Separation Between Public & Private Form #12.025

by:
Sovereignty Education and Defense Ministry (SEDM)

http://sedm.org

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Course Materials

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  Reasonable Belief About Income Tax Liability, **Form #05.007**
  DIRECT LINK: http://sedm.org/Forms/05-MemLaw/ReasonableBelief.pdf
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COURSE OUTLINE

1. Introduction
2. Review of Public v. Private
3. Implications of separation: Foreign v. Domestic
4. Where does separation come from and why do we need it?
5. What happens when there is no separation?
6. Property
7. Rights as Property
8. Ownership
9. Possession v. Ownership
10. Bailments
11. Theology and Property
12. Thomas Jefferson on Property
13. Definition of Private
14. U.S. Supreme Court view of Public v. Private
15. Main Job of All Public Servants is to Protect the PRIVATE
16. Definition and context of the word "citizen" is the BEGINNING of "private"

COURSE OUTLINE

17. **CIVIL (PUBLIC) and POLITICAL (PRIVATE) CITIZENS ARE LEGISLATIVELY FOREIGN WITH RESPECT TO EACH OTHER!**
18. **Proprietary Power v. Sovereign Power**
19. **How COURTS maintain the separation between PUBLIC and PRIVATE to protect the PRIVATE**
20. **What's the BEST way to protect PRIVATE rights?**
21. **What Happens When the Government REFUSES to either RECOGNIZE or PROTECT the Private?**
22. **God COMMANDS believers to remain PRIVATE**
23. **Public or Private property?**
24. **How "Private" Gets Stolen**
25. **How to prevent Conversion of PRIVATE to PUBLIC**
26. **Constitutional limitations upon the use of government/PUBLIC property**
27. **What do rights attach to?**
28. **Diagram**
29. **Rules for Lawfully Converting Private to Public**

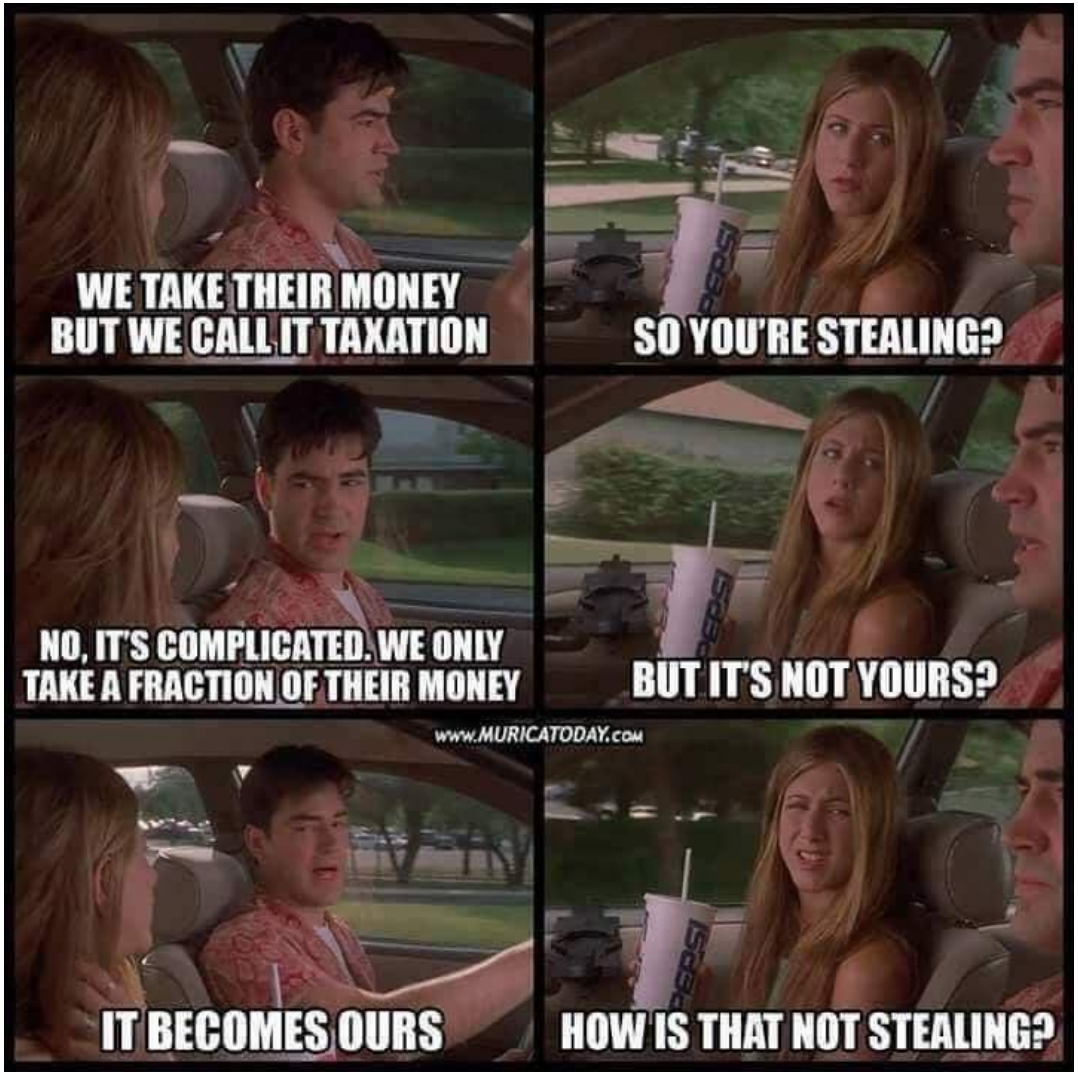
COURSE OUTLINE

30. How you CONSENT to convert your property from PRIVATE to PUBLIC
31. The Government War on Private Rights
32. How Corrupted Governments Unlawfully Convert PRIVATE rights into PUBLIC rights
33. How are Obligations (Rights) Created?
34. Why is it important to know how obligations are created?
35. Remedy for Unlawful Possession, Taking, or Control over PRIVATE property by the government
36. What happens when churches become PUBLIC
37. How to keep churches PRIVATE
38. How PEOPLE stay private
39. How to prevent switch from Private to Public in communications with or forms submitted to government
40. Application of Property Law to Income Taxation
41. Application of this Presentation to a Federal/State Tax Collection Notice Response

COURSE OUTLINE

42. Remedies for the protection of Private Rights
43. Identity theft resources
44. Slavery through deception
45. How the Democrats and Media Avoid Social Responsibility and Discussing the Implications of this Course: Redefining "Socialism".
46. Questions for Government In Disputes Over STEALING My Property or Labor under the Guise of "Enforcement"
47. Perfect Separation
48. How to distinguish PRIVATE rights from PUBLIC rights
49. How you LOSE Constitutional or Natural Rights, which are Private Property
50. How to keep PUBLIC and PRIVATE separate on a tax return
51. Rebutted false arguments about government property
52. How to absolutely own real/personal property
53. Summary and conclusions

Dedication


WE TAKE THEIR MONEY BUT WE CALL IT TAXATION
SO YOU'RE STEALING?
NO, IT'S COMPLICATED. WE ONLY TAKE A FRACTION OF THEIR MONEY
BUT IT'S NOT YOURS?
www.MURICATODAY.com
IT BECOMES OURS
HOW IS THAT NOT STEALING?

Dedication

"Come out from among them
And be separate [foreign, non-resident, sanctified], says the Lord.
Do not touch [or participate in as a public officer/straw man, Form #05.042] what is unclean [corrupt, Form #11.401],
And I will receive you."
"I will be a Father to you,
And you shall be My sons and daughters,
Says the LORD Almighty."

[2 Cor. 6:17-18, Bible, NKJV]

See also:

Commandments About Relationship of Believers to the World, SEDM

https://sedm.org/home/commandments-about-relationship-of-believers-to-the-world/

Dedication

"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 CIVIL or POLITICAL/FOREIGN 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/]

Dedication

"[It is an] essential, unalterable right in nature, engrafted into the British constitution as a fundamental law, and ever held sacred and irrevocable by the subjects within the realm, that what a man has honestly acquired is absolutely his own, which he may freely give, but cannot be taken from him without his consent."

[Samuel Adams, The Massachusetts Circular Letter, February 11, 1768; SOURCE: https://founders.archives.gov/documents/Adams/99-02-02-7094]

Dedication

"I cannot subscribe to the omnipotence of a State Legislature, or that it is absolute and without control; although its authority should not be expressly restrained by the Constitution, or fundamental law, of the State. The people of the United States erected their Constitutions, or forms of government, to establish justice, to promote the general welfare, to secure the blessings of liberty; and to protect their persons and property from violence. The purposes for which men enter into society will determine the nature and terms of the social compact [Form #05.002]; and as they are the foundation of the legislative power, they will decide what are the proper objects of it: The nature, and ends of legislative power will limit the exercise of it. This fundamental principle flows from the very nature of our free Republican governments, that no man should be compelled to do what the laws do not require; nor to refrain from acts which the laws permit. There are acts which the Federal, or State, Legislature cannot do, without exceeding their authority. There are certain vital principles in our free Republican governments, which will determine and over-rule an apparent and flagrant abuse of legislative power; as to authorize manifest injustice by positive law; or to take away that security for personal liberty, or private property, for the protection whereof of the government was established. An ACT of the Legislature (for I cannot call it a law) contrary to the great first principles of the social compact [Form #05.002], cannot be considered a rightful exercise of legislative authority. The obligation of a law in governments established on express compact, and on republican principles, must be determined by the nature of the power, on which it is founded. A few instances will suffice to explain what I mean. A law that punished a citizen for an innocent action, or, in other words, for an act, which, when done, was in violation of no existing law; a law that destroys, or impairs, the lawful private contracts of citizens [FORCED withholding documents do this, Form #09.001]; a law that makes a man a Judge in his own cause; or a law that takes property from A. and gives it to B [tax credits or deductions, all of which are CLASS LEGISLATION THAT IS UNCONSTITUTIONAL]: It is against all reason and justice, for a people to entrust a Legislature with SUCH powers; and, therefore, it cannot be presumed that they have done it. The genius, the nature, and the spirit, of our State Governments, amount to a prohibition of such acts of legislation; and the general principles of law and reason forbid them. The Legislature may enjoin, permit, forbid, and punish; they may declare new crimes; and establish rules of conduct for all its citizens in future cases; they may command what is right, and prohibit what is wrong; but they cannot change innocence into guilt; or punish innocence as a crime; or violate the right of an antecedent lawful private contract; or the right of private property. To maintain that our Federal, or State, Legislature possesses such powers, if they had not been expressly restrained; would, in my opinion, be a political heresy, altogether inadmissible in our free republican governments."

[Calder v. Bull, 3 U.S. 386 (1798)]

Dedication

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; SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/law.htm]

Dedication

"The ideal tyranny is that which is ignorantly self-administered by its victims. The most perfect slaves are, therefore, those which blissfully and unawaredly enslave themselves [because of their own legal ignorance]."

[Dresden James]

"Make it your ambition to lead a quiet life, to mind your own business 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]

Dedication

Plunder Violates Ownership

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 dissentions. 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; SOURCE: http://famguardian.org/TaxFreedom/CitesByTopic/law.htm]

Why this subject is VERY important

- **On this site, we define Socialism as state ownership or control of ALL property. We DO NOT define it as "collective control over the means of production", because that is not how it has been HISTORICALLY defined, as we point out in:**
  1. ***Abuse of the word "Socialism" by Democrats to Defend Socialism*, SEDM https://sedm.org/abuse-of-the-word-socialism-by-democrats-to-defend-socialism/**
  2. ***Big Government IS Socialism, No Matter What the Democrats or Media Say*, SEDM https://sedm.org/big-government-is-socialism-no-matter-what-the-democrats-or-media-say/**
- **By "state" we mean "PUBLIC".**
- **"Control" and "ownership" are synonymous under the laws of property. See:**

  ***Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: "Ownership" http://famguardian.org/TaxFreedom/CitesByTopic/ownership.htm**
- **If you want to prevent and oppose socialism, you MUST learn:**
  - **The laws of property.**
  - **The legal distinctions between PRIVATE and PUBLIC property.**
  - **The rules for lawfully converting PRIVATE property to PUBLIC property.**
  - **The two main mechanisms for converting PRIVATE to PUBLIC:**
    1. **Franchises. See Form #05.030.**
    2. **Legal deception, propaganda, and fraud. See Form #05.014.**
  - **How to prevent PRIVATE property from being converted to PUBLIC property both administratively and in court.**

Why this subject is VERY important

- **Courts have an EXCLUSIVE constitutional DUTY to recognize, define, and enforce PRIVATE property and PRIVATE rights at the heart of the Bill of Rights. If you don't know this, you will not be able to invoke their protection. See:**

  ***PROOF OF FACTS: Courts admit they don't give a damn about protecting your private rights or property, which is the ONLY purpose of establishing government to begin with*, FTSIG**
  https://ftsig.org/proof-of-facts-courts-admit-they-dont-give-a-damn-about-protecting-your-private-rights-or-property-which-is-the-only-purpose-of-establishing-government-to-begin-with/

- **For more on socialism, see:**

  1. ***Socialism: The New American Civil Religion*, Form #05.016**
     http://sedm.org/Forms/FormIndex.htm
  2. ***Collectivism and How to Resist It Course,* Form #12.024**
     http://sedm.org/Forms/FormIndex.htm
  3. ***Communism, Socialism, Collectivism Playlist*, SEDM Youtube Channel**
     https://www.youtube.com/watch?v=7dAmroKyzGY&list=PLin1sclNPTOvZ8rxbiOsuA0pY_79K44Mp
  4. ***Communism, Socialism, and Collectivism Topic*, Family Guardian**
     https://famguardian.org/Subjects/Communism/Communism.htm
  5. ***America's Socialist Origins*, Prager University**
     https://youtu.be/7dAmroKyzGY

Introduction

- **In order to have rights, we must know what they are.**
- **There are TWO types of rights and therefore PROPERTY: PUBLIC and PRIVATE.**
- **You don't have any rights if:**
  - **You don't know your rights.**
  - **You don't know why we NEED PUBLIC and PRIVATE and separation between them.**
  - **You don't know the difference between public and private rights.**
  - **You don't know what they attach to: land or your status.**
  - **You don't know the rules for converting Private to Public.**
  - **You don't know how to prosecute those who unlawfully convert Private to Public.**
- **This course will give you an overview of the above.**

Review

- **This course will not discuss private and public in detail.**
- **You may wish to review our introductory Foundations of Freedom, Form #12.021 video curricula if you are new to the freedom subject.**
- **If you wish to review the meaning of private and public property and rights, then please see:**
  1. ***Public Right or Private Right? Course*, Form #12.044**
     https://sedm.org/LibertyU/PrivateRightOrPublicRight.pdf
  2. ***Enumeration of Inalienable Rights*, Form #10.002**
     http://sedm.org/Forms/10-Emancipation/EnumRights.pdf
  3. ***Foundations of Freedom, Video 3: Status, Rights and Privileges*, Form #12.021**
     SLIDES: http://sedm.org/LibertyU/FoundOfFreedom-Slides.pdf
     FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
     DIRECT LINK: https://www.youtube.com/watch?v=k6A1vlOQrsM
  4. ***Property and Privacy Protection Topic Page*, Section 8: Private Property Protection-Family Guardian Fellowship**
     http://famguardian.org/Subjects/PropertyPrivacy/PropertyPrivacy.htm

