaning anyone born or naturalized in a foreign country who is not a STATUTORY “national of the United States\*” per 8 U.S.C. §1101(a)(22).

The above conclusions are COMPLETELY CONSISTENT with the following resources, which identify state domiciled parties as STATUTORY “non-resident NON-persons” in relation to the national government:

1. *Why You are a Political Citizen but Civil Non-Citizen, National, and Nonresident Alien*, Form #05.006  
<http://sedm.org/Forms/FormIndex.htm>
2. *Citizenship Status v. Tax Status*, Form #10.011  
<http://sedm.org/Forms/FormIndex.htm>
3. *Citizenship Diagrams*, Form #10.010  
<http://sedm.org/Forms/FormIndex.htm>

### **11.3 Citing government STATUTES or franchise provisions causes a surrender of ALL CONSTITUTIONAL RIGHTS!<sup>45</sup>**

Not only does citing any government statutes surrender the protections of the COMMON LAW, but it ALSO surrenders the protections of the Constitution itself!

The Constitutional Avoidance Doctrine of the U.S. Supreme Court deals with when constitutional challenges may lawfully be made to an enforcement action directed against a party who LAWFULLY CONSENTED to a franchise. These 7 rules were first identified in *Ashwander v. Tennessee*, in which the U.S. Supreme Court held the following:

*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:*

1. *The Court will not pass upon the constitutionality of legislation in a friendly, non-adversary, proceeding, declining because to decide such questions “is legitimate only in the last resort, and as a necessity in the determination of real, earnest and vital controversy between individuals. It never was the thought that, by means of a friendly suit, a party beaten in the legislature could transfer to the courts an inquiry as to the constitutionality of the legislative act.”* *Chicago & Grand Trunk Ry. v. Wellman*, 143 U.S. 339, 345. Compare *Lord v. Veazie*, 8 How. 251; *Atherton Mills v. Johnston*, 259 U.S. 13, 15.

2. *The Court will not “anticipate a question of constitutional law in advance of the necessity of deciding it.”* 347\*347 *Liverpool, N.Y. & P.S.S. Co. v. Emigration Commissioners*, 113 U.S. 33, 39;<sup>46</sup> *Abrams v. Van Schaick*, 293 U.S. 188; *Wilshire Oil Co. v. United States*, 295 U.S. 100. “It is not the habit of the Court to decide questions of a constitutional nature unless absolutely necessary to a decision of the case.” *Burton v. United States*, 196 U.S. 283, 295.

3. *The Court will not “formulate a rule of constitutional law broader than is required by the precise facts to which it is to be applied.”* *Liverpool, N.Y. & P.S.S. Co. v. Emigration Commissioners*, supra. Compare *Hammond v. Schappi Bus Line*, 275 U.S. 164, 169-172.

<sup>45</sup> Adapted from *Government Instituted Slavery Using Franchises*, Form #05.030, Section 28.4; <http://sedm.org/Forms/FormIndex.htm>.

<sup>46</sup> E.g., *Ex parte Randolph*, 20 Fed.Cas. No. 11,558, pp. 242, 254; *Charles River Bridge v. Warren Bridge*, 11 Pet. 420, 553; *Trade-Mark Cases*, 100 U.S. 82, 96; *Arizona v. California*, 283 U.S. 423, 462-464.

4. The Court will not pass upon a constitutional question although properly presented by the record, if there is also present some other ground upon which the case may be disposed of. This rule has found most varied application. Thus, if a case can be decided on either of two grounds, one involving a constitutional question, the other a question of statutory construction or general law, the Court will decide only the latter. Siler v. Louisville & Nashville R. Co., 213 U.S. 175, 191; Light v. United States, 220 U.S. 523, 538. Appeals from the highest court of a state challenging its decision of a question under the Federal Constitution are frequently dismissed because the judgment can be sustained on an independent state ground. Berea College v. Kentucky, 211 U.S. 45, 53.

5. The Court will not pass upon the validity of a statute upon complaint of one who fails to show that he is injured by its operation.<sup>47</sup> Tyler v. The Judges, 179 U. 348\*348 S. 405; Hendrick v. Maryland, 235 U.S. 610, 621. Among the many applications of this rule, none is more striking than the denial of the right of challenge to one who lacks a personal or property right. Thus, the challenge by a public official interested only in the performance of his official duty will not be entertained. Columbus & Greenville Ry. v. Miller, 283 U.S. 96, 99-100. In Fairchild v. Hughes, 258 U.S. 126, the Court affirmed the dismissal of a suit brought by a citizen who sought to have the Nineteenth Amendment declared unconstitutional. In Massachusetts v. Mellon, 262 U.S. 447, the challenge of the federal Maternity Act was not entertained although made by the Commonwealth on behalf of all its citizens.

6. The Court will not pass upon the constitutionality of a statute at the instance of one who has availed himself of its benefits.<sup>48</sup> Great Falls Mfg. Co. v. Attorney General, 124 U.S. 581; Wall v. Parrot Silver & Copper Co., 244 U.S. 407, 411-412; St. Louis Malleable Casting Co. v. Prendergast Construction Co., 260 U.S. 469.

7. "When the validity of an act of the Congress is drawn in question, and even if a serious doubt of constitutionality is raised, it is a cardinal principle that this Court will first ascertain whether a construction of the statute is fairly possible by which the question may be avoided." Crowell v. Benson, 285 U.S. 22, 62.<sup>[8]</sup>  
[Ashwander v. Tennessee Valley Authority Et Al, 297 U.S. 288, 346-348 (1936)]

Of the above rules, the ones that really matter for those who want to challenge the constitutionality of a franchise enforcement proceeding in federal court are:

1. **Rule 5:** You can't challenge the constitutionality of an enforcement action if you have not been demonstrably and personally injured by it.
2. **Rule 6:** You can't challenge an enforcement action of a franchise you LAWFULLY consented to. Examples of such consent include the following:
  - 2.1. You signed up for the franchise without any attachment or qualification to the application.
  - 2.2. You did not attempt to terminate franchise participation.
  - 2.3. You were participating illegally but have no evidence in the administrative record to prove it.
  - 2.4. You availed yourself of "benefits" of the franchise available ONLY to those who are lawfully participating. For instance, the Internal Revenue Code, Subtitles A through C only pertain to statutory "taxpayers", and you used forms and administrative remedies available ONLY to statutory "Taxpayers". The IRS Mission statement (Internal Revenue Manual (I.R.M.), Section 1.1.1.1) says they can only help "taxpayers" and they provide no forms or administrative assistance for those who are not "taxpayers", such as those described in 26 U.S.C. §7426 or described by the courts in Economy Plumbing & Heating v. United States, 470 F.2d. 585 (1972); and South Carolina v. Regan, 465 U.S. 367 (1984). Those who are "nontaxpayers" are not permitted to use "taxpayer" forms or at least must modify or qualify the forms to make them suitable for use by "nontaxpayers". AND the only remedies they have are in court under the COMMON LAW and not statutory law. To us, it appears that the title "taxpayer" is a title of nobility and that there is a severe equal protection issue by refusing to provide administrative remedies to those who are not statutory franchisees called "taxpayers" per 26 U.S.C. §7701(a)(14).
  - 2.5. You VOLUNTARILY used a de facto license number that is property of the government called a "Taxpayer Identification Number" or "Social Security Number" in your interactions. All such STATUTORY numbers may only be used by public officers on official business and not EXCLUSIVELY PRIVATE parties. All private parties must identify such uses as ILLEGAL using the following form:

|   |
|---|
| <p><u>Why It is Illegal for Me to Request or Use a "Taxpayer Identification Number"</u>, Form #04.205<br/><a href="http://sedm.org/Forms/FormIndex.htm">http://sedm.org/Forms/FormIndex.htm</a></p> |
|---|

Lastly, if you violate the Brandeis Rules and attempt to bring your case before a federal court without respecting them, count on the fact that the court will unlawfully try to financially sanction you in violation of Federal Rule of Civil Procedure 11. Technically, they can ONLY sanction ATTORNEYS and not private parties. Nevertheless, please do us a favor and respect

<sup>47</sup> E.g., Hatch v. Reardon, 204 U.S. 152, 160-161; Corporation Commission v. Lowe, 281 U.S. 431, 438; Heald v. District of Columbia, 259 U.S. 114, 123; Sprout v. South Bend, 277 U.S. 163, 167; Concordia Fire Insurance Co. v. Illinois, 292 U.S. 535, 547.