Implications of separation: Foreign v. Domestic

- **For the purposes of this course:**
  - **PRIVATE is equivalent to FOREIGN for civil legislative purposes.**
  - **PUBLIC is equivalent to DOMESTIC for civil legislative purposes.**
- **In fact, we define "sovereign" (Form #08.018) as "foreign" for the purposes of all of our materials. See:**

  ***"Sovereign" = "Foreign"*, Family Guardian Fellowship**

  https://famguardian.org/Subjects/Freedom/Sovereignty/Sovereign=Foreign.htm
- **Our definition of "sovereign" means EQUAL to the government and everyone else in court. It does NOT mean superior in any way so we aren't promoting "elitism" as the Pharisees (Form #05.047) did. See:**

  ***SEDM Disclaimer*, Section 4.20: Sovereign**

  https://sedm.org/disclaimer.htm#4.20. Sovereign
- **The reason we define "sovereign" in this way is to avoid violating the first four commandments of the Ten Commandments in Exodus 20, which forbid "serving other gods":**
  - **If you aren't equal to the government, then government IS, by definition "god" from a legal perspective.**
  - **As a god, whatever CIVIL laws they write to impose obligations upon you compel you to "serve" them as gods.**

Implications of separation: Foreign v. Domestic

- **The result of NOT being "sovereign" as defined here therefore is RELIGIOUS IDOLATRY and a violation of the laws of our SOVEREIGN God (Form #17.070) whom we work for as "trustees" under His laws, which are a trust indenture. See:**

  ***Delegation of Authority Order from God to Christians*, Form #13.007**

  https://sedm.org/Forms/13-SelfFamilyChurchGovnce/DelOfAuthority.pdf

- **PERFECT separation between PUBLIC and PRIVATE is ONLY possible if you:**
  - **Consent (Form #05.003) to NOTHING the government offers or wants.**
  - **Reserve all your rights under U.C.C. §1-308 to the maximum extent possible.**
  - **Write all your CIVIL contracts affecting all your property to exclude the government using or controlling or benefitting from your property.**
  - **Define all terms on government forms you are forced to fill out as EXCLUDING the civil statutory law and including only definitions you provide.**
  - **Dictate the "choice of law" in all CIVIL contracts to exclude the government or the civil statutory law. See:**

    ***Choice of Law*, Litigation Tool #01.010**

    https://sedm.org/Litigation/01-General/ChoiceOfLaw.pdf

  By doing all the above, you will have the maximum sovereignty and sovereign immunity.

Implications of separation: Foreign v. Domestic

- **The RESULT of PERFECT separation between PUBLIC and PRIVATE is what we define as "Natural Law" in our disclaimer:**

  ***SEDM Disclaimer*, Section 4.31: Natural Law**

  https://sedm.org/disclaimer.htm#4.31._Natural_law

- **Perfect separation between public and private is ONLY possible if you:**
  - **Diligently study and learn the law over your lifetime.**
  - **Take complete, exclusive, and personal responsibility for all your choices and actions and blame NO ONE for any of them.**
  - **Believe in and obey the laws of your God. These law produce the maximum liberty and sovereignty:**

    [28] "Come to me, all you who are weary and burdened, and I will give you rest. [29] Take my yoke [LAW, Form #13.001] upon you and learn from me, for I am gentle and humble in heart, and you will find rest for your souls. [30] For my yoke is easy and my burden is light."

    [Jesus in Matt. 11:28-30, Bible, NKJV]
  - **Can easily distinguish between PUBLIC and PRIVATE:**

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

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

  Our Member Agreement, Form #01.001 requires or emphasizes all the above, by the way.

Implications of separation: Foreign v. Domestic

- **A VERY important implication of PERFECT SEPARATION between PUBLIC and PRIVATE is that:**
  - **YOU will be legislatively FOREIGN in relation to the government for civil legislative purposes. Thus, you will NOT be a civil statutory "person", "citizen", "resident", or "subject".**
  - **YOUR PROPERTY will be legislatively FOREIGN in relation to the government for civil legislative purposes. Thus, it will be protected mainly by:**
    - **Your private right to contract under Article 1, Section 10 of the Constitution.**
    - **The Bill of Rights rather than the civil statutory law.**
  - **Government will not be able to civilly tax or regulate your property. Thus, they will a SERVANT rather than a MASTER.**
  - **A government that seeks to regulate or tax your property will have the burden of proving that you EXPRESSLY and CONSENSUALLY converted it from PRIVATE to PUBLIC BEFORE they can lawfully regulate or tax it. They will not be able to PRESUME (Form #05.017) consent in any form, and especially IMPLIED rather than EXPLICIT consent. See:**

    Hot Issues: Invisible Consent*, **SEDM**

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

Implications of separation: Foreign v. Domestic

- **You will not be in receipt of any civil privilege or benefit from any government that might impair any aspect of your absolute ownership or control over YOU or YOUR property.**
- **You will be PERFECTLY EQUAL to government in court.**
- **You will not need the government's permission to do anything.**
- **You will be "sovereign" for civil legislative purposes.**
- **Government will need your permission and consent in some form to control, use, or benefit from any of your property.**
- **You will be the ONLY one who can write civil LEGAL DEFINITIONS that affect or interfere with the use or enjoyment of your property. OWNERSHIP, after all, is the origin of the right to define ANYTHING.**
- **As the absolute owner of all your property, you become a "lawgiver" and may lawfully place ANY CONDITION you want on the use, control, or "benefit" of your property. Black's Law Dictionary hides this fact. Caveat emptor.**
- **You will STILL be subject to the CRIMINAL and the COMMON LAW just like everyone else. These law systems DO NOT require your consent to enforce.**

Implications of separation: Foreign v. Domestic

- If you file a tax return, it will be as a "nonresident alien" and will owe no tax on your labor as PRIVATE property. See:
  - ***Nonresident Alien Position Course***, Form #12.045 https://sedm.org/LibertyU/NRA.pdf
  - ***Proof that American Nationals are Nonresident Aliens***, Form #09.081 https://sedm.org/Forms/09-Procs/ProofAnNRA.pdf
  - ***How to File Returns***, Form #09.074** (Member Subscriptions) https://sedm.org/product/filing-returns-form-09-074/

- **For an example of how these concepts are applied to protecting your assets with trusts, see:**

  Frivolous Subject: My Lawyer Says IRS Does Not Recognize Common Law Trusts, SEDM

  https://sedm.org/frivolous-argument-my-lawyer-says-irs-does-not-recognize-common-law-trusts/

- **We describe how to IMPLEMENT "perfect separation" later in section 45 of this presentation.**

Where does separation come from?

- **The need for separation begins with the definition of "justice" itself:**

  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 Common Law, Second Edition, 1925, Roscoe Pound, p. 2]

- **This is why judges are called "justices".**
- **For details on "Justice", see:**
  - ***What is "Justice"?*, Form #05.050**
  - **http://sedm.org/Forms/FormIndex.htm**
  - ***Requirement for Consent*, Form #05.003, Section 3: The Meaning of "Justice" http://sedm.org/Forms/FormIndex.htm**
  - ***Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: "Justice" http://famguardian.org/TaxFreedom/CitesByTopic/justice.htm**
  - ***Sovereignty and Freedom Topic Page*, Section 7.4: Justice-Family Guardian Fellowship http://famguardian.org/Subjects/Freedom/Freedom.htm**

Where does separation come from?

- **The main purpose of establishing government itself is "justice"**

  "Justice is the end of government. It is the end of civil society. It ever has been, and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit."

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

- **"Justice" therefore BEGINS with the government protecting your right to be left alone, and especially BY THEM.**
- **You begin as PRIVATE. You or your PRIVATE property can only become PUBLIC with your EXPRESS consent.**

  "Quod meum est sine me auferri non potest.
  What is mine cannot be taken away without my consent. Jenk. Cent. 251. Sed vide Eminent Domain.

  Id quod nostrum est, sine facto nostro ad alium transferi non potest.
  What belongs to us cannot be transferred to another without our consent. Dig. 50, 17, 11. But this must be understood with this qualification, that the government may take property for public use, paying the owner its value. The title to property may also be acquired, with the consent of the owner, by a judgment of a competent tribunal."

  [Bouvier's Maxims of Law, 1856; SOURCE: http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]

Where does separation come from?

- **Being disturbed rather than left alone means:**
  - **Being treated as PUBLIC or a PUBLIC OFFICER without your consent. See Form #05.037.**
  - **Duties being imposed upon "citizens" or "residents" NOT related to voting or jury service.**
  - **Being treated as a statutory "citizen" or "resident" even though you never expressly consented or not being allowed to surrender the "benefits" of these civil statuses and become a "non-resident non-person" WITHOUT becoming a privileged statutory "alien".**
  - **Having legal obligations imposed upon you through the PUBLIC statutory civil law that you didn't consent to or can't lawfully consent to. See Form #05.003. For instance, duties to buy car or health insurance or pay income taxes.**
  - **Becoming the target of government enforcement even though you haven't demonstrably hurt anyone. Law is force, and it only acquires the "force of law" AFTER an injury is PROVEN on the record of a court. This is called "standing". See Form #05.032.**
- **Freedom is impossible without PRIVATE property and the equality (in relation to government), sovereignty, and the autonomy that these things provide. See Form #05.033.**

Private Property is How You Defend Yourself From Government Usurpation

- **Control over PRIVATE property and equality in relation to the government is the only method of controlling government and keeping them as accountable servants rather than masters. That control is what ENSURES your right to be LEFT ALONE. For instance:**
  - **If the government can acquire rights over you or your property using franchises, then you should be able to do it to them by EXACTLY the same mechanisms.**
  - **Franchises are based upon a grant or loan of public property, which is called "publici juris". If granting or loaning you public/government property is what creates their authority over you per Article 4, Section 3, Clause 2 of the national constitution, then you should be able to do it to them by exactly the same mechanisms if we are all in fact EQUAL.**
- **For an example of how PRIVATE property can be used to "govern" the government and protect your right to be left alone, see:**

  ***Injury Defense Franchise and Agreement*, Form #06.027**

  http://sedm.org/Forms/FormIndex.htm
- **For details on how franchises work and how to use them against the government, see:**

  ***Government Instituted Slavery Using Franchises*, Form #05.030**

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

Why do we want to separate Public and Private and avoid the Public?

- **Those "benefitting" from public property or exercising Public rights cannot claim the protections of the Constitution or the common law.**

  "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. 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."

  [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]

- **Therefore, Public rights DESTROY Private rights.**
- **That is why we call "Public rights" ANTI-RIGHTS.**
- **For further details, see:**

  ***Government Instituted Slavery Using Franchises*, Form #05.030, Sections 2.7.3 and 13.2.**

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

Why do we want to separate Public and Private and avoid the Public?

- **What is a "privilege and immunity"?**
  - **A franchise.**
  - **A public right.**
  - **A congressionally created statutory civil privilege. See Form #05.037.**
- **None of the above are available to those physically in a Constitutional state because the Declaration of Independence says your PRIVATE rights are unalienable, and therefore incapable of being alienated, sold, or transferred, even WITH your consent:**

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

  [Declaration of Independence]

  "Unalienable. Inalienable; incapable of being aliened, that is, sold and transferred."

  [Black's Law Dictionary, Fourth Edition, p. 1693]
- **Privileges and immunities can only be offered on federal territory to those consensually domiciled on federal territory and PHYSICALLY PRESENT there.**
  - **This is because PRIVATE rights attach to land, PUBLIC rights attach to consenting people NOT standing on constitutionally protected land.**
  - **That is why the constitution describes itself as "the law of the LAND" rather than the law of the "CIVIL STATUS" of consenting parties.**

What happens when there is NO SEPARATION?

- **When there is no separation between PUBLIC and PRIVATE:**
  - **All "citizens" and "residents" become government public officers and/or employees 24 hours a day, 7 days a week.**
  - **The statutory civil "code" is your employment agreement. Form #05.037**
  - **The "benefits" of the civil status of "citizen" and "resident" is the equivalent of your employment compensation. See Form #05.040.**
  - **Everything you think you own is government property GRANTED or LOANED to you with legal strings or conditions. You have QUALIFIED rather than ABSOLUTE ownership.**
  - **Everything is a statutory civil "privilege". You need legislatively granted civil permission from government to do ANYTHING and EVERYTHING.**
  - **You don't have the ability to even quit your job as a public officer and need permission from the government to even do THAT, even though they aren't explicitly paying you ANYTHING.**
  - **You will be so dumbed down in the public school (as a public FOOL) that you won't even realize the above.**
- **On this subject, we like to say the following:**

  "The most pernicious form of tyranny is that which is justified with the defense that it is 'good' for you or 'benefits' you."

  [Bob Schulz, We the People Foundation for Constitutional Education; http://givemeliberty.org]

  "The ideal tyranny is that which is ignorantly self-administered by its victims. The most perfect slaves are, therefore, those which blissfully and unawaredly enslave themselves [because of their own legal ignorance]."

  [Dresden James]

Property: Black's Law Dictionary, 1979

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

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

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

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

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

Deception in definition of property

- **The previous definition attempts to create the FALSE impression that one must be a STATUTORY "citizen" to own property or enjoy property:**

  "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."

- **The right to own and protect PRIVATE property is NOT a civil privilege and is NOT granted by statute in the case of the government.**
  - **The Bill of Rights is NOT limited to "citizens", but rather applies to EVERYONE STANDING ON PHYSICAL LAND PROTECTED BY THE CONSTITUTION AND THEREFORE WITHIN A CONSTITUTIONAL STATE.**
  - **You can be protected by the Bill of Rights WITHOUT being EITHER a STATUTORY "citizen" or a STATUTORY "resident".**
- **One can be a Constitutional "person" WITHOUT being either a STATUTORY "citizen" or a STATUTORY "resident" under any law of Congress**

Deception in definition of property

- **Non-Resident Non-Persons can own and protect PRIVATE property in court WITHOUT the benefit of being a STATUTORY "citizen" or "resident" and WITHOUT the "benefit" of a civil statute. This is done using private law, the common law, and the Constitution. See:**

  ***Non-Resident Non-Person Position*, Form #05.020**

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

- **You have a natural and constitutional RIGHT under the common law to NOT RECEIVE A BENEFIT OR BY IMPLICATION PAY FOR IT WITH PROPERTY OR AN INVOLUNTARY LOSS OF RIGHTS TO PROPERTY:**

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

  - ***Potest quis renunciare pro se, et suis, juri quod pro se introductum est.***
    A man may relinquish, for himself and his heirs, a right which was introduced for his own benefit. See 1 Bouv. Inst. n. 83.

  - ***Quilibet potest renunciare juri pro se inducto.***
    Any one may renounce a law introduced for his own benefit. To this rule there are some exceptions. See 1 Bouv. Inst. n. 83.

  - **[Bouvier's Maxims of Law, 1856;**
    SOURCE:
    http://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]

Deception in definition of property

- **More on the BENEFITS scam at:**

  ***The Government "Benefits" Scam*, Form #05.040 (Member Subscription form)**

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

- **The following definition comes from a MUCH earlier version of Black's Law Dictionary which does NOT try to create the false or deceptive impression that you must be a STATUTORY "citizen" to have property rights.**

Property: Black's Law Dictionary, 1910

"PROPERTY. Rightful dominion over external objects; ownership; the **unrestricted and exclusive right to a thing; the right to dispose of the substance of a thing in every legal way, to possess it, to use it and to exclude every one else from interfering with it. Mackeld. Rom. Law, § 265.**

Property is the highest right a man can have to anything; being used for that right which one has to lands or tenements, goods or chattels, which no way depends on another man's courtesy. Jackson ex dem. Pearson v. Housel, 17 Johns. 281, 283.

A right imparting to the owner a power of indefinite user, capable of being transmitted to universal successors by way of descent, and imparting to the owner the power of disposition, from himself and his successors *per universitatem,* and from all other persons who have a *spes successions* under any existing concession or disposition, in favor of such person or series of persons as he may choose, with the like capacities and powers as he had himself, and under such conditions as the municipal or particular law allows to be annexed to the dispositions of private persons. Aust. Jur. (Campbell's Ed.) § 1103.

The right of property is that sole and despotic dominion which one man claims and exercises over the external things of the world, in total exclusion of the right of any other individual in the universe. It consists in the free use, enjoyment and disposal of all a person's acquisitions, without any control or diminution save only by the laws of the land. 1 Bl.Comm. 138; 2 Bl.Comm. 2, 15.

The word is also commonly used to denote any external object over which, the right of property is exercised. In this sense i t is a very wide term, and includes every class of acquisitions which a man can own or have an interest in. See Scranton v. Wheeler, 179 D.S. 141, 21 Sup.Ct. 48, 45 L.Ed. 126; Lawrence v. Hennessey, 165 Mo. 659, 65 S.W. 717; Boston & L.R. Corp. v. Salem & L. R. Co., 2 Gray (Mass.), 35; National Tel. News Co. v. Western Union Tel. Co., 119 Fed. 294, 56 C.C. A. 198, 60 L.R.A. 805; Hamilton v. Rathbone, 175 U.S. 414, 20 Sup.Ct. 155, 44 L.Ed. 219; Stanton v. Lewis, 26 Conn. 449;

Wilson v. Ward Lumber Co. (C.C.) 67 Fed. 674.

—Absolute property . In respect to chattels personal property is said to be "absolute" where a man has, solely and exclusively, the right and also the occupation of any movable chattels, so permanent, but may at some times subsist and not at other times; such for example, as the property a man may have in wild animals which he has caught and keeps, and which are his only so long as he retains possession of them. 2 BL.Comm. 389.—Real property . A general term for lands, tenements, and hereditaments; property which, on the death of the owner intestate, passes to his heir. Real property is either corporeal or incorporeal. See Code N.Y. § 462 — Separate property . The separate property of a married woman is that which she owns in her own right, which is liable only for her own debts, and which she can incumber and dispose of at her own will.—Special property. Property of a qualified, temporary, or limited nature; as distinguished from absolute, general, or unconditional property. Such is the property of a bailee in the article bailed, of a sheriff in goods temporarily in his hands under a levy, of the finder of lost goods while looking for the owner, of a person in wild animals which he has caught. Stief v. Hart, 1 N.Y. 24; Moulton v. Witherell, 52 Me. 242; Eisendrath v. Knauer, 64 111. 402; Phelps v. People, 72 N.Y. 357.

[Black's Law Dictionary, Second Edition, p. 955]

Important Notes on the Preceding OLDER but still Accurate Definition of "property"

- **It doesn't even mention "citizen" and instead uses only the word "man". You don't have to be a "citizen" (Form #05.006) or even a civil statutory "person" (straw man, Form #05.002) of any kind to own or control property under the common law.**
- **It says in the case of "absolute property" that :**

  > ***"The right of property is that sole and despotic dominion which one man claims and exercises over the external things of the world, in total exclusion of the right of any other individual in the universe. It consists in the free use, enjoyment and disposal of all a person's acquisitions, without any control or diminution save only by the laws of the land. 1 Bl.Comm. 138; 2 Bl.Comm. 2, 15."***

  The term "*every other individual in the universe*" includes people working for the government. Corporations such as governments are ALSO "individuals" under the common law. To suggest that the government is exempted from the "right to exclude" is to impose an unconstitutional "Title of Nobility" and to infer or enforce SUPERIOR or SUPERNATURAL powers to government and thereby create an unconstitutional civil religion described below:
  ***Socialism: The New American Civil Religion*, form #05.016**
  http://sedm.org/Forms/FormIndex.htm
- **It also says "*It consists in the free use, enjoyment and disposal of all a person's acquisitions, without any control or diminution save only by the laws of the land.* " By "laws of the land", it means laws that ATTACH to the land and NOT to the CIVIL STATUS of the people ON the land. That means the COMMON LAW and the CONSTITUTION and NOT the civil statutory codes or even franchises. Civil statutory codes and franchises such as "domicile" attach to the civil status (Form #13.008) of consenting people (Form #05.003) instead of the land itself. These people must also have the legal capacity to consent in relation to a government because domiciled on land NOT protected by the CONSTITUTION such as federal territory (Form #12.038). See:**
  ***Government instituted Slavery Using Franchises*, Form #05.030**
  http://sedm.org/Forms/FormIndex.htm

Important Notes on the Preceding OLDER but still Accurate Definition of "property"

- **All ownership is conclusively presumed to be "absolute" initially.**
- **If you have "absolute ownership" or "absolute property", those seeking to enforce an interest in the property in court MUST meet the burden of proving (Form #05.025) WITH EVIDENCE that you EXPRESSLY consented to surrender some portion of the interest in the property to them and thereby transmute the property from ABSOLUTE to QUALIFIED ownership.**

"Property" = "pursuit of Happiness"

- **In the Declaration of Independence the word "Happiness" in the phrase "Life, Liberty, and pursuit of Happiness" has been equated by the U.S. Supreme Court as the RIGHT TO ABSOLUTELY OWN PROPERTY.**

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

  [Declaration of Independence]

- **Any government that interferes or intends to interfere with the protection of PRIVATE rights and PRIVATE property therefore has the EXPRESS and/or IMPLIED goal of MALICIOUSLY making you:**

  –UNHAPPY!

"Property" = "pursuit of Happiness"

- **Fourteenth Amendment, Section 1**:

  "nor shall any State deprive any person of life, liberty, or property, without due process of law;"

- **Meaning of "life, liberty, or property" in the above:**

  "The provision [Fourteenth Amendment, Section 1], it is to be observed, places property under the same protection as life and liberty. Except by due process of law, no State can deprive any person of either. The provision has been supposed to secure to every individual the essential conditions for the pursuit of happiness; and for that reason has not been heretofore, and should never be, construed in any narrow or restricted sense."

  [Munn v. Illinois, 94 U.S. 113 (1877)]

Chief Characteristics of "Property"

- That which belongs exclusively to one
- Term "property" extends to every species of valuable right and interest
- Property includes everything which is or could be the subject of ownership
- Even RIGHTS protected by the Constitution are property
- Includes:
  - RIGHT to control use of it by others
  - RIGHT to exclude everyone else from benefitting from its use in any way
  - RIGHT to penalize others for unauthorized use
- Use and control over your property in no way depends on another's discretion or courtesy
- **You can give your property rights away WITHOUT EVEN REALIZING IT. . .**

Rights as Property

- **In the context of the subject of property, REMEMBER the following important legal concepts:**
  1. **Rights (private rights) and privileges (public rights) are property.**
  2. **Anything that CONVEYS rights is property.**
  3. **Contracts convey rights and are therefore property.**
  4. **Public offices are property. They are legislatively created and their owner is the party who enacted the CIVIL legislation that created it.**
  5. **All franchises are contracts, and therefore property.**
  6. **Civil statuses (Form #13.008) convey and enforce PUBLIC rights and are therefore PUBLIC property. STATUTORY examples of "civil statuses" include: "person", "citizen", "resident", "taxpayer". INVOKING a civil status in interactions with the government is legal evidence of your IMPLIED OR CONSTRUCTIVE CONSENT to:**
     1. **Receive the "benefit" of PUBLIC property (the CIVIL STATUS is the property).**
     2. **Act as an AGENT of the state/government under the delegated authority of the CIVIL legislation that created the office.**
     3. **Be CIVILLY governed and regulated.**
  7. **The Constitution conveys mainly PRIVATE rights, which are PRIVATE property in the case of the Bill of Rights.**
  8. **Those who OFFER property to you are a Merchant (Seller) under U.C.C. 2-104(1).**

Rights as Property

9. **The person RECEIVING the property is the Buyer under U.C.C. 2-103(1)(a).**
10. **The MERCHANT always prescribes ALL the terms of the offer and can withhold the property if those terms are not met. The withholding of the property is an exercise of the "right to exclude" aspect of ownership.**
11. **You should always strive to be the Merchant in every business transaction to give yourself the upper hand. Deut. 15:6, Deut. 28:12, Deut. 23:19, Deut. 23:20.**
12. **You should NEVER allow the GOVERNMENT to act as a Merchant in relation to you. Exodus 23:32-33, Judges 2:1-4. Here is what happens when you do.**

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

[SEDM Opening Page, http://sedm.org]

Rights as Property

13. **The CREATOR of a civil statutory privilege/right/franchise is ALWAYS the owner and the Merchant granting or selling PUBLIC property. See:**
    15.1 United States v. Babcock, 250 U.S. 328 (1919)
    https://scholar.google.com/scholar_case?case=13911914425951042261
    15.2 *Hierarchy of Sovereignty: The Power to Create is the Power to Tax*, Family Guardian Fellowship
    https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm
14. **A statutory civil right (which is PUBLIC PROPERTY) exercised against a fiction of law (straw man, Form #05.042) such as a "person" is a right exercised against the GRANTOR/CREATOR of the OFFICE, and not the human(s) FILLING the office. This is an outgrowth of the law of agency. Thus, a civil statute used as a remedy in court against someone else is a remedy against the GOVERNMENT GRANTOR/CREATOR of the right, and not the OFFICER filling the office to which the PUBLIC right attaches. The CREATOR is the OWNER, and the OWNER of the right is the person legally RESPONSIBLE for its effect on others.**
15. **If you use a civil statutory fictional office for private gain, the creator of the office is the owner of all income and property attached to the office through the use of the franchise mark, the Social Security Number or Taxpayer Identification Number**

Rights as Property

16. **God FORBIDS Christians to EVER allow the GOVERNMENT to act as a Merchant in relation to you. Exodus 23:32-33, Judges 2:1-4.**
17. **You have an EQUAL right to enslave the government using the above mechanisms as they do against 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 (1876)]***

- **The above list derives from and is an EXPANSION of the following article:**
  - ***Authorities on Rights as Property*, SEDM**
    https://sedm.org/authorities-on-rights-as-property/
- **More on the subject of the Laws of Property at:**
  1. ***Hot Issues: Laws of Property*-SEDM**
     https://sedm.org/laws-of-property/
  2. ***Laws of Property*, Form #14.018**
     https://sedm.org/Forms/14-PropProtection/LawsOfProperty.pdf
  3. ***Authorities on Rights as Property*, SEDM**
     https://sedm.org/authorities-on-rights-as-property/

Ownership

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

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

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

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

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

See also Equitable ownership; Exclusive ownership; Hold; Incident of ownership; Interest; Interval ownership; Ostensible ownership; Owner; Possession; Title.

[Black's Law Dictionary, Sixth Edition, p. 1106]

The essence of ownership is the "right to exclude"

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

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

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

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

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

Implications of "Ownership"

- **Those who claim to be "owner" of a thing have the right to exclude ANY and ALL others, including GOVERNMENTS, from using or benefitting from the use of a thing.**
- **If you can't exclude the GOVERNMENT from using or benefitting from the use of a thing then you are NOT the REAL owner.**
- **The only reasonable or common law basis for taking away that which is owned is if you use it to hurt someone else or to fulfill an obligation you CONSENTED TO.**
- **If the government can take something you claim to "own" away from you that you didn't hurt anyone with, then:**
  - **You have been deceived into believing that YOU are the owner, even though you are not.**
  - **The government is the REAL owner.**
  - **They own either YOU or the thing you claim to own.**
  - **They and not YOU are legally responsible for the damages caused by the use of the thing owned. OWNERSHIP and RESPONSIBILITY always go together!**

Implications of "Ownership"

- **EXAMPLE: Social Security Cards and Social Security Numbers**
  - **Social Security Cards and Social Security Numbers are property of the government. 20 C.F.R. §422.103(d). See the back of the card, which says it is property of the government**
  - **If that property causes an injury to PRIVATE rights and the government is in charge of PROTECTING private rights, then we have a tort.**
  - **The government has a duty to ensure that such property is NOT used or abused to INJURE PRIVATE rights it was created to defend or to convert PRIVATE to PUBLIC without the express consent of the owner on land not protected by the Constitution.**
  - **If the government will NOT institute procedural safeguards to prevent misuses of this property within states of the Union, then they can be sued under the Constitution and NOT the statutes for the misuse of their property just like manufacturers can be sued for products they made that injure people.**
- **The ONLY way out of the above conundrum for the government is to admit that the card and number are NOT theirs, in which case they can't use them to impose any duty upon you to BEGIN with! All franchises are loans of government property! See Form #05.030.**

Implications of "Ownership"

- **The MAIN way to PREVENT misuses of government property such as Social Security Numbers and Social Security cards by otherwise PRIVATE people is to ensure that:**
  - **The person using them is a public officer on official business.**
  - **All forms requesting them ESTABLISH with evidence that the applicant is lawfully and consensually serving in a public office.**
  - **Warning the applicant that use of a number by PRIVATE people is a crime in violation of 18 U.S.C. §912, 18 U.S.C. §208, etc.**
  - **There is a status block on every government form that asks for an SSN or TIN to indicate that the applicant is NOT a public officer and indicating duress upon the applicant and requesting that the party instituting duress must be promptly prosecuted.**
  - **Faithfully and swiftly prosecuting those who compel the use of SSN's by PRIVATE or non-consenting parties. See 42 U.S.C. §408(a)(8).**
- **Saying that the use of an SSN or TIN is "voluntary" is INSUFFICIENT to prevent their misuse by PRIVATE people, because the use by PRIVATE people will result in the crime of impersonating a public officer in violation of 18 U.S.C. §912.**
  - **Government CANNOT promote crime.**
  - **Those engaged in such crime become accessories after the fact and are guilty of misprision of felony. See 18 U.S.C. § § 3 and 4.**

Implications of "Ownership"