<sup>48</sup> Compare Electric Co. v. Dow, 166 U.S. 489; Pierce v. Somerset Ry., 171 U.S. 641, 648; Leonard v. Vicksburg, S. & P.R. Co., 198 U.S. 416, 422.

the rules anyway, as a non-attorney. That will keep the courts focused on meaningful litigation instead of vexatious litigation by idiot freedom fighters.

#### 11.4 Practical application in court: Challenging Jurisdiction to enforce government statutes

Some rhetorical questions to ask any judge who seeks to enforce statutes applicable ONLY on federal territory not protected by the Constitution are the following:

1. How can I alienate an inalienable right?
2. Isn't it a financial conflict of interest to make a profitable business or "trade or business" out of alienating PRIVATE rights that government's ONLY reason for existence is that of PROTECTING?
3. Isn't the best way to protect a PRIVATE right to just LEAVE IT ALONE, which in fact is the very definition of "justice" itself?

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 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)]

4. Aren't you called a "justice"?
5. Whose "right to be left alone" are you here to protect, Mr. Judge, MINE or YOURS? It can't be both because the two compete with each other.
6. If I can't lawfully consent to give up a PRIVATE Constitutional right, doesn't that mean that government franchises cannot lawfully be offered within the geographical boundaries of a Constitutional State?
7. Isn't the U.S. Supreme Court prohibition that the national government can't lawfully offer franchises within a state a recognition that it attempts to alienate inalienable rights? See License Tax Cases, 72 U.S. 462, 18 L.Ed. 497, 5 Wall. 462, 2 A.F.T.R. 2224 (1866).
8. Isn't it an "invasion" within the meaning of Article 4, Section 4 to offer taxable franchises of the national government within the borders of a state? If not WHY?
9. If franchises of the NATIONAL rather than FEDERAL government can't lawfully be offered within the boundaries of a Constitutional state, then isn't any attempt to offer or enforce them there an act of CRIMINAL IDENTITY THEFT that creates a criminal financial conflict of interest?

Government Identity Theft, Form #05.046  
<http://sedm.org/Forms/FormIndex.htm>

You will definitely have the judge squirming with the above questions. He may even have to leave the room to avoid LYING or indicting himself for his own behavior on the court record! He may even try to abuse the court recorder to censor his own answer to these questions from the court record because they are so damning. These sort of questions FORCE the judge into a state of "cognitive dissonance" by exposing the LIE and Orwellian doublethink he/she engages in daily in enforcing federal

1 franchises illegally. That “cognitive dissonance” is addressed in what the U.S. Supreme Court calls “The Unconstitutional  
2 Conditions Doctrine”. You can find out more about that subject in the following resources:

- 3 1. Government Instituted Slavery Using Franchises, Form #05.030, Section 27.2  
4 <http://sedm.org/Forms/FormIndex.htm>  
5 2. Unconstitutional Conditions Doctrine Legal Research, SEDM. Go to the “/Franchises/UnconstConti” folder  
6 <https://sedm.org/reference/dvds/tax-dvd/>

7 **12 Jesus refused a domicile, refused to participate in all human franchises,**  
8 **benefits, and privileges, and refused the “civil status” that made them**  
9 **possible<sup>49</sup>**

10 Jesus definitely participated in God’s franchise, being a member of the Holy Trinity. However, he refused to participate in  
11 human franchises. It may interest the reader to learn that Jesus had NO civil status under man’s law and refused to participate  
12 in any government “benefit”, franchise, or privilege:

13 **The Humbled and Exalted Christ**

14 “Let this mind be in you which was also in Christ Jesus, who, being in the form of God, did not consider it robbery  
15 to be equal with God, but made Himself of no reputation, taking the form of a bondservant, and coming in the  
16 likeness of men. And being found in appearance as a man, He humbled Himself and became obedient to the  
17 point of death, even the death of the cross. Therefore God also has highly exalted Him and given Him the name,  
18 which is above every name, that at the name of Jesus every knee should bow, of those in heaven, and of those on  
19 earth, and of those under the earth, and that every tongue should confess that Jesus Christ is Lord, to the glory  
20 of God the Father.”  
21 [Phil 2:5-11, Bible, NKJV]

22 Below is a famous Bible commentary on the above passage:

23 “Think of yourselves the way Christ Jesus thought of himself. He had equal status with God but didn’t think so  
24 much of himself that he had to cling to the advantages of that status no matter what. Not at all. When the time  
25 came, he set aside the privileges of deity and took on the status of a slave, became human! Having become  
26 human, he stayed human. It was an incredibly humbling process. He didn’t claim special privileges. Instead,  
27 he lived a selfless, obedient life and then died a selfless, obedient death—and the worst kind of death at that—  
28 a crucifixion.”

29 “Because of that obedience, God lifted him high and honored him far beyond anyone or anything, ever, so that  
30 all created beings in heaven and on earth—even those long ago dead and buried—will bow in worship before  
31 this Jesus Christ, and call out in praise that he is the Master of all, to the glorious honor of God the Father.”  
32 [Peterson, E. H. (2005). The Message: the Bible in contemporary language (Php 2:5–11). Colorado Springs, CO:  
33 NavPress]

34 Below is a summary of lessons learned from the above amplified version of the same passage, put into the context of  
35 privileges, civil status, and franchises:

- 36 1. Jesus forsook having a civil status and the privileges and franchises of the Kingdom of Heaven franchise that made that  
37 status possible.  
38 2. He instead chose a civil status lower for Himself than other mere humans below him in status.  
39 3. BECAUSE He forsook the “benefits”, privileges, and franchises associated with the civil status of “God” while here on  
40 earth, he was blessed beyond all measure by God.

41 Moral of the Story: We can only be blessed by God if we do not seek to use benefits, privileges, and franchises to elevate  
42 ourself above anyone else or to pursue a civil status above others.

43 “Pure and undefiled religion before God and the Father is this: to visit orphans and widows in their trouble, and  
44 to keep oneself unspotted [“foreign”, “sovereign”, and/or “alien”] from the world [and the corrupt BEAST  
45 governments and rulers of the world].”  
46 [James 1:27, Bible, NKJV]

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<sup>49</sup> Source: Government Instituted Slavery Using Franchises, Form #05.030, Section 2.19 ; <http://sedm.org/Forms/FormIndex.htm>.

One cannot be “unspotted from the world” without surrendering and not pursuing any and all HUMAN civil statuses, franchises, or benefits. Those who are Christians, however, cannot avoid the privileged status and office of “Christian” under God’s laws.

The OPPOSITE of being “unspotted from the world” is the following. The pursuit of government “benefits” or the civil status that makes them possible is synonymous with the phrase “your desire for pleasure” in the following passage.

*“Where do wars and fights come from among you? **Do they not come from your desires for pleasure [unearned money or “benefits”, privileges, or franchises, from the government] that war in your members [and your democratic governments]? You lust [after other people’s money] and do not have.** You murder [the unborn to increase your standard of living] and covet [the unearned] and cannot obtain [except by empowering your government to STEAL for you!]. You fight and war [against the rich and the nontaxpayers to subsidize your idleness]. Yet you do not have because you do not ask [the Lord, but instead ask the deceitful government]. You ask and do not receive, because you ask amiss, that you may spend it on your pleasures. **Adulterers and adulteresses! Do you not know that friendship [statutory “citizenship”] with the world [or the governments of the world] is enmity with God?** Whoever therefore wants to be a friend [STATUTORY “citizen”, “resident”, “inhabitant”, “person” franchisee] of the world [or the governments of the world] makes himself an enemy of God.”*  
*[James 4:4, Bible, NKJV]*

The personification of those who did the OPPOSITE of Jesus and pursued civil status, rewards, benefits, privileges, and franchises were the Pharisees, and these people were the ONLY people Jesus got mad at. Here’s what He said about them in one of his very few angry tirades. Back then, they had a theocracy and the Bible was their law book, so the term “religion scholars” meant the lawyers of that time, not the pastors of today’s time.

*I’ve had it with you! You’re hopeless, you religion scholars, you Pharisees! Frauds! Your lives are roadblocks to God’s kingdom. You refuse to enter, and won’t let anyone else in either.*

*“You’re hopeless, you religion scholars and Pharisees! Frauds! You go halfway around the world to make a convert, but once you get him you make him into a replica of yourselves, double-damned.*

*“You’re hopeless! What arrogant stupidity! You say, ‘If someone makes a promise with his fingers crossed, that’s nothing; but if he swears with his hand on the Bible, that’s serious.’ What ignorance! Does the leather on the Bible carry more weight than the skin on your hands? And what about this piece of trivia: ‘If you shake hands on a promise, that’s nothing; but if you raise your hand that God is your witness, that’s serious’? What ridiculous hairsplitting! What difference does it make whether you shake hands or raise hands? A promise is a promise. What difference does it make if you make your promise inside or outside a house of worship? A promise is a promise. God is present, watching and holding you to account regardless.*

*“You’re hopeless, you religion scholars and Pharisees! Frauds! You keep meticulous account books, tithing on every nickel and dime you get, but on the meat of God’s Law, things like fairness and compassion and commitment—the absolute basics!—you carelessly take it or leave it. Careful bookkeeping is commendable, but the basics are required. Do you have any idea how silly you look, writing a life story that’s wrong from start to finish, nitpicking over commas and semicolons?*

*“You’re hopeless, you religion scholars and Pharisees! Frauds! You burnish the surface of your cups and bowls so they sparkle in the sun, while the insides are maggoty with your greed and gluttony. Stupid Pharisee! Scour the insides, and then the gleaming surface will mean something.*

*“You’re hopeless, you religion scholars and Pharisees! Frauds! You’re like manicured grave plots, grass clipped and the flowers bright, but six feet down it’s all rotting bones and worm-eaten flesh. People look at you and think you’re saints, but beneath the skin you’re total frauds.*

*“You’re hopeless, you religion scholars and Pharisees! Frauds! You build granite tombs for your prophets and marble monuments for your saints. And you say that if you had lived in the days of your ancestors, no blood would have been on your hands. You protest too much! You’re cut from the same cloth as those murderers, and daily add to the death count.*

*“Snakes! Reptilian sneaks! Do you think you can worm your way out of this? Never have to pay the piper? It’s on account of people like you that I send prophets and wise guides and scholars generation after generation—and generation after generation you treat them like dirt, greeting them with lynch mobs, hounding them with abuse.*

*“You can’t squirm out of this: Every drop of righteous blood ever spilled on this earth, beginning with the blood of that good man Abel right down to the blood of Zechariah, Barachiah’s son, whom you murdered at his prayers, is on your head. All this, I’m telling you, is coming down on you, on your generation.*

1                   *"Jerusalem! Jerusalem! Murderer of prophets! Killer of the ones who brought you God's news! How often I've*  
2 *ached to embrace your children, the way a hen gathers her chicks under her wings, and you wouldn't let me. And*  
3 *now you're so desolate, nothing but a ghost town. What is there left to say? Only this: I'm out of here soon. The*  
4 *next time you see me you'll say, 'Oh, God has blessed him! He's come, bringing God's rule!'"*  
5 *[Peterson, E. H. (2005). The Message: the Bible in contemporary language (Mt 23:13-39). Colorado Springs,*  
6 *CO: NavPress.]*

7       Keep in mind that the term "hypocrite" is defined in the following passages as "trusting in privileges", meaning franchises:  
8       Jer 7:4; Mt 3:9.

9       It is also VERY interesting that when Satan wanted to tempt Jesus, He took him up to a high mountain above everyone else  
10      and tempted him with a civil status ABOVE everyone else but BELOW Satan, thus making Satan an object of idolatry and  
11      worship in violation of the First Commandment within the Ten Commandments.

12                   *"Again, the devil took Him [Jesus] up on an exceedingly high [[civil/legal status above all other humans](#)]*  
13 *mountain, and showed Him all the kingdoms of the world and their glory. And he said to Him, "All these things*  
14 *['BENEFITS'] I will give You if You will fall down [BELOW Satan but ABOVE other humans] and worship*  
15 *[serve as a PUBLIC OFFICER] me."*

16                   *Then Jesus said to him, "Away with you, Satan! For it is written, 'You shall worship the LORD your God, and*  
17 *Him only you shall serve."*

18                   *Then the devil left Him, and behold, angels came and ministered to Him."*  
19 *[Matt. 4:8-11, Bible, NKJV]*

20      As we described in Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002, Sections 10.1 through  
21      10.2, the "mountain" mentioned above is symbolic of a political kingdom in competition with God's kingdom. The  
22      preposition "exceedingly high" indicates that Satan wanted his political kingdom to be ABOVE everyone else. The  
23      preposition "fall down" indicates that Satan wanted Christ to "worship" and "serve" His political kingdom and to place the  
24      importance of God's kingdom BELOW Satan in his priority list. This would cause Christ to commit idolatry. Idolatry, after  
25      all, is nothing more than disordered priorities that knock God out of first place. That is why the Bible often refers to God as  
26      "The Most High":

27                   *"You shall have no other gods before Me.*

28                   *"You shall not make for yourself a carved image—any likeness of anything that is in heaven above, or that is in*  
29 *the earth beneath, or that is in the water under the earth; you shall not **bow down** to them nor serve them. For I,*  
30 *the LORD your God, am a jealous God, visiting the iniquity of the fathers upon the children to the third and fourth*  
31 *generations of those who hate Me, but showing mercy to thousands, to those who love Me and keep My*  
32 *commandments."*  
33 *[Exodus 20:3-6, Bible, NKJV]*

34      The phrase "bow down" indicates that you cannot place anything other than God higher than yourself, meaning that God is  
35      ALWAYS your first priority as a human being. This, in turn, forbids any civil ruler to be above you and forbids any civil  
36      ruler from having superior or supernatural powers in relation to any human beings. Jesus was keenly aware that God and  
37      Government are ALWAYS in competition with each other for the affection, obedience, allegiance, and sponsorship of the  
38      people.<sup>50</sup> Instead, God's design for government is to serve from below rather than to rule from above. Below is Jesus' most  
39      important command on the subject of government:

40                   *"You know that the rulers of the Gentiles [unbelievers] lord it over them [govern from ABOVE as pagan idols],*  
41 *and those who are great exercise authority over them [supernatural powers that are the object of idol worship].*  
42 *Yet it shall not be so among you; but whoever desires to become great among you, let him be your servant [serve*  
43 *the sovereign people from BELOW rather than rule from above]. And whoever desires to be first among you, let*  
44 *him be your slave—just as the Son of Man did not come to be served, but to serve, and to give His life a ransom*  
45 *for many."*  
46 *[[Matt. 20:25-28](#), Bible, NKJV]*

47      Jesus kept Himself unspotted from the world by not choosing a domicile there. The phrase "nowhere to lay His head" in the  
48      following passage is synonymous with a legal home or domicile.

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<sup>50</sup> See: Great IRS Hoax, Form #11.302, Section 4.4.5: How government and God compete to provide "protection"; <https://sedm.org/Forms/FormIndex.htm>.

### The Cost of Discipleship

And when Jesus saw great multitudes about Him, He gave a command to depart to the other side. Then a certain scribe came and said to Him, "Teacher, I will follow You wherever You go."

And Jesus said to him, "Foxes have holes and birds of the air have nests, but the Son of Man has nowhere to lay His head."

[Matt. 8:18-20, Bible, NKJV]

"If you were of the world, the world would love its own. Yet because you are not of [domiciled within] the world, but I [Jesus] chose you [believers] out of the world, therefore the world hates you. Remember the word that I said to you, 'A [public] servant is not greater than his [Sovereign] master.' If they persecuted Me, they will also persecute you. If they kept My word, they will keep yours also [as trustees of the public trust]. But all these things they will do to you for My name's sake, because they do not know Him [God] who sent Me."

[Jesus in John 15:19-21, Bible, NKJV]

It is perhaps because of the content of this section that Jesus was widely regarded as an "anarchist". See:

Jesus Is An Anarchist, James Redford

<http://famguardian.org/Subjects/Spirituality/ChurchvState/JesusAnarchist.htm>

## **13 Satan's greatest sin was abusing "privileges" and "franchises" to make himself equal to or above God<sup>51</sup>**

In the previous section, we showed how Christ refused privileges, benefits, and franchises and insisted on equality towards every other human. In this chapter, we compare that approach to Satan's approach. It should interest the Christian reader to know that Satan's greatest sin in the Bible was to abuse the "privileges" and therefore franchises bestowed by God to try to elevate himself to an equal or superior relation to God. By doing so, he insisted on being above every other creation of God, including humans. He did this out of pride, vanity, conceit, and covetousness.