- **The fact that the measures required to PREVENT misuse of government property are NOT faithfully taken by the Executive branch agencies and the Department of Justice is the MAIN reason why franchises are so prevalently MIS-enforced and MIS-applied to otherwise private parties.**
- **For more details on this subject, see:**
  - ***Why It Is Illegal for Me to Request or Use a Taxpayer Identification Number*, Form #04.205**
    http://sedm.org/Forms/FormIndex.htm
  - ***Why You Aren't Eligible for Social Security*, Form #06.001**
    http://sedm.org/Forms/FormIndex.htm

Possession v. Ownership

- **Possession and Ownership are NOT THE SAME THING.**
- **Mere physical possession or temporary partial control of an article of property DOES NOT equal OWNERSHIP.**
- **An example of people or entities in POSSESSION but not OWNERSHIP of property include:**
  - **Trustees.**
  - **Banks.**
  - **Investment companies.**
  - **Storage companies.**
  - **Governments.**
  - **People renting property such as vehicles or houses.**
  - **Companies who are withholding taxes on their workers or business associates and hold them until they are paid to the government.**
  - **Bailiffs in court, who protect and control physical evidence used during legal proceedings.**
- **A frequent proverb of law is:**

  "Possession is 9/10's of the law"
- **The basis for the above proverb is that:**
  - **Physical property (chattel) in most cases does not communicate who its owner is.**
  - **PEOPLE lawfully acting as slaves can be chattel and can't avoid knowing who their owner is.**
  - **Those in physical possession or control of property will often self-servingly PRESUME that they are the owner if they don't know who the original owner was.**

Possession v. Ownership

- **Banks that you do business with, for instance, POSSESS your property on deposit but do not OWN it.**
  - **You have a legally enforceable agreement with the bank to "return" whatever portion of the property on deposit at a time of your choosing, and often for them to pay interest at the market rate when earned. That agreement is called a Deposit Agreement.**
  - **A Deposit Agreement in law is called a "Bailment Contract".**
  - **After you deposit the property in the bank, it is converted to a credit to you and a liability to them and then loaned out to others at interest.**
  - **If the bank cannot pay when you demand your deposit back, the Federal Deposit Insurance Corporation (FDIC) is there to insure the banks' deposits so that you ultimately get your money out of the account even if the bank goes bankrupt.**
- **While you are in possession of someone else's property, you are an agent on their behalf unless or until you "return" the property.**
  - **For instance, the legal definition of a "public officer" is someone in temporary control of government property.**
  - **This is also why what you file at the end of the year is called a "tax RETURN". You are "returning" the property to its lawful owner.**

Possession v. Ownership

- **When someone other than the owner possesses property and they don't return it upon demand of the owner:**
  - **They are guilty of criminal theft.**
  - **If they had an agreement or contract with the owner, they also may be guilty of a breach of contract.**
  - **If the property given to them was an investment, they also have a breach of fiduciary duty to the owner over the property. A fiduciary duty is the highest duty in law.**
- **Licensing by the state is often implemented to ensure the integrity of the relationship between the owner and those merely possessing the property.**
  - **The physical license is property created legislatively by the state.**
  - **Since the state is the owner of the license, they can take it BACK from those it was issued to if they fail to abide by the terms of the license. For instance, those who drunk drive can have their license suspended.**
  - **The reason the state can take back the license as the owner and creator is because the essence of ownership is the "right to exclude" and the "right to control" the use of the property. By suspending a license, they are exercising the right to exclude the person using the license from continuing to use it.**
  - **Social Security Numbers and Taxpayer Identification Numbers are tools for controlling licensed government activities. They are property of their creator. See 20 C.F.R. §422.103(d).**

Bailments

- **Definition:**

  What Is Bailment?

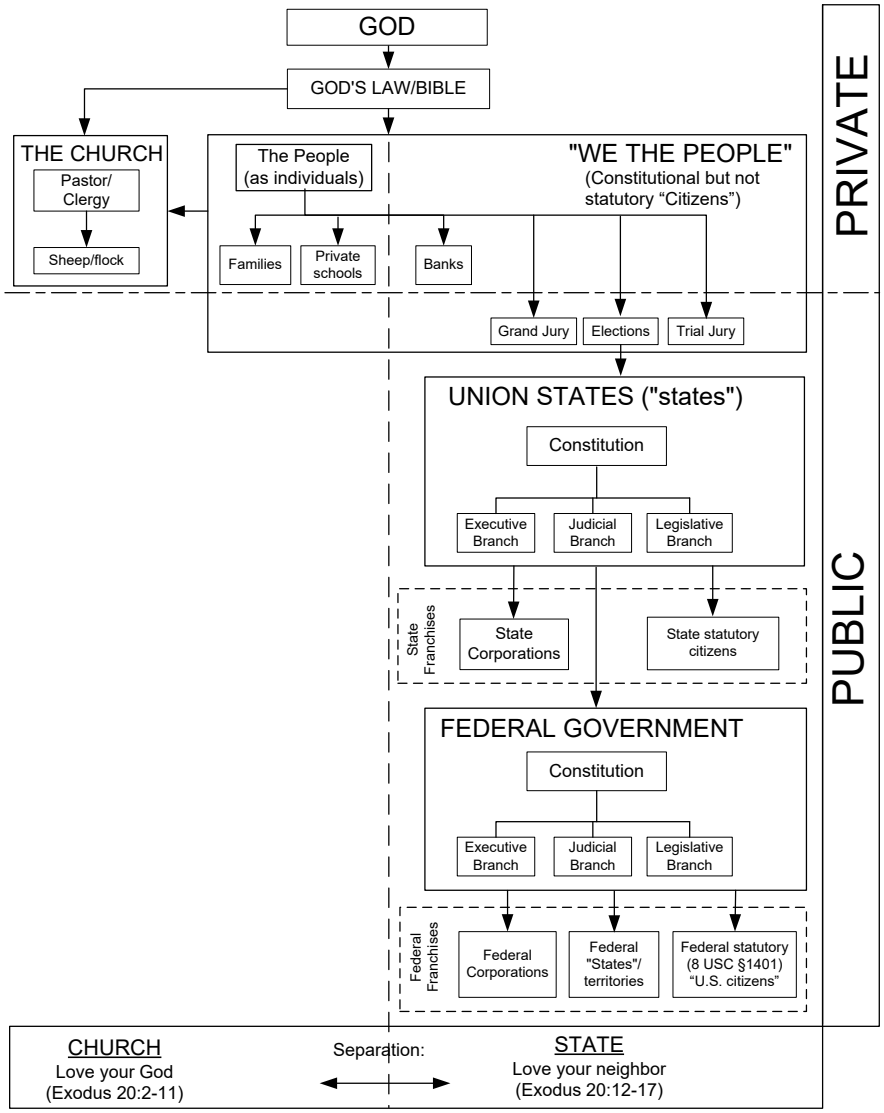
  The term bailment refers to a legal relationship between two parties in common law, where assets or property are transferred from a bailor to a bailee. In this relationship, the bailor transfers physical possession of a piece of personal property to the bailee for a certain period of time but retains ownership. There are three different types of bailment, which benefit the bailor, bailee, or both.

  Bailments are common in our everyday lives, including in the relationships we have with our banks. Bailments are also common in finance, where the owner of securities transfers them to another party for short selling. Since they are contractual agreements, failure to live up to the terms and conditions of a bailment can lead to legal disputes.

  [Investopedia: Bailment; https://www.investopedia.com/terms/b/bailment.asp]

- **The "bailor" is the owner of the property.**
- **The "bailee" is the person in possession but not ownership.**
- **There is usually a contract between the bailor and the bailee. That contract in the case of banks is called a "deposit agreement". In the case of property rental, its called a "rental agreement".**

Theology and Property



Theology and Property

- **The arrows in the preceding diagram are an act of creation.**
- **In law, the CREATOR of a thing is always the OWNER. See:**

  ***Hierarchy of Sovereignty: The Power to Create is the Power to Tax*, Family Guardian Fellowship**

  http://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm

- **It is an maxim of law that the CREATION cannot be greater than the CREATOR.**

  "Nemo dat qui non habet. No one can give who does not possess. Jenk. Cent. 250.

  Nemo plus juris ad alienum transfere potest, quam ispe habent. One cannot transfer to another a right which he has not. Dig. 50, 17, 54; 10 Pet. 161, 175.

  Nemo potest facere per alium quod per se non potest. No one can do that by another which he cannot do by himself.

  Qui per alium facit per seipsum facere videtur. He who does anything through another, is considered as doing it himself. Co. Litt. 258.

  Quicpuid acquiritur servo, acquiritur domino. Whatever is acquired by the servant, is acquired for the master. 15 Bin.Ab. 327.

  Quod per me non possum, nec per alium. What I cannot do in person, I cannot do by proxy. 4 Co. 24.

  What a man cannot transfer, he cannot bind by articles."

  [Bouvier's Maxims of Law, 1856]

Theology and Property

- **God is called "The Creator" in the Declaration of Independence:**

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

  [Declaration of Independence]

- **The right to own PRIVATE property, according to the Declaration of Independence above, was CREATED by God and NOT any man or civil ruler.**
- **The Bible says:**
  - **God created man. Gen. 1:27, Gen. 6:7.**
  - **Men are God's workmanship. Eph. 2:10.**
  - **God created the entire universe. Isaiah 42:5.**
  - **The ENTIRE UNIVERSE is God's property because He CREATED it. Psalm 89:11.**

Theology and Property

- **Psalms 89:11**:

  "The heavens *are* Yours, the earth also *is* Yours; The world and all its fullness, You have founded them."

- **Therefore:**
  - **Civil rulers cannot own men. See Thirteenth Amendment.**
  - **Civil rulers do not own Earth or anything PHYSICAL ON Earth.**
  - **The physical things on the Earth are GRANTED or LOANED temporarily to civil rulers to manage as a stewardship to God.**
  - **The terms of the grant or loan of God's property are documented in the Bible.**
  - **The Bible is a trust that makes civil rulers into His Trustees. The entire Earth is the "corpus" (property) of the trust.**
  - **The Bible in effect behaves as a delegation of authority order to civil rulers. See:**

    ***Delegation of Authority Order from God to Christians*, Form #13.007**

    http://sedm.org/Forms/FormIndex.htm
  - **The only thing civil rulers can own are that which they legislatively create using civil statutes. See:**

    ***Hierarchy of Sovereignty: The Power to Create is the Power to Tax*, Family Guardian Fellowship**

    https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm
  - **The only thing civil rulers can rationally create are legal fictions called "persons" because God owns all PHYSICAL property. See Form #09.071.**
  - **The legal fictions that civil rulers create are implemented using franchises. See:**

    ***Government Instituted Slavery Using Franchises*, Form #05.030**

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

Theology and Property

- **Civil rulers CEASE to have legitimate or de jure authority to rule when or if they do any one or more of the following:**
  1. **Refuse to recognize the existence of God.**
  2. **Refuse to recognize God as The Creator of the right of private property. See the Declaration of Independence.**
  3. **Claim THEY are the Creator of the right of PRIVATE property instead of God. This is the only way they can TAKE that right away: If they are the Creator. See: Hierarchy of Sovereignty; http://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm**
  4. **Violate God's delegation order in the Bible in regards to the right of PRIVATE property.**
  5. **Try to separate OWNERSHIP of property from RESPONSIBILITY for the consequences of the use of the property. For instance, claiming they own EVERYONE and EVERYTHING and yet are NOT LEGALLY RESPONSIBLE in court for the consequences of that ownership or damages inflicted by that property.**

Theology and Property

- **More on "civil rulers" and government authority**
  - ***Spirituality Topic Page***, **Section 9: Church v. State and First Amendment** ***http://famguardian.org/Subjects/Spirituality/spirituality.htm***
  - ***Christian Citizenship Course, Vol 1***, **Form #12.007** **http://sedm.org/Forms/FormIndex.htm**
  - ***Christian Citizenship Course, Vol 2***, **Form #12.008** **http://sedm.org/Forms/FormIndex.htm**
  - ***Christian Citizenship Course, Slides and Handouts***, **Form #12.009** **http://sedm.org/Forms/FormIndex.htm**
  - ***Should Christians Always Obey the State?***, **Form #13.014** **http://sedm.org/Forms/FormIndex.htm**
  - ***Biblical Standards for Civil Rulers***, **Form #13.013** **http://sedm.org/Forms/FormIndex.htm**
  - ***Commentary on Romans 13***, **Form #17.056** **http://sedm.org/Forms/FormIndex.htm**
  - ***The Christian and Civil Government***, **Form #17.053** **http://sedm.org/Forms/FormIndex.htm**
  - ***A Commentary on Revelation***, **Form #17.055 –implications of Revelation in the relationship between church and state** **http://sedm.org/Forms/FormIndex.htm**

Theology and Property

- **Legal implications of the Declaration of Independence:**
  1. **To refuse to recognize the existence of PRIVATE property is to deny the existence of God.**
  2. **The result of denying the existence of God is to make all men PROPERTY of and creations of the state molded in the IMAGE of the CORPORATE STATE in PUBLIC SCHOOL. See Form #05.024.**
  3. **Once men become creations of and property of the STATE (legal fictions), the origin of the authority FOR the state has to come from a "supernatural source" OTHER than God because the CREATION (humans) cannot be GREATER than or EQUAL to the CREATOR (the state). See Form #05.042.**
  4. **Any organization that claims its authority to be superior to mere humans therefore has:**

     4.1 Claimed a "supernatural powers"

     4.2 Elevated itself to the status of a pagan deity. Form #05.016

Theology and Property

- **As proof, here is what Satan sought, which is what the STATE seeks if it claims CIVIL rights or CIVIL authority above that of any non-consenting single human:**

  "I will ascend into heaven,
  I will exalt my throne above the stars of God;
  I will also sit on the mount of the congregation
  On the farthest sides of the north;
  I will ascend above the heights of the clouds,

  I will be like the Most High."

  [Isaiah 14:13-14, Bible, NKJV]

- **Important points about the above:**
  - **"Most High" means ABOVE every physical creation in authority and rights.**
  - **"Heaven" is a symbol for that which is above ALL humans.**
  - **"mount" is symbolic of the head of a political organization and not a physical mountain. See:**
    ***Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002, Section 10.2**
    https://sedm.org/Forms/FormIndex.htm

Thomas Jefferson on Property

"Freedom is the Right to Choose, the Right to create for oneself the alternatives of Choice. Without the possibility of Choice, and the exercise of Choice, a man is not a man but a member, an instrument, a thing [of a larger collective]."

[Thomas Jefferson]

"The true foundation of republican government is the equal right of every citizen in his person and property and in their management."

[Thomas Jefferson to Samuel Kercheval, 1816. M.E. 15:36]

"Nothing is ours, which another may deprive us of."

[Thomas Jefferson to Maria Cosway, 1786. M.E. 5:440]

"He who is permitted by law to have no property of his own can with difficulty conceive that property is founded in anything but force."