Satan abused the "benefits" of the Bible franchise to try to become superior rather than remain equal to all other humans or believers. Below is what one commentary amazingly says on the subject:

### WHAT WAS SATAN'S SIN?

Satan's sin was done from a privileged position. He was not a deprived creature who had not drunk deeply of the blessings of God before he sinned. Indeed, Ezekiel 28:11-15 declares some astounding things about the privileged position in which he sinned. That this passage has Satan in view seems most likely if one eliminates the idea that it is a mythical tale of heathen origin and if one takes the language at all plainly and not merely as filled with Oriental exaggerations. Ezekiel "saw the work and activity of Satan, whom the king of Tyre was emulating in so many ways." Satan's privileges included (1) full measure of wisdom (v. 12), (2) perfection in beauty (v. 12), (3) dazzling appearance (v. 13), (4) a place of special prominence as the anointed cherub that covered God's throne (v. 14). Verse 15 (ASV) says all that the Bible says about the origin of sin—"till unrighteousness was found in thee." It is clear, however, that Satan was not created as an evil being, for the verse clearly declares he was perfect when created. Furthermore, God did not make him sin; he sinned of his own volition and assumed full responsibility for that sin; and because of his great privileges, it is obvious that Satan sinned with full knowledge.

Satan's sin was pride (1 Ti 3:6). The specific details of how that pride erupted are given in Isaiah 14:13-14 and are summarized in the assertion, "I will be like the most High" (v. 14). [Ryrie, C. C. (1972). A survey of Bible doctrine. Chicago: Moody Press]

Christ's greatest glory, on the other hand, was to do the OPPOSITE of Satan in this regard:

1. Jesus made his own desires and flesh "invisible" and became an agent and fiduciary of God 24 hours a day, 7 days a week:

"Whoever receives this little child in My name receives Me; and whoever receives Me receives Him who sent Me. For he who is least among you all will be great."

<sup>51</sup> Source: Government Instituted Slavery Using Franchises, Form #05.030, Section 2.18; ; <https://sedm.org/Forms/FormIndex.htm>.

[Luke 9:48, Bible, NKJV]

“Father, if it is Your will, take this cup away from Me; nevertheless not My will, but Yours, be done.”  
[Luke 22:42, Bible, NKJV]

“And the Father Himself, who sent Me, has testified of Me. You have neither heard His voice at any time, nor seen His form.”  
[John 5:37, Bible, NKJV]

“For I have come down from heaven, not to do My own will, but the will of Him who sent Me.”  
[John 6:38, Bible, NKJV]

“Then Jesus cried out and said, “He who believes in Me, believes not in Me but in Him who sent Me.”  
[John 12:44, Bible, NKJV]

2. Jesus did NOT abuse the “privileges”, “franchises”, or “benefits” of God to elevate himself in importance or “rights” either above any other human or above God:

“Think of yourselves the way Christ Jesus thought of himself. He had equal status with God but didn’t think so much of himself that he had to cling to the advantages of that status no matter what. Not at all. When the time came, he set aside the privileges of deity and took on the status of a slave, became human! Having become human, he stayed human. It was an incredibly humbling process. He didn’t claim special privileges. Instead, he lived a selfless, obedient life and then died a selfless, obedient death—and the worst kind of death at that—a crucifixion.”

“Because of that obedience, God lifted him high and honored him far beyond anyone or anything, ever, so that all created beings in heaven and on earth—even those long ago dead and buried—will bow in worship before this Jesus Christ, and call out in praise that he is the Master of all, to the glorious honor of God the Father.”  
[Peterson, E. H. (2005). The Message: the Bible in contemporary language (Php 2:5–11). Colorado Springs, CO: NavPress]

Basically, Jesus had a servant’s heart and required the same heart of all those who intend to lead others in government:

“But you, do not be called ‘Rabbi’; for One is your Teacher, the Christ, and you are all brethren. Do not call anyone on earth your father; for One is your Father, He who is in heaven. And do not be called teachers; for One is your Teacher, the Christ. But he who is greatest among you shall be your servant. And whoever exalts himself will be humbled, and he who humbles himself will be exalted”.  
[Jesus in Matt. 23:8-12, Bible, NKJV]

But Jesus called them to Himself and said to them, “You know that those who are considered rulers over the Gentiles lord it over them, and their great ones exercise authority over them. Yet it shall not be so among you; but whoever desires to become great among you shall be your servant. And whoever of you desires to be first shall be slave of all. For even the Son of Man did not come to be served, but to serve, and to give His life a ransom for many.”  
[Mark 10:42–45, Bible, NKJV. See also Matt. 20:25-28]

Those in government who follow the above admonition in fact are implementing what the U.S. Supreme Court called “a society of law and not men” in Marbury v. Madison. The law is the will of the people in written form. Those who put that law above their own self-interest and execute it faithfully are:

1. Agents and/or officers of We the People.
2. “Trustees” and managers over God’s property. The entire Earth belongs to the Lord, according to the Bible.<sup>52</sup>
3. Acting in a fiduciary duty towards those who have entrusted them with power.

“As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised in behalf of the government or of all citizens who may need the intervention of the officer.”<sup>53</sup> Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain

<sup>52</sup> “Indeed heaven and the highest heavens belong to the LORD your God, also the earth with all that is in it.” [Deut. 10:15, Bible, NKJV]

<sup>53</sup> State ex rel. Nagle v. Sullivan, 98 Mont. 425, 40 P.2d. 995, 99 A.L.R. 321; Jersey City v. Hague, 18 N.J. 584, 115 A.2d. 8.

1 from a discharge of their trusts.<sup>54</sup> That is, a public officer occupies a fiduciary relationship to the political  
2 entity on whose behalf he or she serves.<sup>55</sup> and owes a fiduciary duty to the public.<sup>56</sup> It has been said that the  
3 fiduciary responsibilities of a public officer cannot be less than those of a private individual.<sup>57</sup> Furthermore,  
4 it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence  
5 and undermine the sense of security for individual [PRIVATE] rights is against public policy.<sup>58</sup>“  
6 [63C American Jurisprudence 2d, Public Officers and Employees, §247 (1999)]

- 7 4. Implementing a “covenant” or “contract” or “social compact” between them and the people. All civil and common law  
8 is based on compact.<sup>59</sup>  
9 5. “Creatures [CREATIONS] of the law” as the U.S. Supreme Court calls them.<sup>60</sup>  
10 6. Violating their oath and/or covenant if they use the property or rights they are managing or protecting for any aspect of  
11 private gain. In fact, 18 U.S.C. §208 makes it a crime to preside over a matter that you have a financial conflict of  
12 interest in.

13 All of the people in the Bible that God got most excited about were doing the above. There are many verses like those below:

- 14 1. Lev. 25:42:

15 “For they are My servants, whom I brought out of the land of Egypt; they shall not be sold as slaves.”

- 16 2. Lev. 25:55:

17 “For the children of Israel are servants to Me; they are My servants whom I brought out of the land of Egypt:  
18 I am the LORD your God.”

- 19 3. Numbers 14:24:

20 “But My servant Caleb, because he has a different spirit in him and has followed Me fully, I will bring into the  
21 land where he went, and his descendants shall inherit it.”

- 22 4. Joshua 1:2-5:

23 “Moses My servant is dead. Now therefore, arise, go over this Jordan, you and all this people, to the land which  
24 I am giving to them—the children of Israel. Every place that the sole of your foot will tread upon I have given  
25 you, as I said to Moses. From the wilderness and this Lebanon as far as the great river, the River Euphrates, all  
26 the land of the Hittites, and to the Great Sea toward the going down of the sun, shall be your territory. No man  
27 shall be able to stand before you all the days of your life; as I was with Moses, so I will be with you. I will not  
28 leave you nor forsake you. “

- 29 5. 2 Sam. 3:18:

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<sup>54</sup> Georgia Dep’t of Human Resources v. Sistrunk, 249 Ga. 543, 291 S.E.2d. 524. A public official is held in public trust. Madlener v. Finley (1st Dist), 161 Ill.App.3d. 796, 113 Ill.Dec. 712, 515 N.E.2d. 697, app gr 117 Ill.Dec. 226, 520 N.E.2d. 387 and revd on other grounds 128 Ill.2d. 147, 131 Ill.Dec. 145, 538 N.E.2d. 520.

<sup>55</sup> Chicago Park Dist. v. Kenroy, Inc., 78 Ill.2d. 555, 37 Ill.Dec. 291, 402 N.E.2d. 181, appeal after remand (1st Dist) 107 Ill.App.3d. 222, 63 Ill.Dec. 134, 437 N.E.2d. 783.

<sup>56</sup> United States v. Holzer (CA7 Ill), 816 F.2d. 304 and vacated, remanded on other grounds 484 U.S. 807, 98 L.Ed. 2d 18, 108 S.Ct. 53, on remand (CA7 Ill) 840 F.2d. 1343, cert den 486 U.S. 1035, 100 L.Ed. 2d 608, 108 S.Ct. 2022 and (criticized on other grounds by United States v. Osser (CA3 Pa) 864 F.2d. 1056) and (superseded by statute on other grounds as stated in United States v. Little (CA5 Miss) 889 F.2d. 1367) and (among conflicting authorities on other grounds noted in United States v. Boylan (CA1 Mass), 898 F.2d. 230, 29 Fed.Rules.Evid.Serv. 1223).

<sup>57</sup> Chicago ex rel. Cohen v. Keane, 64 Ill.2d. 559, 2 Ill.Dec. 285, 357 N.E.2d. 452, later proceeding (1st Dist) 105 Ill.App.3d. 298, 61 Ill.Dec. 172, 434 N.E.2d. 325.

<sup>58</sup> Indiana State Ethics Comm’n v. Nelson (Ind App), 656 N.E.2d. 1172, reh gr (Ind App) 659 N.E.2d. 260, reh den (Jan 24, 1996) and transfer den (May 28, 1996).

<sup>59</sup> “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.” [United States v. Winstar Corp., 518 U.S. 839 (1996)]

<sup>60</sup> “No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law, and are bound to obey it.” [United States v. Lee, 106 U.S., at 220]

1 “Now then, do it! For the LORD has spoken of David, saying, ‘By the hand of My servant David, I will save My  
2 people Israel from the hand of the Philistines and the hand of all their enemies.’”

3 6. 2 Sam. 7:8-9:

4 “Now therefore, thus shall you say to My servant David, ‘Thus says the LORD of hosts: “I took you from the  
5 sheepfold, from following the sheep, to be ruler over My people, over Israel. And I have been with you wherever  
6 you have gone, and have cut off all your enemies from before you, and have made you a great name, like the name  
7 of the great men who are on the earth.”’

8 God also said that you shall NOT abuse your power or commerce generally to enslave or coerce anyone:

9 ‘If one of your brethren becomes poor [desperate], and falls into poverty among you, then you shall help him,  
10 like a stranger or a sojourner, that he may live with you.

11 Take no usury or interest from him; but fear your God, that your brother may live with you.

12 You shall not lend him your money for usury, nor lend him your food at a profit.

13 I am the LORD your God, who brought you out of the land of Egypt, to give you the land of Canaan and to be your  
14 God.

15 ‘And if one of your brethren who dwells by you becomes poor, and sells himself to you, you shall not compel  
16 him to serve as a slave.

17 As a hired servant and a sojourner he shall be with you, and shall serve you until the Year of Jubilee.

18 And then he shall depart from you—he and his children with him—and shall return to his own family. He shall  
19 return to the possession of his fathers.

20 For they are My servants, whom I brought out of the land of Egypt; they shall not be sold as slaves.

21 You shall not rule over him with rigor, but you shall fear your God.  
22 [Lev. 25:35-43, Bible, NKJV]

23 Note above that it says that people who are poor or desperate should be treated not as slaves, but as “sojourners”, which today  
24 means “nonresidents” and “transient foreigners”. This is exactly the condition that our members are required to have.

25 The most famous example in the Bible of the violation of the above prohibition against usury was how Pharaoh used a famine  
26 to enslave his entire country, including the Israelites. See Gen. 47:13-26:

27 Joseph Deals with the Famine

28 <sup>13</sup> Now there was no bread in all the land; for the famine was very severe, so that the land of Egypt and the land  
29 of Canaan languished because of the famine. <sup>14</sup> And Joseph gathered up all the money that was found in the land  
30 of Egypt and in the land of Canaan, for the grain which they bought; and Joseph brought the money into  
31 Pharaoh’s house.

32 <sup>15</sup> So when the money failed in the land of Egypt and in the land of Canaan, all the Egyptians came to Joseph and  
33 said, “Give us bread, for why should we die in your presence? For the money has failed.”

34 <sup>16</sup> Then Joseph said, “Give your livestock, and I will give you bread for your livestock, if the money is gone.” <sup>17</sup>  
35 So they brought their livestock to Joseph, and Joseph gave them bread in exchange for the horses, the flocks, the  
36 cattle of the herds, and for the donkeys. Thus he fed them with bread in exchange for all their livestock that year.

37 <sup>18</sup> When that year had ended, they came to him the next year and said to him, “We will not hide from my lord that  
38 our money is gone; my lord also has our herds of livestock. There is nothing left in the sight of my lord but our  
39 bodies and our lands. <sup>19</sup> Why should we die before your eyes, both we and our land? Buy us and our land for  
40 bread, and we and our land will be servants of Pharaoh; give us seed, that we may live and not die, that the land  
41 may not be desolate.”

42 <sup>20</sup> Then Joseph bought all the land of Egypt for Pharaoh; for every man of the Egyptians sold his field, because  
43 the famine was severe upon them. So the land became Pharaoh’s. <sup>21</sup> And as for the people, he moved them into  
44 the cities, from one end of the borders of Egypt to the other end. <sup>22</sup> Only the land of the priests he did not buy; for

1 the priests had rations allotted to them by Pharaoh, and they ate their rations which Pharaoh gave them; therefore  
2 they did not sell their lands.

3 <sup>23</sup> Then Joseph said to the people, "Indeed I have bought you and your land this day for Pharaoh. Look, here is  
4 seed for you, and you shall sow the land. <sup>24</sup> And it shall come to pass in the harvest that you shall give one-fifth  
5 to Pharaoh. Four-fifths shall be your own, as seed for the field and for your food, for those of your households  
6 and as food for your little ones."

7 <sup>25</sup> So they said, "You have saved our lives; let us find favor in the sight of my lord, and we will be Pharaoh's  
8 servants." <sup>26</sup> And Joseph made it a law over the land of Egypt to this day, that Pharaoh should have one-fifth,  
9 except for the land of the priests only, which did not become Pharaoh's.  
10 [Gen. 47:13-26, Bible, NKJV]

11 Eventually, God liberated the Israelites in the famous story of Moses' exodus out of Egypt, but not before he brought a series  
12 of curses on Pharaoh for his usury in Exodus 4. Another similar source of usury was the Canaanites in the Bible, if you wish  
13 to investigate further. We talk about this subject in Government Instituted Slavery Using Franchises, Form #05.030, Section  
14 22.4. It is very interesting that the above history of usury occurred in the land of Canaan for that very reason.

15 It is interesting to note that the main political objection that most Muslim countries have to the United States is related to  
16 usury created by the abuse of commerce. The Koran forbids lending money at interest. Libya and Iraq both became the  
17 target of war and intervention because they wanted to abandon the Federal Reserve fiat currency system and implement gold  
18 instead of paper money. Muslims refer to this usury as "imperialism" and literally hate it. Iran's own leader calls for "death  
19 to America" and usury is the main reason he does so. There is no question that the abuse of commerce to create inequality,  
20 servitude, and usury is satanic because the Bible says this was the essence of Satan's greatest sin. The Muslims are correct  
21 to PEACEFULLY protest it and oppose it.

22 "You were the seal of perfection,  
23 Full of wisdom and perfect in beauty.  
24 <sup>13</sup> You were in Eden, the garden of God;  
25 Every precious stone was your covering:  
26 The sardius, topaz, and diamond,  
27 Beryl, onyx, and jasper,  
28 Sapphire, turquoise, and emerald with gold.  
29 The workmanship of your timbrels and pipes  
30 Was prepared for you on the day you were created.

31 <sup>14</sup> "You were the anointed cherub who covers;  
32 I established you;  
33 You were on the holy mountain of God;  
34 You walked back and forth in the midst of fiery stones.  
35 <sup>15</sup> You were perfect in your ways from the day you were created,  
36 Till iniquity was found in you.

37 <sup>16</sup> **"By the abundance of your trading**  
38 **You became filled with violence within,**  
39 **And you sinned;**  
40 **Therefore I cast you as a profane thing**  
41 **Out of the mountain of God;**  
42 **And I destroyed you, O covering cherub,**  
43 **From the midst of the fiery stones.**

44 <sup>17</sup> "Your heart was lifted up because of your beauty;  
45 You corrupted your wisdom for the sake of your splendor;  
46 I cast you to the ground,  
47 I laid you before kings,  
48 That they might gaze at you.