[Thomas Jefferson to Edward Bancroft, 1788. M.E. 19:41]

Definition of "private"

DISCLAIMER
4. Meaning of Words
4.3. Private

The word "private" when it appears in front of other entity names such as "person", "individual", "business", "employee", "employer", etc. shall imply that the entity is:

1. In possession of absolute, exclusive ownership and control over their own labor, body, and all their property. In Roman Law this was called "dominium".
2. On an EQUAL rather than inferior relationship to government in court. This means that they have no obligations to any government OTHER than possibly the duty to serve on jury and vote upon voluntary acceptance of the obligations of the civil status of "citizen". (and the DOMICILE that creates it). Otherwise, they are entirely free and unregulated unless and until they INJURE the equal rights of another under the common law.
3. A "nonresident" in relation to the state and federal government.
4. Not a PUBLIC entity defined within any state or federal statutory law. This includes but is not limited to statutory "person", "individual", "taxpayer", "driver", "spouse" under any civil statute or franchise.
5. Not engaged in a public office or "trade or business" (per 26 U.S.C. §7701(a)(26)). Such offices include but are not limited to statutory "person", "individual", "taxpayer", "driver", "spouse" under any civil statute or franchise.

> *"PRIVATE PERSON. An individual who is not the incumbent of an office."*
> *[Blacks Law Dictionary, Fourth Edition, p. 1359]*

6. Not consenting to contract with or acquire any public status, public privilege, or public right under any state or federal franchise. For instance, the phrase "private employee" means a common law worker that is NOT the statutory "employee" defined within 26 U.S.C. §3401(c) or 26 C.F.R. §301.3401(c)-1 or any other federal or state law or statute.
7. Not sharing ownership or control of their body or property with anyone, and especially a government. In other words:
   7.1 Ownership is not "qualified" but "absolute".
   7.2 There are no moieties between them and the government.
   7.3 The government has no usufructs over any of their property.
8. Not subject to civil enforcement or regulation of any kind, except AFTER an injury to the equal rights of others has occurred. Preventive rather than corrective regulation is an unlawful taking of property according to the Fifth Amendment takings clause.
9. Not "privileged" or party to a franchise of any kind:

> *"PRIVILEGE. "**A right, power, franchise, or immunity held by a person or class, against or beyond the course of the law. [. . .]** That which releases one from the performance of a duty or obligation, or exempts one from a liability **which he would otherwise be required to perform, or sustain in common [common law] with all other persons.** State v. Grosnickle, 189 Wis. 17, 206 N.W. 895, 896. A peculiar advantage, exemption, or immunity. Sacramento Orphanage & Children's Home v. Chambers, 25 Cal.App. 536, 144 P. 317, 319.*
> *[Black's Law Dictionary, Fourth Edition, pp. 1359-1360]*

Definition of "private"

> *"Is it a franchise? **A franchise is said to be a right reserved to the people by the constitution, as the elective franchise. Again, it is said to be a privilege conferred by grant from government, and vested in one or more individuals, as a public office.** Corporations, or bodies politic are the most usual franchises known to our laws. In England they are very numerous, and are defined to be royal privileges in the hands of a subject. An information will lie in many cases growing out of these grants, especially where corporations are concerned, as by the statute of 9 Anne, ch. 20, and in which the public have an interest. In 1 Strange R. (The King v. Sir William Louther,) it was held that an information of this kind did not lie in the case of private rights, where no franchise of the crown has been invaded.*
> *If this is so--if in England a privilege existing in a subject, which the king alone could grant, constitutes it a franchise--in this country, under our institutions, **a privilege or immunity of a public nature, which could not be exercised without a legislative grant, would also be a franchise.**"*
> *[People v. Ridgley, 21 Ill. 65, 1859 WL 6687, 11 Peck 65 (Ill., 1859)]*

10. The equivalent to a common law or Constitutional "person" who retains all of their common law and Constitutional protections and waives none.

> *"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]*
> *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.*

Every attempt by anyone in government to alienate rights that the Declaration of Independence says are UNALIENABLE shall also be treated as "PRIVATE BUSINESS ACTIVITY" that cannot be protected by sovereign, official, or judicial immunity. So called "government" cannot make a profitable business or franchise out of alienating inalienable rights without ceasing to be a classical/de jure government and instead becoming in effect an economic terrorist and de facto government in violation of Article 4, Section 4.

> *"No servant [or government or biological person] can serve **two masters**; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. **You cannot serve God and mammon [government].**"*
> *[Luke 16:13, Bible, NKJV]*

[SEDM Disclaimer. Section 4.3; SOURCE: http://sedm.org/disclaimer.htm]

Definition of "private"

- **PRIVATE STATUS: Sources for definitions relating to "private" and related words:**
  - ***OPPOSITE of "private" is either PUBLIC or ENFRANCHISED***. **See Form #05.030.** http://sedm.org/Forms/05-MemLaw/Franchises.pdf
  - ***Property and Privacy Protection, Section 8: Private Property Protection*-Family Guardian Fellowship** https://famguardian.org/Subjects/PropertyPrivacy/PropertyPrivacy.htm
  - ***Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: "private"** http://famguardian.org/TaxFreedom/CitesByTopic/Private.htm
  - ***Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: "private law"** http://famguardian.org/TaxFreedom/CitesByTopic/PrivateLaw.htm
  - ***Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: "private conduct"** http://famguardian.org/TaxFreedom/CitesByTopic/PrivateConduct.htm

Definition of "private"

- **PRIVATE PEOPLE: People who are exclusively private. See also "idiot" in the definition of "private" above.**
  - ***Are You an "Idiot"?*, SEDM https://sedm.org/are-you-an-idiot-we-are/**
  - ***"Sovereign" = "Foreign"*, Family Guardian Fellowship (OFFSITE LINK). Someone who is EXCLUSIVELY private and has not consented (Form #05.003) to give up any of their UNALIENABLE PRIVATE rights http://famguardian.org/Subjects/Freedom/Sovereignty/Sovereign=Foreign.htm**
  - ***Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: "foreign" http://famguardian.org/TaxFreedom/CitesByTopic/foreign.htm**
  - **Non-Resident Non-Person Position, Form #05.020-those who are "private" are always "nonresidents" either for all purposes or at least for SELECTIVE purposes and specific franchises. http://sedm.org/Forms/FormIndex.htm**

Definition of "private"

- **PRIVATE PROPERTY AND RIGHTS:**
  - ***Hot Issues: Laws of Property*, SEDM** https://sedm.org/laws-of-property/
  - ***Authorities on Rights as Property*, SEDM** https://sedm.org/authorities-on-rights-as-property/
  - ***Laws of Property*, Form #14.018** http://sedm.org/Forms/FormIndex.htm
  - ***Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: "unalienable right" (a "private" right)** http://famguardian.org/TaxFreedom/CitesByTopic/UnalienableRight.htm
  - ***Enumeration of Inalienable Rights*, Form #10.002** http://sedm.org/Forms/FormIndex.htm
  - ***Unalienable Rights Course*, Form #12.038** http://sedm.org/Forms/FormIndex.htm

Public v. Private: U.S. Supreme Court

"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)]

Clarification of Northern Pipeline

- **They state that:**

  "public rights must at a minimum arise 'between the government and others." Ex parte Bakelite Corp., supra, at 451, 49 S.Ct., at 413

- **The above is deceptive because:**
  - **Governments are created to PROTECT PRIVATE rights according to the Declaration of Independence.**
  - **A government that REFUSES to protect PRIVATE rights or forbids them to be enforced against itself is NO GOVERNMENT AT ALL, but a PRIVATE, for-profit corporation.**

- **In effect, they are telling you that:**
  - **The Bill of Rights does not apply to actions by or against government as a legal "person". That is completely ridiculous, because that is its ONLY purpose.**
  - **The Bill of Rights only applies to individual actors WITHIN government when they personally or individually damage your rights and are sued personally.**
  - **The government has sovereign immunity and cannot be sued in its "collective capacity" as a legal person (federal corporation per 28 U.S.C. §3002(15)(A)) for injuries to you or your PRIVATE rights, even if those injuries involve multiple people in government collectively engaged in a conspiracy against you.**

Another way to look at Northern Pipeline

- **When the government wants to tax you, it essentially "assimilates" you into the mother corporation as a public officer franchisee and thereby "kidnaps" your legal identity. See:**

  ***Government Identity Theft*, Form #05.046**

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

- **The above identity theft is done using:**
  - **False information returns. See Form #04.001.**
  - **Rigged forms. See Form #12.023.**
  - **Legal propaganda with "words of art" and equivocation. See Form #05.014.**
- **If in fact they can lawfully KIDNAP your civil legal identity against your will and:**
  - **We are all equal. See Form #05.033.**
  - **All their powers were delegated by us ("we the people") TO them, according to the U.S. Supreme Court**
- **Then it then stands to reason that we are allowed to essentially do the SAME thing to the government and thereby DESTROY their sovereignty and sovereign immunity (Form #11.109) by the same mechanisms.**

Another way to look at Northern Pipeline

- **What would that defensive kidnapping of THE GOVERNMENT look like?:**
  - **They would be treated as a PRIVATE party on an equal footing with you.**
  - **They would be subject personally and collectively to the Bill of Rights.**
  - **They would have no sovereign, official, or judicial immunity.**
  - **They would be a BUYER of your services and You would be the SELLER under the Uniform Commercial Code.**
  - **They would be subject, as a BUYER, to YOUR Anti-Franchise Franchise agreement. See:**

    ***Injury Defense Franchise and Agreement*, Form #06.027**

    http://sedm.org/Forms/FormIndex.htm
- **If you can't do the same thing to legally kidnap their civil legal identity that they are doing to you, then:**
  - **You are inferior, unequal, and A SLAVE.**
  - **They are hypocrites and elitists.**
  - **An unconstitutional "Title of Nobility" has been created. That "Title" is "U.S. Inc."**
- **ALL your freedom derives from equality (Form #05.033) in relation to the government. We prove this in:**

  ***Foundations of Freedom Course*, Form #12.021, Video 1: Introduction**

  https://youtu.be/ikf7CcT2l8I

Another way to look at Northern Pipeline

- **Therefore, the Supreme Court was playing word games in Northern Pipeline AGAIN so they could unconstitutionally enhance their authority and revenues:**
  - **"Public rights" they are talking about are between GOVERNMENT and its CONSENSUALLY serving officers, agents, and employees and NOT between GOVERNMENT and EVERYONE.**
  - **They do NOT have sovereign immunity against non-resident non-persons in states of the Union who are protected by the Constitution.**
  - **Sovereign immunity only applies to government officers SUING the government under the authority of ONLY statutory remedies provided to statutory "persons" and/or public officers and agents that they legislatively created. The SERVANT can never be greater than its Master, which is "the State" and the Sovereign People.**
  - **Sovereign immunity doesn't and can't apply to PRIVATE people who are not officers or agents of the government suing the government. They are governed ONLY by the common law and protected by the Constitution. It is a usurpation to subject non-residents to the statute law of a legislatively foreign jurisdiction.**
- **Here is why:**

Another way to look at Northern Pipeline

". . .the distinction between the government of a State and the State itself is important, and should be observed. In common speech and common apprehension they are usually regarded as identical; and as ordinarily the acts of the government are the acts of the State, because within the limits of its delegation of power, the government of the State is generally confounded with the State itself, and often the former is meant when the latter is mentioned. The State itself is an ideal person, intangible, invisible, immutable. The government is an agent, and, within the sphere of the agency, a perfect representative; but outside of that, it is a lawless usurpation. The Constitution of the State is the limit of the authority of its government, and both government and State are subject to the supremacy of the Constitution of the United States, and of the laws made in pursuance thereof. So that, while it is true in respect to the government of a State, as was said in Langford v. United States, 101 U.S. 341, that ***the maxim, that the king can do no wrong, has no place in our system of government; yet, it is also true, in respect to the State itself, that whatever wrong is attempted in its name is imputable to its government, and not to the State,*** *for, as it can speak and act only by law, whatever it does say and do must be lawful.* ***That which, 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 speak and act in its name.*** *It was upon the ground of this important distinction that this court proceeded in the case of Texas v. White, 7 Wall. 700, when it adjudged that the acts of secession, which constituted the civil war of 1861, were the unlawful acts of usurping State governments, and not the acts of the States themselves, inasmuch as "the Constitution, in all its provisions, looks to an indestructible Union, composed of indestructible States;" and that, consequently, the war itself was not a war between the States, nor a war of the United States against States, but a war of the United States against 291*291 unlawful and usurping governments, representing not the States, but a rebellion against the United States. This is, in substance, what was said by Chief Justice Chase, delivering the opinion of the court in Thorington v. Smith, 8 Wall. 1, 9, when he declared, speaking of the Confederate government, that "it was regarded as simply the military representative of the insurrection against the authority of the United States." The same distinction was declared and enforced in Williams v. Bruffy, 96 U.S. 176, 192, and in Horn v. Lockhart, 17 Wall. 570, both of which were referred to and approved in Keith v. Clark, 97 U.S. 454, 465.*

*"****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'État 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 (1885)]

There is no Constitutional Authority for Sovereign Immunity

- **The Constitution never authorized Sovereign Immunity.**
- **For an excellent history of Sovereign Immunity in this country, see:**

  Najim v. CACI Premier Tech., Inc., 368 F.Supp.3d. 935 (2019)
  https://scholar.google.com/scholar_case?case=20739505106659627 26

- **For authorities on Sovereign Immunity, see:**
  - ***Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: "sovereign immunity"**
    https://famguardian.org/TaxFreedom/CitesByTopic/SovereignImmunity.htm
  - ***Proof of Facts: The Constitution Does NOT Confer Sovereign Immunity Upon Any Government and therefore there is NO SUCH THING*****, SEDM (Member Subscriptions)**
    https://sedm.org/proof-of-facts-the-constitution-does-not-confer-sovereign-immunity-upon-any-government-and-therefore-there-is-no-such-thing/

Main Job of All Public Servants is to Protect the PRIVATE

"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.1 Furthermore, the view has been expressed that all public officers, within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts.2 That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves.3 and owes a fiduciary duty to the public.4 It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual. 5 Furthermore, it has been stated that any enterprise undertaken by the public official which tends to weaken public confidence and undermine the sense of security for individual [PRIVATE] rights is against public policy."6

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

FOOTNOTES

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

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

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

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

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

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

Definition and context of the word "citizen" is the BEGINNING of "private"

- **There are TWO types of "citizens":**
  - **POLITICAL citizens* born in the COUNTRY United States*. Example: Fourteenth Amendment citizen* or "Citizens*" in the original constitution.**
  - **CIVIL citizens**+D born in and domiciled physically on federal territory. See 26 C.F.R. §1.1-1(a) and (b) and 26 U.S.C. §7701(a)(30). Also called "United States persons".**
- **POLITICAL citizens and their property:**
  - **Require birth or naturalization and NOT domicile (Form #05.002) ANYWHERE.**
  - **Are exclusively humans and NOT fictions of law (Form #05.042). See Rundle v. Delaware & Raritan Canal Company, 55 U.S. 80, 99 (1852).**
  - **Are ENTIRELY PRIVATE in relation to the government.**
  - **Are protected ONLY by the CONSTITUTION and the COMMON LAW and NOT CIVIL statutes (Form #05.037) if residing in a state of the Union.**
  - **Become PUBLIC ONLY in the context of their role as a Voter and a Jurist. Voting and jury service are VOLUNTARY "political franchises" that carry an office with them. See SEDM Exhibit #01.018 and 18 U.S.C. §201(a)(1).**
  - **May NOT lawfully be treated as a PUBLIC OFFICER for any context OTHER than voting or jury service. If they are, then the crime of impersonating a public officer results. 18 U.S.C. §912.**
  - **CANNOT lose their NATIONALITY by unilateral action of the national government. See Afroyim v. Rusk, 387 U.S. 253 (1967) in the case of Fourteenth Amendment POLITICAL "citizens* of the United States*".**

Definition and context of the word "citizen" is the BEGINNING of "private"

- **CIVIL citizens and their property:**
  - **Require domicile on federal territory to have the civil statutory status.**
  - **Are FICTIONS OF LAW and not humans. See Valmonte v. I.N.S., 136 F.3d. 914 (C.A.2, 1998).**
  - **Are civil statutory franchises of the national government.**
  - **Are ENTIRELY PUBLIC and subject to ALL the whims of Congress as their "Creator".**
  - **Because they are franchises of the government, can lose their CIVIL citizenship AT ANY TIME.**
    - **A franchise is a PUBLIC right or privilege CREATED and therefore OWNED by the government.**
    - **PUBLIC rights (franchise privileges) can be revoked at any time. See Rogers v. Bellei, 401 U.S. 815 (1971).**
    - **8 U.S.C. §1401(d) expressly authorizes involuntary revocation of POLITICAL citizenship. Thus, it is GOVERNMENT PROPERTY granted or loaned to the recipient that can be unilaterally taken away by government without your consent.**
  - **Do NOT include "state nationals" born or naturalized in a constitutional state.**

Definition and context of the word "citizen" is the BEGINNING of "private"

- **A POLITICAL citizen* cannot lawfully impersonate a CIVIL citizen**+D. It's a CRIME per 18 U.S.C. §911.**
- **A CIVIL citizen**+D has no legal authority to impersonate a POLITICAL citizen* that we can find.**
- **If you WANT to be PRIVATE and have PRIVATE property that the national government cannot tax, regulate, or take away on a whim or using legislation, then you MUST be one or more of the following:**
  - **A POLITICAL citizen* domiciled on land within a CONSTITUTIONAL state. See Form #05.006.**
  - **A CIVIL "non-resident non-person" in relation to the national government. See Form #05.020.**
  - **A "free inhabitant" under the Articles of Confederation.**
- **Governments try to DELIBERATELY CONFUSE POLITICAL citizens* with CIVIL citizens**+D in order to STEAL your otherwise PRIVATE property. This confusion of contexts is called "equivocation". They do it by abusing "equivocation" to make everyone believe these two contexts are equivalent when they are not. Don't let them and don't "presume" they are! These techniques (word games and sophistry) are documented in:**

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

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

Definition and context of the word "citizen" is the BEGINNING of "private"

- **More on this subject:**
  - ***Citizenship Status v. Tax Status***, **Form #10.011**
    http://sedm.org/Forms/10-Emancipation/CitizenshipStatusVTaxStatus/CitizenshipVTaxStatus.htm
  - ***You're not a STATUTORY "citizen" under the Internal Revenue Code***
    https://famguardian.org/Subjects/Taxes/Citizenship/NotACitizenUnderIRC.htm
  - ***Citizenship and Sovereignty Course***, **Form #12.001**
    FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
    VIDEO: http://youtu.be/GolzN63Uk7E
    SLIDES: http://sedm.org/LibertyU/CitAndSovereignty.pdf
  - ***Why The Fourteenth Amendment is Not a Threat to Your Freedom***, **Form #08.015-simplified slide show**
    http://sedm.org/Forms/FormIndex.htm
  - ***Why You Are a Political Citizen but Civil Non-Citizen, National, and Nonresident Alien***, **Form #05.006-more detailed evidence on the subject. This is the most important document on our site!**
    http://sedm.org/Forms/FormIndex.htm

CIVIL (PUBLIC) and POLITICAL (PRIVATE) CITIZENS ARE LEGISLATIVELY FOREIGN WITH RESPECT TO EACH OTHER!

"Constitutionally, only those born or naturalized in the United States[states of the Union] and subject to the [POLITICAL, Form #05.004 and not CIVIL/LEGISLATIVE] jurisdiction thereof, are citizens. Const.Amdt. XIV. The power to fix and determine the rules of naturalization is vested in the Congress. Const.Art. I, sec. 8, cl. 4. Since all persons born outside of the [CONSTITUTIONAL] United States[***], are "foreigners,"[1] and not subject to the jurisdiction of the United States, the statutes, such as § 1993 and 8 U.S.C.A. §601 [currently 8 U.S.C. §1401], derive their validity from the naturalization power of the Congress. Elk v. Wilkins, 1884, 112 U.S. 94, 101, 5 S.Ct. 41, 28 L.Ed. 643; Wong Kim Ark v. U. S., 1898, 169 U.S. 649, 702, 18 S.Ct. 456, 42 L.Ed. 890. Persons in whom citizenship is vested by such statutes [POLITICAL/TERRITORIAL citizens*] are naturalized citizens and not native-born citizens. Zimmer v. Acheson, 10 Cir. 1951, 191 F.2d. 209, 211; Wong Kim Ark v. U. S., supra."***
[Ly Shew v. Acheson, 110 F.Supp. 50 (N.D. Cal., 1953)]

FOOTNOTES:
[1] See Boyd v. State of Nebraska ex rel. Thayer, 1892, 143 U.S. 135, 12 S.Ct. 375, 36 L.Ed. 103; U.S. v. Harbanuk, 2 Cir. 1933, 62 F.2d. 759, 761.

- **The CONVERSE of the above is also true: POLITICAL CITIZENS are legislatively "foreign" in respect to the EXCLUSIVE/PLENARY CIVIL jurisdiction (Form #05.002) of the national government over federal territory.**

CIVIL (PUBLIC) and POLITICAL (PRIVATE) CITIZENS ARE LEGISLATIVELY FOREIGN WITH RESPECT TO EACH OTHER!

- **How does a "foreigner" (non-resident non-person, Form #05.020) and POLITICAL citizen* become a CIVIL STATUTORY "person" (Form #08.023) and a CIVIL STATUTORY "foreign person" in respect to the national government?**
  - **A physical presence in that place. The status would be under the COMMON law. Common law is based on physical location of people on land rather than their civil statutory status (Form #13.008).**
  - **CONSENSUALLY doing business in that place. The status would be under the common law. See the Foreign Sovereign Immunities Act, 28 U.S.C. Chapter 97 and International Shoe Co. v. Washington, 326 U.S. 310 (1945).**
  - **A CONSENSUAL domicile in that place. This would be a status under the civil statutes of that place. See Federal Rule of Civil Procedure 17(a). See Form #05.002.**
  - **CONSENSUALLY representing an artificial entity (a legal fiction and public officer, Form #05.042) that has a domicile in that place. This would be a status under the civil statutes of that place. See Federal Rule of Civil Procedure 17(b).**
  - **CONSENSUALLY asking for and using government property or legislatively created "rights" (public rights under civil statutes) for your personal benefit. Congress can regulate the use of its property anywhere it physically is under Article 4, Section 3, Clause 2 of the Constitution, 5 U.S.C. §553(a)(2), and 44 U.S.C. §1505(a).**
  - **Consenting to a civil status under the laws of that place. Anything done consensually cannot form the basis for an injury in a court of law. Such consent is usually manifested by filling out a government form identifying yourself with a specific statutory status, such as a W-4, 1040, driver license application, etc. This is covered in:**

    ***Avoiding Traps in Government Forms Course*, Form #12.023**

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

Proprietary v. Sovereign Power

- **The government operates in TWO modes:**
  - **Sovereign Power: Based on INJURY and INVOLUNTARY**
  - **Proprietary Power: Based on PRIVILEGE and VOLUNTARY and require CONSENT.**
- **It is VERY important for you to be able to distinguish WHICH of the above two modes that government is operating in whenever you are dealing with them.**
  - **Most interactions you have with the government are through the Administrative State.**
  - **The Administrative State ALWAYS operates in Proprietary Mode as a Merchant under the U.C.C.**
  - **You have to VOLUNTEER to become a CUSTOMER ("taxpayer") as a Buyer of administrative services and regulation. No one can force you.**
  - **The IRS and all tax collection agencies are all part of the Administrative State and can operate only through proprietary power and consent.**

Proprietary v. Sovereign Power

- Sovereign power is the government's **involuntary** authority. It arises **only** when:
  - an **injury** occurs (criminal or common-law tort),
  - a **breach of the peace** exists,
  - a **private rightPRI** has been violated.
- Sovereign power:
  - protects **private rightsPRI**,
  - operates under **criminal or common-law jurisdiction**,
  - is **reactive**, not proactive,
  - does **not** require consent,
  - cannot be invoked without an injury.

Proprietary v. Sovereign Power

- Proprietary power is the government's **voluntary**, **civil**, **equitable**, and **administrative** authority. It arises only when a person:
  - **elects** into a public office or franchise,
  - **accepts** a statutory benefit,
  - **files** a statutory form,
  - **enters** a regulated activity.
- Proprietary power:
  - governs **public rightsPUB**,
  - attaches only to **public capacityPUB**,
  - requires **express, informed, voluntary consent**,
  - never reaches **private rightsPRI** without consent.
- Proprietary power governs:
  - public offices,
  - public franchises,
  - statutory benefits,
  - administrative duties,
  - regulatory obligations.

Proprietary v. Sovereign Power

- The Constitution mandates a **strict separation** between:
  - **PRIVATE capacityPRI** (the human being and their private rightsPRI), and
  - **PUBLIC capacityPUB** (the statutory persona, office, or franchise).
  - This separation means:
  - PRIVATE rightsPRI cannot be converted into PUBLIC rightsPUB without consent.
  - PRIVATE propertyPRI cannot be subjected to PUBLIC dutiesPUB without consent.
  - PRIVATE personsPRI cannot be treated as PUBLIC officersPUB without consent.
  - PUBLIC authority cannot attach to PRIVATE life without an injury.
- **There are only FOUR ways that PRIVATE can be converted to PUBLIC and 3 of the 4 require consent:**

Proprietary v. Sovereign Power

#	Name	Jurisdiction type	Choice of Law	Source of Power	Capacity Shift Trigger	Contradiction	Examples
1	Injury	Involuntary Protection (IP)	Criminal Common law	Sovereign power	Harm to rights → sovereign duty to protect	Government often treats civil statutory obligations as if they arise from injury-based jurisdiction, which is false.	1. Criminal Law 2. Civil injury under the common law
2	Express consent	Voluntary Protection (VP)	Civil statutes	Proprietary power	Application, signature, election	Government rarely proves the existence of an express election before enforcing civil statutes.	CapacityPUB election "U.S. person" election
3	Implied consent	Voluntary Protection (VP)	Civil statutes	Proprietary power	Entry into federally regulated domain WITHIN an EXISTING capacityPUB	Courts often ILLEGALLY treat ordinary private activity as if it were federally regulated activity.	Alien commerce (1:8:3)
4	Civil membership	Voluntary Protection (VP)	Civil statutes	Proprietary power	Acceptance of civil identifiers or domicile	Government presumes that identifiers (SSN, domicile) create unlimited civil capacityPUB, even though they are limited-purpose privileges.	1. Domicile 2. Government identification

Proprietary v. Sovereign Power

- **The fact that you are dealing with PROPRIETARY power makes challenging administrative state enforcement authority MUCH simpler because doing so is based upon:**
  - **The laws of property and ownership.**
  - **The consensual conversion from PRIVATE to PUBLIC.**
  - **The government as a Merchant under U.C.C. §2-104(1)**
  - **You as the Buyer under U.C.C. §2-103(1)(a).**
  - **The inability of the government to assert sovereign immunity.**
  - **No need for a liability statute. The IRC Subtitle A includes a liability for ONLY those who FIRSE VOLUNTARILY assume a privileged public capacityPUB as:**
    - **"Withholding Agents" on Aliens: 26 U.S.C. §1461.**
    - **"Employers": 26 U.S.C. §3403. Private companies are not PUBLIC employersPUB unless they volunteer.**
  - **Voluntarily and knowingly ASKING FOR and RECEIVING consideration (an ACCEPANCE) that becomes the origin of:**
    - **A PUBLIC capacityPUB.**
    - **Civil statutory obligationsPUB.**
  - **The government as moving party asserting an obligation has the burden of proof instead of you to prove that the property they seek to enforce against or take was lawfully converted from PRIVATE to PUBLIC BEFORE they have jurisdiction.**

Proprietary v. Sovereign Power

- **If you would like to know more about Proprietary Power v. Sovereign Power, see:**
  - **Establishing USPI thru laws of property, Section 11: Sovereign Power v. Proprietary Power of Taxation https://ftsig.org/how-you-volunteer/establishing-uspi-thru-laws-of-property/#11._Sovereign**
  - **Subject Index, Section 4: Sovereign Power v. Proprietary Power, FTSIG https://ftsig.org/subject-index/#14.4._Sovereign**

How COURTS maintain the separation between PUBLIC and PRIVATE to protect the PRIVATE

- **STANDING is the mechanism to protect PRIVATE from being converted to PUBLIC indiscriminately by the Courts. It prevents:**
  - **Those with PRIVATE capacityPRI from involuntarily assuming a civil statutory PUBLIC capacityPUB without their express, informed, voluntary consent.**
  - **Those who already voluntarily assume a civil statutory PUBLIC capacityPUB from having additional PUBLIC capacitiesPUB added without express, informed, voluntary consent.**
- **The Standing Doctrine of the U.S. Supreme court establishes the following three elements that must be satisfied to bring a CIVIL suit in federal court:**
  - **Injury-in-fact**
  - **Causation**
  - **Redressability**
- **Jurisdiction of the government over an INJURY to any protected party is:**
  - **capacityPRI: A SOVEREIGN power for those operating in PRIVATE capacityPUB and having purely and exclusively private protections of the constitution's Bill of Rights and the Common Law.**
  - **capacityPUB: A PROPRIETARY power for those operating in a PUBLIC capacityPUB and protected purely and exclusively by civil statutory law.**

How COURTS maintain the separation between PUBLIC and PRIVATE to protect the PRIVATE

- **The civil statutory law, in turn, is a PROPRIETARY power not expressly authorized by the Constitution.**
  - **It is LEGISLATIVELY created by the Legislature.**
  - **The CREATOR is always the OWNER.**

    ***Hierarchy of Sovereignty: The Power to Create is the Power to Tax*, Family Guardian Fellowship**
    https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm
  - **All "rights" litigated under it are purely and exclusively PUBLIC and thus:**
    - **Behave as PUBLIC property under Article I of the constitution pursuant to the Public Rights Doctrine of the U.S. Supreme Court.**
    - **Are PUBLIC rightsPUB instead of PRIVATE rightsPRI.**
    - **Are "PRIVILEGES" rather than "rights" in a common law, Bill of Rights, or PRIVATE sense.**
    - **Are franchises of the government grantor.**
  - **Every public privilege is implemented through a PUBLIC capacityPUB which implements BOTH:**
    - **PRIVILEGES: The PUBLIC rightsPUB that attach to a civil statutory STATUS.**
    - **OBLIGATIONS: The PUBLIC obligationsPUB that attach to the SAME civil statutory capacityPUB that literally PAY for or subsidize the delivery of the rightsPUB by the government.**

    PRIVILEGES and OBLIGATIONS are TWO SIDES of the SAME coin. You can't pursue ONE without implicitly consenting to the OTHER. Kind of like "love and marriage".