49 <sup>18</sup> **"You defiled your sanctuaries**  
50 **By the multitude of your iniquities,**  
51 **By the iniquity of your trading;**  
52 **Therefore I brought fire from your midst;**  
53 **It devoured you,**  
54 **And I turned you to ashes upon the earth**  
55 **In the sight of all who saw you.**  
56 <sup>19</sup> All who knew you among the peoples are astonished at you;

1                   You have become a horror,  
2                   And shall be no more forever.”””  
3                   [Ezekiel 28:13-19, Bible, NKJV]

4       That is not to say that we condone the use of violence or terrorism to oppose usury, however. More peaceful means are  
5       available, and especially that of withdrawing our domicile and sponsorship of usurious governments and becoming non-  
6       resident non-persons. We talk about this approach in:

[Why Domicile and Becoming a “Taxpayer” Require Your Consent](http://sedm.org/Forms/FormIndex.htm), Form #05.002  
<http://sedm.org/Forms/FormIndex.htm>

7       We conclude in the above document that the only way that changing domicile and thereby removing funding and civil  
8       jurisdiction from the government can result in violence is if the government actively interferes with you receiving the  
9       “benefits” of doing so. When they do that, violence, revolution, anarchy, and even war is inevitable eventually.

10      We refer to the systematic implementation of usury as the greatest sin of our present government because it was Satan’s  
11      greatest sin. The Federal Reserve counterfeiting franchise is its foundation. We describe the government as an economic  
12      terrorist, the District of Columbia as the District of Criminals, and politicians as criminals because of it. It’s all based on “the  
13      love of money”:

14                   *“For the love of money is a root of all kinds of evil, for which some have strayed from the faith in their greediness,*  
15                   *and pierced themselves through with many sorrows.”*  
16                   [\[1 Tim. 6:10, Bible, NKJV\]](#)

17      It is our sincere belief that if we as a country had stuck to the requirements of Lev. 25:35-43 earlier in our external relations,  
18      the problems we have with terrorism from foreign nations could be significantly reduced. The United States commits usury  
19      and economic terrorism against foreign countries, so they reciprocate with violent terrorism, but both types of terrorism are  
20      equally evil. The economic interventionism and the coercion that the usury leads to is a direct violation of the requirements  
21      of justice itself. “Justice” is legally defined as the right to be left alone. If we want to be “left alone” by the terrorists and  
22      treated with respect, then we have to quit meddling in their affairs, invading and bombing their countries mainly for economic  
23      reasons, or using our economic might to coerce them with sanctions. You will always reap what you sow.

24      The United States as a country sows economic violence so we reap physical violence. This is the inevitable consequence of  
25      the fact that we are all equal and any attempt to make us unequal inevitably produces wars, violence, anarchy, and political  
26      instability:

27                   *“Therefore, whatever you want men to do to you, do also to them, for this is the Law and the Prophets.”*  
28                   [\[Matt. 7:12, Bible, NKJV\]](#)

29      The U.S. Supreme Court stated the above slightly differently, when they declared the first income tax unconstitutional, which  
30      was implemented as a franchise tax that discriminated against one class of people at the expense of another and therefore,  
31      produced INEQUALITY:

32                   *“The income tax law under consideration is marked by discriminating features which affect the whole law. It*  
33                   *discriminates between those who receive an income of four thousand dollars and those who do not. It thus*  
34                   *vitiate, in my judgment, by this arbitrary discrimination, the whole legislation.* Hamilton says in one of his  
35                   papers, (the *Continentalist*,) “the genius of liberty reprobates everything arbitrary or discretionary in taxation. It  
36                   exact that every man, by a definite and general rule, should know what proportion of his property the State  
37                   demands; whatever liberty we may boast of in theory, it cannot exist in fact while [arbitrary] assessments  
38                   continue.” 1 Hamilton’s Works (Ed. 1885) 270. The legislation, in the discrimination it makes, is class legislation.  
39                   *Whenever a distinction is made in the burdens a law imposes or in the benefits it confers on any citizens by*  
40                   *reason of their birth, or wealth, or religion, it is class legislation, and leads inevitably to oppression and abuses,*  
41                   *and to general unrest and disturbance in society [e.g. wars, political conflict, violence, anarchy].* It was hoped  
42                   and believed that the great amendments to the Constitution which followed the late civil war had rendered such  
43                   legislation impossible for all future time. But the objectionable legislation reappears in the act under  
44                   consideration. It is the same in essential character as that of the English income statute of 1691, which taxed  
45                   Protestants at a certain rate, Catholics, as a class, at double the rate of Protestants, and Jews at another and  
46                   separate rate. Under wise and constitutional legislation every citizen should contribute his proportion, however  
47                   small the sum, to the support of the government, and it is no kindness to urge any of our citizens to escape from  
48                   that obligation. If he contributes the smallest mite of his earnings to that purpose he will have a greater regard  
49                   for the government and more self-respect 597\*597 for himself feeling that though he is poor in fact, he is not a  
50                   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)]

We talk about our opposition to usurious commerce that produces inequality in our Disclaimer, Section 9:

#### **SEDM Disclaimer**

#### **9. APPROACH TOWARDS "HATE SPEECH" AND HATE CRIME**

This website does not engage in, condone, or support [hate speech](#) or hate crimes, violent thoughts, deeds or actions against any particular person(s), group, entity, government, mob, paramilitary force, intelligence agency, overpaid politician, head of state, queen, dignitary, ambassador, spy, spook, soldier, bowl cook, security flunky, contractor, dog, cat or mouse, Wal-Mart employee, amphibian, reptile, and or deceased entity without a PB (Physical Body). By "hate speech" and "hate crime", we mean in the context of religious members of this site trying to practice their faith:

1. Compelling members to violate any aspect of the [Laws of the Bible, Form #13.001](#). This includes commanding them to do things God forbids or preventing or punishing them from doing God commands.

2. Persecution or "selective enforcement" directed against those whose religious beliefs forbid them from contracting with, doing business with, or acquiring any civil status in relation to any and all governments. These people must be "left alone" by law and are protected in doing so by the First Amendment and the right to NOT contract protected by the Constitution. The group they refuse to associate with is civil statutory "persons". We call these people "non-resident non-persons" on this site as described in [Form #05.020](#). See [Proof That There Is a "Straw Man", Form #05.042](#) for a description of the civil "person" scam.

3. Engaging in [legal "injustice" \(Form #05.050\)](#). By "justice" we mean [absolutely owned private property \(Form #10.002\)](#), and [equality of TREATMENT and OPPORTUNITY \(Form #05.033\)](#) under [REAL LAW \(Form #05.048\)](#). "Justice" is defined here as God defines it in [Form #05.050](#).

4. Any attempt to treat anyone unequally under REAL "law". This includes punishing or preventing actions by members to enforce against governments under [their own franchise \(Form #06.027\)](#) the same way governments enforce against them. See [What is "Law"?, Form #05.048](#).

5. Offering, implementing, or enforcing any [civil franchise \(Form #05.030\)](#). This enforces superior powers on the part of the government as a form of inequality, results in religious idolatry, and violates the First Commandment of the Ten Commandments (Exodus 20). This includes:

5.1 Making [justice \(Form #05.050\)](#) into a civil public privilege

5.2 Turning CONSTITUTIONAL PRIVATE citizens into STATUTORY PUBLIC citizens engaged in a public office and a franchise.

5.3 Any attempt to impose equality of OUTCOME by law, such as by abusing taxing powers to redistribute wealth. See [Great IRS Hoax, Form #11.302](#).

Franchises are the main method of introducing UNEQUAL treatment by the government. See [Why You are a Political Citizen but Civil Non-Citizen, National, and Nonresident Alien, Form #05.006](#).

6. Any attempt to outlaw or refuse to recognize or enforce **absolutely owned private property (Form #12.025)**. This makes everyone into slaves of the government, which then ultimately owns ALL property and can place unlimited conditions upon the use of their property. It also violates the last six commandments of the Ten Commandments, which are the main religious laws that protect PRIVATE property and prevent it from being shared with any government. This includes:

6.1 Refusing to provide civil statuses on government forms that recognize those who are exclusively private and their right to be left alone.

6.2 Refusing to provide government forms that recognize those who are exclusively private such as "nontaxpayers" or "non-resident non-persons" and their right to be left alone.

The result of the above forms of omission are hate, discrimination, and selective enforcement against those who refuse to become **"customers" or franchisees (Form #05.030)** of government. See [Avoiding Traps in Government Forms Course, Form #12.023](#).

7. Any attempt by government to use judicial process or administrative enforcement to enforce any civil obligation derived from any source OTHER than express written consent or to an injury against the equal rights of others demonstrated with court admissible evidence. See [Lawfully Avoiding Government Obligations, Form #12.040](#).