How COURTS maintain the separation between PUBLIC and PRIVATE to protect the PRIVATE

- All PUBLIC capacitiesPUB cause those VOLUNTARILY invoking them in court to behave as:
  - REPRESENTATIVES of the government grantor of the capacityPUB under Federal Rule of Civil Procedure 17(b) handling PUBLIC property.
  - OFFICERS of the grantor of the grantor of the civil statutory franchise.
- Thus, public capacitiesPUB are VOLUNTARY for those who wish to avail themselves of it and can never be forced. Involuntary Servitude and human trafficking would be the result of ignoring the consent requirement.

- **STANDING is based on the following constitutional restrictions:**
  1. ***Standing is the INVERSE of proprietary power***
  2. ***Sovereign power is involuntary and arises only from injury.***
  3. ***Proprietary power is voluntary and arises only from consent.***
  4. ***The Constitution forbids any connection between PUBLIC and PRIVATE unless one of these two triggers exists.***
  5. ***Civil statutory law cannot attach to private rightsPRI without consent.***
  6. ***Sovereign power cannot impose civil statutory duties.***

How COURTS maintain the separation between PUBLIC and PRIVATE to protect the PRIVATE

- **For an exhaustive list of authorities proving that consent to a public capacityPUB ("taxpayer", "person", "citizen", etc) is required, see:**

  ***Laws of Property*, Form #14.018, Section 4.5: Proprietary Power: Authorities proving that express, informed, voluntary consent is required to connect PUB/PRI when Injury is Not Involved**

  https://sedm.org/lawsofproperty

CIVIL (PUBLIC) and POLITICAL (PRIVATE) CITIZENS ARE LEGISLATIVELY FOREIGN WITH RESPECT TO EACH OTHER!

- **When the above rules for transitioning from "foreign" to becoming a CIVIL STATUTORY "person" who is "DOMESTIC" rather than "FOREIGN" are violated, then you are a victim of criminal identity theft:**

  ***Government Identity Theft*, Form #05.046**

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

- **For proof of how the IRS ABUSES this concept to commit CRIMINAL identity theft on you, see:**

  ***Policy Document: IRS Fraud and Deception About the Statutory Word "Person"*, Form #08.023**

  https://sedm.org/Forms/08-PolicyDocs/IRSPerson.pdf

- **This is a "Third Rail Issue" that NO ONE in the government EVER wants to talk about. It blows up their PLUNDER gravy train (Form #11.403)! If you want to shut them up INSTANTLY from arguing with you, raise this issue in court. Knowing this information is the only way to ensure that they will ultimately have to LEAVE YOU ALONE and not enforce against you.**

- **More at:**

  ***Non-Resident Non-Person Position*, Form #05.020, Section 1.5;**
  https://sedm.org/Forms/05-MemLaw/NonresidentNonPersonPosition.pdf

What's The BEST Way to Protect PRIVATE Property?

1. **The essence of "ownership" as legally defined is the right to exclude ANY and ALL others from using or "benefitting" from your PRIVATE property.**
2. **If you can't exclude THE GOVERNMENT as a privileged corporation/franchise (Form #05.024), then THEY, and not YOU are the REAL owner. If they can take it away and you didn't hurt anyone with it, THEY are the REAL owner and you are just a custodian over government (PUBLIC) property.**
3. **The rules for converting PRIVATE property to PUBLIC property ought to be consistently, completely, clearly, and unambiguously defined by every government officer you come in contact with, and ESPECIALLY in court. These rules ought to be DEMANDED to be declared EVEN BEFORE you enter a plea in a criminal case.**
4. **If the government asserts any right over your PRIVATE property, then they are PRESUMING (usually ILLEGALLY) that they are the LEGAL owner and relegating you to EQUITABLE ownership. This presumption should be forcefully challenged.**

What's The BEST Way to Protect PRIVATE Property?

5. **If they won't expressly define the rules, or try to cloud the rules for converting PRIVATE property to PUBLIC property, then they are:**

   5.1. Defeating the very purpose for which they were established as a "government". Hence, they are not a true "government" but a de facto private corporation PRETENDING to be a "government", which is a CRIME under 18 U.S.C. §912. That government is described in: De Facto Government Scam, Form #05.043

   5.2. Exercising unconstitutional taking over private property (THEFT) without the consent of the owner and without compensation.

   5.3. Trying to STEAL from you.

   5.4. Violating their fiduciary duty to the public, as we discussed earlier.

   5.5 Literally making it IMPOSSIBLE to know what you absolutely own and can use to control them with.

What Happens When the Government REFUSES to either RECOGNIZE or PROTECT the Private?

*"It must be conceded that there are rights in every free government beyond the control of the State [or a jury or majority of electors]. **A government which recognized no such rights, which held the lives, liberty and property of its citizens, subject at all times to the disposition and unlimited control of even the most democratic depository of power, is after all a despotism. It is true that it is a despotism of the many--of the majority, if you choose to call it so--but it is not the less a despotism.**"*
[Loan Ass'n v. Topeka, 87 U.S. (20 Wall.) 655, 665 (1874)]

"The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts. One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote [INCLUDING the vote of a JURY, Form #09.010]; they depend on the outcome of no elections."

[West Virginia State Board of Education v. Barnette, 319 U.S. 624, 63 S.Ct. 1178 (1943)]

Supreme Court on Protection of Private

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

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

"The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts. One's right to life, liberty and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections." [Emphasis added]

[West Virginia State Board of Education v. Barnette, 319 U.S. 623]

"No right is held more sacred, or is more carefully guarded by the common law, than the right of every individual to the possession and control of his own person, free from all restraint or interference of others, unless by clear and unquestionable authority of law. As well said by Judge Cooley: 'The right to one's person may be said to be a right of complete immunity; to be let alone.' Cooley, Torts, 29."

[Union Pac Ry Co v. Botsford, 141 U.S. 250, 11 S.Ct. 1000, 35 L.Ed. 734 (1891)]

"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness... 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." [Emphasis added]

[Olmstead v. United States, 277 U.S. 438, 478 (1928); Washington v. Harper, 494 U.S. 210 (1990)]

God COMMANDS Believers to remain PRIVATE

*"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]

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

[Exodus 23:32-33, Bible, NKJV]

Public or Private property?

- **Next, we must have a process to determine whether a specific thing is public or private.**
- **That which we can prove STARTED as PRIVATE retains that status until we consensually and expressly convert it to PUBLIC.**
- **The main government method for controlling property is franchises, and the civil statutes (Form #05.037) that implement them.**
- **All property that is government property always has:**
  - **A plant account number associated with it if it is physical. See the back of the Social Security Card, for instance.**
  - **A Social Security Number, Taxpayer Identification Number, or Employer Identification Number if it is virtual, such as a bank account, trust, or estate.**
- **Government Identifying Numbers function as the equivalent of what the FTC calls a "franchise mark".**

A franchise entails the right to operate a business that is "identified or associated with the franchisor's trademark, or to offer, sell, or distribute goods, services, or commodities that are identified or associated with the franchisor's trademark." The term "trademark" is intended to be read broadly to cover not only trademarks, but any service mark, trade name, or other advertising or commercial symbol. This is generally referred to as the "trademark" or "mark" element.

The franchisor [the government] need not own the mark itself, but at the very least must have the right to license the use of the mark to others. Indeed, the right to use the franchisor's mark in the operation of the business - either by selling goods or performing services identified with the mark or by using the mark, in whole or in part, in the business' name - is an integral part of franchising. In fact, a supplier can avoid Rule coverage of a particular distribution arrangement by expressly prohibiting the distributor from using its mark."

[FTC Franchise Rule Compliance Guide, May 2008;
SOURCE: http://business.ftc.gov/documents/bus70-franchise-rule-compliance-guide]

Public or Private property?

- **Generally, those claiming to be subject to government civil franchise statutes are implicitly PUBLIC. All such CIVIL statutes pertain ONLY to public officers on official business:**
  - ***Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037**
    https://sedm.org/Forms/FormIndex.htm
  - ***Proof that There Is a "Straw Man"*, Form #05.042**
    https://sedm.org/Forms/FormIndex.htm
- **In MOST cases, those claiming to be subject to civil statutes are mistaken, unless they are CONSENSUALLY acting as lawfully and officially appointed PUBLIC officers of:**
  - **State corporations in the case of state statutes.**
  - **Federal corporations in the case of federal/national statutes.**
- **Everyone NOT in the above list is private by default.**
- **Those acting in a PUBLIC capacity as public officers:**
  - **Are bound by the constitution like all OTHER government actors, but only when acting within the boundaries of a constitutional state upon those protected by the constitution.**
  - **When interacting with other civil statutory FICTIONAL entities or on federal territory, they are NOT bound by the constitution**

Public or Private property?

- **Anything earned by those serving in public offices or other franchises is PRIVATE. For instance, your paycheck as a public officer is your PRIVATE property, and it is paid to a PRIVATE party. If you paycheck remained public after you received it, then you couldn't spend it on yourself without asking permission from the government.**

  "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 [1], 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.[2] "

  [American Jurisprudence 2d, Franchises, §4: Generally (1999)]

  _____

  FOOTNOTES:

  [1] 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.

  [2] 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.

Public or Private property?

- **Any acquisition of property from exercising the franchise that is NOT addressed in the franchise statutes is presumed to be PRIVATE and beyond government control. For instance:**
  - **Those who are licensed to "drive", meaning use the public roadways for hire, if they are NOT in fact using the roadways for hire, are beyond the purview of the vehicle code and presumed to be PRIVATE.**
  - **Those who have SSNs or TINs who never use them, are presumed to be PRIVATE.**
- **If the government FORCES you to use an SSN, TIN, or EIN to open a bank account in order to receive the franchise (Form #05.030) proceeds or payments, they are:**
  - **Interfering with your right to be PRIVATE**
  - **Forcing the franchise compensation to remain PUBLIC and therefore under government control even AFTER you receive it.**
  - **Committing criminal identity theft (Form #05.046), because they won't allow you to act in a private capacity, even with the compensation you earned with your BODY, which is private and absolutely owned by you.**
- **More on this subject at:**

  ***About SSNs and TINs on Government Forms and Correspondence*, Form #05.012**

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

How "Private" Gets Stolen

- **PRIVATE gets STOLEN by:**
  - **Dumbing down the average American on legal subjects.**
  - **Manipulating your legal ignorance to institute a "privity" which causes a change to YOUR civil status.**
  - **The civil status change, in turn, gives rise to a "usufruct", or "moiety"**
  - **Using "equivocation" (word games) to create the "privity", "usufruct" or "moiety" that "benefits" THEM in stead of YOU, the original owner. The result is "dissimulation" on the part of the target, in which you are treated like that which you are NOT. Namely: A public officer.**
  - **Using silence and omission in an administrative setting towards those who are victimized by such tactics, which ensures "plausible deniability" if the wrongdoer gets caught doing any of the above. This is CONSTRUCTIVE FRAUD.**
  - **Slandering and maliciously prosecuting all those who figure out the above mechanisms and punish and prosecute them.**
- **The above tactics are called "identity theft", and they are a SERIOUS CRIME.**
- **For details on how to recognize GOVERNMENT identity theft, see:**

  ***Government Identity Theft*, Form #05.046**

  http://sedm.org/Forms/FormIndex.htm
- **Definition of "privity" is on the next page. A "privity" is the only thing that can create a "moiety" or "usufruct" or give rise to SHARED ownership over your otherwise PRIVATE absolutely owned property.**

Definition of "privity"

***PRIVITY**. Mutual or successive relationship to the same rights of property. 1 GreenL.Ev. § 189; Duffy v. Blake, 91 Wash. 140, 157 P. 480, 482; Haverhill v. International Ry. Co., 217 App.Div. 521, 217 N.Y.S. 522, 523. Thus, the executor is in privity with the testator, the heir with the ancestor, the assignee with the assignor, the donee with the donor, and the lessee with the lessor. Litchfield v. Crane, 8 S.Ct. 210, 123 U.S. 549, 31 L.Ed. 199.*

Derivative interest founded on, or growing out of, contract, connection, or bond of union between parties; mutuality of interest. Hodgson v. Midwest Oil Co., C.C.A.Wyo., 17 F.2d 71, 75.

Private knowledge; joint knowledge with another of a private concern; cognizance implying a consent or concurrence. Taylor v. Ferroman Properties, 103 Fla. 960, 139 So. 149, 150.

In a strict and technical sense a judgment creditor does not occupy such a relation to his debtor as to fall within the meaning of the word "privity," for there is no succession to the property of the debtor until a sale under execution is had and the judgment creditor has become vested with the title thereof. But a majority of the courts have enlarged the meaning of the word, and consequently have held that there is privity between the two before there ls an actual devolution of the title of the property owned by the debtor. Buss v. Kemp Lumber Co., 23 N.M. 567, 170 P. 54, 56, L.R.A.l918C, 1015.

Privity of blood exists between an heir and his ancestor, (privity in blood inheritable,) and between coparceners. This privity was formerly of importance in the law of descent cast. Co. Litt. 271a, 242a; 2 Inst. 516; 8 Coke, 42b.

Privity of contract is that connection or relationship which exists between two or more contracting parties. It is essential to the maintenance of an action on any contract that there should subsist a privity between the plaintiff and defendant in respect of the matter sued on. Brown.

Privity of estate is that which exists between lessor and lessee, tenant for life and remainderman or reversioner, etc., and their respective assignees, and between joint tenants and coparceners. Privity of estate is required for a release by enlargement. Sweet.

[Black's Law Dictionary, Fourth Edition, pp. 1361-1362]

Definition of "usufruct"

USUFRUCT. *In the civil law. The right of enjoying a thing, the property of which is vested in another, and to draw from the same all the profit, utility, and advantage which it may produce, provided it be without altering the substance of the thing. Civ.Code La. art. 533. Mulford v. Le Franc, 26 Cal. 102; Modern Music Shop v. Concordia Fire Ins. Co. of Milwaukee, 131 Misc. 305, 226 N.Y.S. 630, 635.*

Under Greek Law. A right attached to the person which may not be inherited. New England Trust Co. v. Wood, Mass., 93 N.E.2d. 547, 549.