There is no practical difference between discriminating against or targeting people because of the groups they claim membership in and punishing them for refusing to consent to join a group subject to legal disability, such as those participating in government franchises. Members of such DISABILITY groups include civil statutory "persons", "taxpayers", "individuals" (under the tax code), "drivers" (under the vehicle code), "spouses" (under the family code). Both approaches lead to the same result: discrimination and selective enforcement. The government claims an exemption from being a statutory "person", and since it is a government of delegated powers, the people who gave it that power must ALSO be similarly exempt:

"The sovereignty of a state does not reside in the persons who fill the different departments of its government, but in the People, from whom the government emanated; and they may change it at their discretion. Sovereignty, then in this country, abides with the constituency, and not with the agent; and this remark is true, both in reference to the federal and state government."  
[Spooner v. McConnell, 22 F. 939 @ 943]

"In common usage, the term 'person' does not include the sovereign, and statutes employing the word are ordinarily construed to exclude it."  
[Wilson v. Omaha Indian Tribe 442 U.S. 653, 667 (1979)]

"Since in common usage the term 'person' does not include the sovereign, statutes employing that term are ordinarily construed to exclude it."  
[U.S. v. Cooper, 312 U.S. 600,604, 61 S.Ct. 742 (1941)]

"In common usage, the term 'person' does not include the sovereign and statutes employing it will ordinarily not be construed to do so."  
[U.S. v. Cooper, 312 U.S. 600,604, 61 S.Ct. 742 (1941)]

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

The foundation of the religious beliefs and practices underlying this website is a refusal to contract with or engage in commerce with any and every government. Black's Law Dictionary defines "commerce" as "intercourse".

"Commerce. ... Intercourse by way of trade and traffic [money instead of semen] between different peoples or states and the citizens or inhabitants thereof, including not only the purchase, sale, and exchange of commodities, but also the instrumentalities [governments] and agencies by which it is promoted and the means and appliances by which it is carried on..."  
[Black's Law Dictionary, Sixth Edition, p. 269]

Hence this website advocates a religious refusal to engage in sex or intercourse or commerce with any government. In fact, the Bible even describes people who VIOLATE this prohibition as "playing the harlot" ([Ezekiel 16:41](#)) and personifies that harlot as "Babylon the Great Harlot" ([Rev. 17:5](#)), which is fornicating with the Beast, which it defines as governments ([Rev. 19:19](#)).

I [God] brought you up from Egypt [slavery] and brought you to the land of which I swore to your fathers; and I said, 'I will never break My covenant with you. And **you shall make no covenant [contract or franchise or agreement of ANY kind] with the inhabitants of this [corrupt pagan] land; you shall tear down their [man/government worshipping socialist] altars.**' But you have not obeyed Me. Why have you done this?

"Therefore I also said, 'I will not drive them out before you; but they will become as thorns [terrorists and persecutors] in your side and their gods will be a snare [slavery!] to you.'"

So it was, when the Angel of the LORD spoke these words to all the children of Israel, that the people lifted up their voices and wept.  
[[Judges 2:1-4](#), Bible, NKJV]

"Do you not know that friendship with the world is enmity with God? **Whoever therefore wants to be a friend ["citizen", "resident", "taxpayer", "inhabitant", or "subject" under a king or political ruler] of the world [or any man-made kingdom other than God's Kingdom] makes himself an enemy of God.** "  
[[James 4:4](#), Bible, NKJV]

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

"Pure and undefiled religion before God and the Father is this: to visit orphans and widows in their trouble, and to **keep oneself unspotted from the world [the obligations and concerns of the world].** "  
[[James 1:27](#), Bible, NKJV]

"You shall have no other gods [including political rulers, governments, or Earthly laws] before Me [or **My commandments**]."  
[[Exodus 20:3](#), Bible, NKJV]

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

"But the thing displeased Samuel when they said, 'Give us a king [or political ruler] 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 [God], that I should not reign over them. According to all the works which they have done since the day that I brought them up out of Egypt, even to this day—with which they have forsaken Me [God as their ONLY King, Lawgiver, and Judge] and **served other gods**—so they are doing to you also [government or political rulers becoming the object of idolatry]."  
[[1 Sam. 8:4-8](#), Bible, NKJV]

"Do not walk in the **statutes of your fathers** [the heathens], nor observe their judgments, nor defile yourselves with their [pagan government] idols. I am the LORD your God: Walk in **My statutes**, keep My judgments, and do them; hallow My Sabbaths, and they will be a sign between Me and you, that you may know that I am the LORD your God."  
[[Ezekiel 20:10-20](#), Bible, NKJV]

Where is "separation of church and state" when you REALLY need it, keeping in mind that Christians AS INDIVIDUALS are "the church" and secular society is the "state" as legally defined? The John Birch Society agrees with us on the subject of not contracting with anyone in the following video:

Trading Away Your Freedom by Foreign Entanglements, John Birch Society  
<https://www.youtube.com/watch?v=2Q24WlrRdk>

Pastor David Jeremiah of Turning Point Ministries also agrees with us on this subject:

The Church in Satan's City, March 20, 2016  
<https://youtu.be/oujXpO5pejQ>

President Obama also said that it is the right of EVERYONE to economically AND politically disassociate with the government so why don't the agencies of the government recognize this fact on EVERY form you use to interact with them?.

President Obama Says US Will NOT Impose Its Political or Economic System on Anyone, Exhibit #05.053  
[https://youtu.be/2t\\_ZRQSIPr0](https://youtu.be/2t_ZRQSIPr0)

We wrote an entire book on how to economically and politically disassociate in fulfillment of Obama's promise above, and yet the government hypocritically actively interferes with economically and politically disassociating, in defiance of President Obama's assurances and promises. HYPOCRITES!

Non-Resident Non-Person Position, Form #05.020  
<http://sedm.org/Forms/FormIndex.htm>

Government's tendency to compel everyone into a commercial or civil legal relationship (Form #05.002) with them is defined by the Bible as the ESSENCE of Satan himself! The personification of that evil is dramatized in the following video:

Devil's Advocate: Lawyers  
<http://sedm.org/what-we-are-up-against/>

Therefore, the religious practice and sexual orientation of avoiding commerce and civil legal relationships (Form #05.002) with governments is the essence of our religious faith:

"I [God] brought you up from Egypt [government slavery] and brought you to the land of which I swore to your fathers; and I said, 'I will never break My covenant [Bible contract] with you. And **you shall make no covenant [contract, franchise, "social compact", or agreement of ANY kind] with the inhabitants of this [corrupt pagan] land; you shall tear down their [man/government worshipping socialist] altars.**' But you have not obeyed Me. Why have you done this?

"Therefore I also said, **'I will not drive them out before you; but they will become as thorns [terrorists and persecutors] in your side and their gods will be a snare [slavery!] to you.'**"

So it was, when the Angel of the LORD spoke these words to all the children of Israel, that the people lifted up their voices and wept.  
[[Judges 2:1-4](#), Bible, NKJV]

*"By the **abundance** of your [Satan's] **trading** You became filled with violence within, **And** you sinned; Therefore I cast you as a profane thing Out of the mountain of God; **And** I destroyed you, O covering cherub, From the midst of the fiery stones."*  
[[Ezekial 28:16](#), Bible, NKJV]

*"As religion towards God is a branch of universal righteousness (he is not an honest man that is not devout), so **righteousness towards men is a branch of true religion, for he is not a godly man that is not honest**, nor can he expect that his devotion should be accepted; for,*

***1. Nothing is more offensive to God than deceit in commerce. A false balance is here put for all manner of unjust and fraudulent practices [of our public dis-servants] in dealing***

1 with any person [within the public], which are all an abomination to the Lord, and render  
2 those abominable [hated] to him that allow themselves in the use of such accursed arts  
3 of thriving. It is an affront to justice, which God is the patron of, as well as a wrong to  
4 our neighbour, whom God is the protector of. Men [in government] make light of such  
5 frauds, and think there is no sin in that which there is money to be got by, and, while it  
6 passes undiscovered, they cannot blame themselves for it; a blot is no blot till it is hit,  
7 Hos. 12:7, 8. But they are not the less an abomination to God, who will be the avenger  
8 of those that are defrauded by their brethren.

9 2. Nothing is more pleasing to God than fair and honest dealing, nor more necessary to  
10 make us and our devotions acceptable to him: A just weight is his delight. He himself  
11 goes by a just weight, and holds the scale of judgment with an even hand, and therefore is  
12 pleased with those that are herein followers of him.

13 A [false] balance, [whether it be in the federal courtroom or in the government or in the  
14 marketplace,] cheats, under pretence of doing right most exactly, and therefore is the  
15 greater abomination to God.”

16 [Matthew Henry's Commentary on the Whole Bible; Henry, M., 1996, c1991, under Prov.  
17 11:1]

18 Any individual, group, or especially government worker that makes us the target of discrimination, violence,  
19 "selective enforcement", or hate because of this form of religious practice or "sexual orientation" or abstinence  
20 is practicing HATE SPEECH based BOTH on our religious beliefs AND our sexual orientation as legally defined.  
21 Furthermore, all readers and governments are given [reasonable timely notice](#) that the terms of use for the  
22 information and services available through this website mandate that any attempt to compel us into a commercial  
23 or tax relationship with any government shall constitute:

- 24 1. "purposeful availment" in satisfaction of the [Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97](#).  
25 2. A waiver of official, judicial, and sovereign immunity.  
26 3. A commercial invasion within the meaning of Article 4, section 4 of the United States Constitution.  
27 4. A tort cognizable as a Fifth Amendment taking without compensation.  
28 5. A criminal attempt at identity theft by wrongfully associating us with a civil status of "citizen", "resident",  
29 "taxpayer", etc.  
30 6. Duress as legally defined. See [Affidavit of Duress: Illegal Tax Enforcement by De Facto Officers, Form](#)  
31 [#02.005](#).  
32 7. Express consent to the terms of this disclaimer.

33 The result of the waivers of immunity above is to restore EQUALITY under REAL LAW between members and  
34 corrupt governments intent on destroying that equality by offering or enforcing civil franchises. All freedom  
35 derives from equality between you and the government in the eyes of REAL law in court. See [Requirement for](#)  
36 [Equal Protection and Equal Treatment, Form #05.033](#).

37 The GOVERNMENT crimes documented on this website fall within the ambit of [18 U.S.C. §2381: Treason](#). The  
38 penalty mandated by law for these crimes is DEATH. We demand that actors in the Department of Justice for  
39 both the states and the federal government responsible for prosecuting these crimes of Treason do so as required  
40 by law. A FAILURE to do so is ALSO an act of Treason punishable by death. Since murder is not only a crime,  
41 but a violent crime, pursuant to [18 U.S.C. §1111](#), then the government itself can also be classified as terrorist. It  
42 is also ludicrous to call people who demand the enforcement of the death penalty for the crimes documented as  
43 terrorists. If that were true, every jurist who sat on a murder trial in which the death penalty applied would also  
44 have to be classified as and prosecuted as a terrorist. Hypocrites.

45 For those members seeking to prosecute government actors practicing hate speech or hate crime against them,  
46 see the following resource:

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| 47 <a href="#">Discrimination and Racism Page, Section 5: Hate Speech and Hate Crime</a><br>48 <a href="https://famguardian.org/Subjects/Discrimination/discrimination.htm#HATE_SPEECH">https://famguardian.org/Subjects/Discrimination/discrimination.htm#HATE_SPEECH</a> |
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49 [SEDM Disclaimer, Section 9;  
50 SOURCE: <http://sedm.org/disclaimer.htm>]

51 The moral of the story is that the main difference between Christ and Satan was how they handled “privileges” and  
52 “franchises” and whether they tried to use them as a means to create inequality or usury or slavery or servitude between them  
53 and others while they were on the earth.

54 As we say repeatedly throughout this document, franchises are the main method used to destroy and undermine equality of  
55 all under the law. Any attempt to implement them in any governmental system is SATANIC and emulates Satan's greatest

sin. Those in government who institute or enforce franchises will therefore get the same punishment as Satan did for exactly the same reasons.

## 14 Resources for Further Study and Rebuttal

If you would like to study the subjects covered in this short memorandum in further detail, may we recommend the following authoritative sources, and also welcome you to rebut any part of this pamphlet after you have read it and studied the subject carefully yourself just as we have:

1. Legal Research Sources, Section 2: Common Law (OFFSITE LINK)-Family Guardian Fellowship  
<https://famguardian.org/TaxFreedom/LegalRef/LegalResrchSrc.htm>
2. Subject Index Page, Section 15: Common Law  
[https://sedm.org/Search/SubjectIndex.htm#Common\\_Law](https://sedm.org/Search/SubjectIndex.htm#Common_Law)
3. Rebutted False Arguments About the Common Law, Form #08.025  
<https://sedm.org/Forms/08-PolicyDocs/RebuttedFalseArgumentsAboutCommonLaw.pdf>
4. Forms/Pubs Page, Section 1.15: Remedies and Non-Statutory Claims for Government Violation of Rights  
[https://sedm.org/Forms/FormIndex-SinglePg.htm#1.15\\_REMEDIES\\_AND\\_NON-STATUTORY\\_CLAIMS\\_FOR\\_GOVERNMENT\\_VIOLATIONS\\_OF\\_RIGHTS](https://sedm.org/Forms/FormIndex-SinglePg.htm#1.15_REMEDIES_AND_NON-STATUTORY_CLAIMS_FOR_GOVERNMENT_VIOLATIONS_OF_RIGHTS)
5. Civil Causes of Action, Litigation Tool #10.012\*\* (Member Subscriptions)  
<https://sedm.org/product/civil-causes-of-action-litigation-tool-10-012/>
6. Common Law Practice Guide, Litigation Tool #10.013 (bookstore)  
<https://sedm.org/ItemInfo/Ebooks/CommLawPractGuide/CommLawPractGuide.htmv>
7. Common Law Abatement, Litigation Tool #10.016  
<https://sedm.org/Litigation/10-PracticeGuides/common-law-abatement.pdf>
8. Court Survival Guide, Litigation Tool #10.017  
<https://sedm.org/Litigation/10-PracticeGuides/CourtSurvivalGuide.pdf>
9. Civil Court Remedies for Sovereigns: Taxation, Litigation Tool #10.002 (bookstore)  
<https://sedm.org/ItemInfo/Ebooks/CivCourtRem-Tax/CivCourtRem-Tax.htm>
10. Civil Courtroom Procedure Course, Litigation Tool #10.014  
<https://sedm.org/Litigation/10-PracticeGuides/CivCourtroomProc.pdf>
11. Training Courses:
  - 11.1. Separation Between Public and Private Course, Form #12.025  
<https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf>
  - 11.2. Private Right or Public Right? Course, Form #12.044  
<https://sedm.org/LibertyU/PrivateRightOrPublicRight.pdf>
  - 11.3. Legal Remedies that Protect Private Rights Course, Form #12.019\*\*  
<https://sedm.org/product/legal-remedies-that-protect-private-rights-course-form-12-019/>
  - 11.4. Legal Research and Writing Techniques Course, Litigation Tool #10.005  
<https://sedm.org/LibertyU/LegalResearch.pdf>
12. Filing Constitutional Tort Claim Actions, Form #15.009\*\*  
<https://sedm.org/product/filing-constitutional-tort-claim-actions-form-15-009/>
13. Sovereignty and Freedom Points and Authorities, Litigation Tool #10.018  
<https://sedm.org/Litigation/10-PracticeGuides/PointsAuth.pdf>
14. Enumeration of Inalienable Rights, Form #10.002  
<https://sedm.org/Forms/10-Emancipation/EnumRights.pdf>
15. Member Subscription Library\*\*, SEDM (<https://sedm.org/reference/mbr-sub-lib/>)
  - 15.1. Section 03: Common Law-several books on the common law  
[https://sedm.org/reference/mbr-sub-lib/#Common\\_Law](https://sedm.org/reference/mbr-sub-lib/#Common_Law)
16. Family Guardian:
  - 16.1. Sovereignty and Freedom Topic, Section 10.4: Common Law (OFFSITE LINK) -Family Guardian Fellowship  
[https://famguardian.org/Subjects/Freedom/Freedom.htm#Common\\_Law](https://famguardian.org/Subjects/Freedom/Freedom.htm#Common_Law)
  - 16.2. Sovereignty and Freedom Topic, Section 9.4: Practice Guides (OFFSITE LINK) -Family Guardian Fellowship.  
Several free common law practice books  
[https://famguardian.org/Subjects/Freedom/Freedom.htm#Practice\\_Guides](https://famguardian.org/Subjects/Freedom/Freedom.htm#Practice_Guides)
  - 16.3. Common Law Advocacy, Family Guardian Fellowship (OFFSITE LINK) -look on the left for a heading by this name  
<https://famguardian.org/Subjects/Freedom/Freedom.htm>

- 1 16.4. *Common Law Marriage and Its Development in the United States*, Google Books  
2 <http://books.google.com/books?id=BMU7AQAIAAJ>  
3 16.5. *Understanding American Property Rights* (OFFSITE LINK)- Family Guardian Fellowship  
4 <https://famguardian.org/Publications/PropertyRights/tableoc.html>