Imperfect Usufruct

An imperfect or quasi usufruct is that which is if things which would be useless to the usufructary if he did not consume or expend them or change the substance of them; as, money, grain, liquors. Civ.Code La. art. 534.

See Quasi Usufruct infra.

Legal Usufruct

See that title.

Perfect Usufruct

An usufruct in those things which the usufructuary can enjoy without changing their substance, though their substance may be diminished or deteriorate naturally by time or by the use to which they are applied, as, a house, a piece of land, furniture, and other movable effects. Civ.Code La. art. 534.

Quasi Usufruct

In the civil law. Originally the usufruct gave no right to the substance of the thing, and consequently none to its consumption; hence only an inconsumable thing could be the object of it, whether movable or immovable. But in later times the right of usufruct was, by analogy, extended to consumable things, and therewith arose the distinction between true and quasi usufructs. See Mackeld. Rom. Law, §307; Civ.Code La. art. 534. See Imperfect Usufruct, supra.

[Black's Law Dictionary, Fourth Edition, p. 1713]

Moieties

- **A "moiety" occurs when a portion of a right or property which is equal to or less than half is acquired by someone else.**
- **Moieties are different from "usufructs" because they only convey HALF or less of a thing. Usufructs assume FULL control and ownership of THE WHOLE THING.**
- **The definition of "moiety" is as follows:**

  "Moiety (moy-ə-tee). 1. A half of something (such as an estate). 2. A portion less than half; a small segment. 3. In customs law, a payment made to an informant who assists the seizure of contraband."

  [Blacks Law Dictionary, Seventh Edition, p. 1021]

- **An example of a moiety is when you get married:**
  - **The two become "one flesh" from a legal perspective.**
  - **Each owns an equal half of the estate.**
  - **If the marriage dissolves, the property must be equally divided.**
  - **The civil statutory status of "spouse" is legal evidence of the existence of the "moiety".**
  - **The marriage license is a public record of the existence of the moiety. That moiety is also called a "res".**
  - **Legal actions to dissolve the moiety through divorce are called "in rem".**

"res" and "in rem" in relation to marriage

"It is universally conceded that a divorce proceeding, in so far as it affects the status of the parties, is an action in rem. 19 Cor. Jur. 22, § 24; 3 Freeman on Judgments (5th Ed.) 3152. It is usually said that the 'marriage status' is the res. *Both parties to the marriage, and the state of the residence of each party to the marriage, has an interest in the marriage status. In order that any court may obtain jurisdiction over an action for divorce that court must in some way get jurisdiction over the res (the marriage status). The early cases assumed that such jurisdiction was obtained when the petitioning party was properly domiciled in the jurisdiction. Ditson v. Ditson, 4 R. I. 87, is the leading case so holding; see, also, Andrews v. Andrews, 188 U. S. 14, 23 S. Ct. 237, 47 L. Ed. 366. Until 1905 the overwhelming weight of authority was to the effect that, if the petitioning party was domiciled in good faith in any state, that state could render a divorce decree on constructive service valid not only in the state of its rendition, but which would be recognized everywhere. In Atherton v. Atherton, 181 U. S. 155, 21 S. Ct. 544, 45 L. Ed. 794, the United States Supreme Court apparently recognized that doctrine. In that case the parties were living together and domiciled in Kentucky. That state was the last state where the parties lived together as husband and wife. The wife left the husband and came to and became domiciled in **721 New York. She brought an action for divorce in New York, her husband defending on the ground that he had secured a divorce in Kentucky on constructive service. New York refused to recognize the validity of the Kentucky decree, on the ground that Kentucky could not in such an action affect the status of a citizen of New York. The United States Supreme Court reversed the New York decisions (82 Hun, 179, 31 N. Y. S. 977; Id. 155 N. Y. 129, 49 N. E. 933, 40 L. R. A. 291, 63 Am. St. Rep. 650) and *33 held that the Kentucky decree was entitled to full faith and credit even though the wife was not served with process and not appear in the Kentucky action, and even though at the time the decree was rendered the wife was a resident of and domiciled in New York. In so holding, however, the court pointed out that the reason the Kentucky decree was entitled to full faith and credit was because Kentucky had jurisdiction over the marriage status by virtue of the fact that that state was the matrimonial domicile, i. e., the last place the parties lived together as husband and wife. Then in 1905, the United States Supreme Court decided the Haddock Case, supra. Here the parties were married and domiciled in the state of New York. The husband, without cause, abandoned his wife and went to and acquired a domicile in Connecticut. Thereafter the husband secured in Connecticut a divorce on constructive service. Several years later the wife sued for divorce in New York, and secured personal service on the husband. The husband set up as a defense the Connecticut decree. New York refused to recognize it. The Supreme Court of the United States held that although the Connecticut decree was probably good in that state, it was without binding force in New York, and was not entitled to full faith and credit. The court pointed out that the matrimonial domicile of the parties was New York, and that in such a case Connecticut had no jurisdiction over the marriage status so as to affect the status of a New York resident. New York could recognize the Connecticut decree, but it could not be compelled to do so under the full faith and credit clause. The result of this decision has been to create a hopeless conflict of authority as to the status of a foreign divorce rendered against a nondomiciled defendant on constructive service. Some courts refuse to recognize foreign decrees so rendered as against their own residents. It should be noted that Pennsylvania, the state rendering the decree involved in the instant case, is a state which refuses to grant any efficacy to a foreign decree secured on constructive service against one of its own citizens, at least where Pennsylvania is the matrimonial domicile. Colvin v. Reed, 55 Pa. 375; Duncan v. Duncan, 265 Pa. 464, 109 A. 220. Other states recognize such decrees to their full extent, permitting them to be attacked solely on jurisdictional*34 grounds. Among this latter group of states there is hopeless conflict of authority as to what constitutes a jurisdictional defect which can be collaterally attacked in a sister state. See 39 A. L. R. 603 AND 42 A. L. R. 1405, notes where the cases are exhaustively collected and commented upon.*

[Delanoy v. Delanoy, 216 Cal. 27, 13 P.2d 719 (CA. 1932)]

Definition of "in rem"

in rem. *A technical term used to designate proceedings or actions instituted against the thing, in contradistinction to personal actions, which are said to be in personam.*

"In rem" proceedings encompass any action brought against person in which essential purpose of suit is to determine title to or to affect interests in specific property located within territory over which court has jurisdiction. ReMine ex rel. Liley v. District Court for City and County of Denver, Colo., 709 P.2d 1379, 1382. It is true that, in a strict sense, a proceeding in rem is one taken directly against property, and has for its object the disposition of property, without reference to the title of individual claimants; but, in a larger and more general sense, the terms are applied to actions between parties, where the direct object is to reach and dispose of property owned by them, or of some interest therein. Such are cases commenced by attachment against the property of debtors, or instituted to partition real estate, foreclose a mortgage, or enforce a lien. Pannoyer v. Neff, 95 U.S. 714, 24 L.Ed. 565. In the strict sense of the term, a proceeding "in rem" is one which is taken directly against property or one which is brought to enforce a right in the thing itself.

Actions in which the court is required to have control of the thing or object and in which an adjudication is made as to the object which binds the whole world and not simply the interests of the parties to the proceeding. Flesch v. Circle City Excavating & Rental Corp., 137 Ind.App. 695, 210 N.E.2d 865.

See also In personam, In rem jurisdiction; Quasi in rem jurisdiction.

Judgment in rem. See that title.

Quasi in rem. A term applied to proceedings which are not strictly and purely in rem, but are brought against the defendant personally, though the real object is to deal with particular property or subject property to the discharge of claims asserted; for example foreign attachment, or proceedings to foreclose a mortgage, remove cloud from title, or effect a partition. Freeman v. Alderson, 119 U.S. 185, 7 S.Ct. 165, 30 L.Ed. 372. An action in which the basis of jurisdiction is the defendant's interest in property, real or personal, which is within the court's power, as distinguished from in rem jurisdiction in which the court exercises power over the property itself, not simply the defendant's interest therein.

[Black's Law Dictionary, Sixth Edition, p. 793]

Moieties

- **Application to Citizenship:**
  - **Calling yourself a "citizen" is like "marrying" the government.**
  - **By calling yourself a STATUTORY "citizen", you have unavoidably AGREED with the government to SHARE ownership of your body and your absolutely owned property.**
  - **The Bible, however, says it's FORNICATION and makes you a HARLOT to call yourself a CIVIL STATUTORY ANYTHING. See:**
    - **Black's Law Dictionary definition of "commerce", which is INTERCOURSE and therefore FORNICATION if the government is involved unless you are AT LEAST the Merchant and never the Buyer.**
    - **Book of Revelation in the Bible.**
    - ***Are You "Playing the Harlot" with the Government?*, SEDM https://sedm.org/are-you-playing-the-harlot/**
  - **Separation of church and state neither permits nor requires moieties or usufructs between the church and the government. Any attempt to break this separation down constitutes:**
    - **Criminal damage to religious property, 18 U.S.C. §247**
    - **THEFT.**
    - **Serving two masters in violation of the commands of Jesus in Matt. 6:24 recorded by a EX TAX COLLECTOR who repented.**
  - **The bible says YOU are the church. The church is NOT a physical building or a group.**
    - **1 Cor. 6:19 says YOUR BODY is a temple and therefore a church.**
    - **What does true separate of church and state mean in THIS context?**

Moieties

- **What the Bible says about moieties or usufructs between YOU and the GOVERNMENT:**

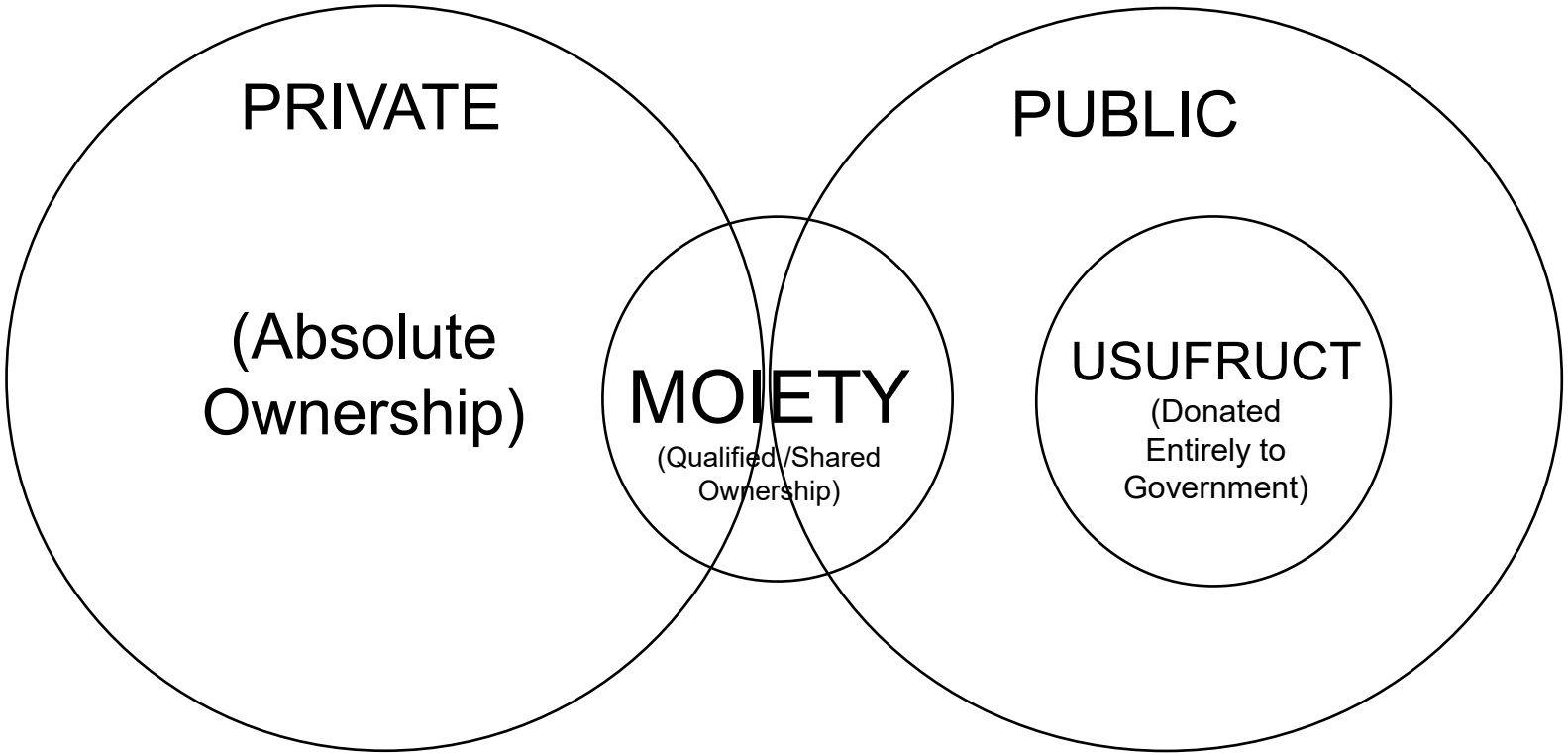
  "I [God] brought you up from Egypt [slavery] and brought you to the land of which I swore to your fathers; and I said, 'I will never break My covenant with you. And you shall make no covenant [contract or franchise or agreement of ANY kind] with the inhabitants of this [corrupt pagan] land; you shall 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]

Relationship Between Public and Private Property Conversion



How "Private" Gets Stolen

- **NOTICE the key use of the following phrase in the definition of "usufruct":**

  "In the civil law"

- **We would argue the ENTIRE civil "code" is itself a "usufruct" designed to convert ALL PRIVATE to PUBLIC:**
  - **It is what we call a "civil protection franchise".**
  - **It implements an unconstitutional "title of nobility" to the government, because they are the only ones who:**
    - **Can write the rules.**
    - **Choose which rules they want to be subject to under the concept of sovereign immunity.**
    - **Receive the benefit of fines or penalties without your consent. Why can't you penalize them under your own franchise? Aren't we all equal?**
  - **Anyone who consents to be subject to it is a fool. Being a "subject" under it is ALWAYS voluntary. See:**

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

    http://sedm.org/Forms/FormIndex.htm
  - **It only protects PUBLIC rights or property under the CUSTODY of PUBLIC officers. If you are not an agent or officer of the government, you cannot receive its "benefits". See:**

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

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

How "Private" Gets Stolen

- **Usufructs and moieties are implemented in the following ways:**
  1. **They must be based on consent. The entire civil statutory "codes" are consensual because domicile is consensual and they don't acquire the "force of law" WITHOUT consent. See Federal Rule of Civil Procedure 17.**
  2. **Using "words of art" to confuse public and private status of property ownership. For instance: "effectively connected".**
  3. **Changing the domicile of the party using "words of art" to move it to what Mark Twain called "The District of Criminals". This is done by:**
     - **Confusing geographical terms "United States" and "State" with corporations and legal "persons" called "United States" and "State".**
     - **Confusing DOMICILE with NATIONALITY to make them appear equivalent when they are not.**
  4. **Connecting the civil status of the party to a PUBLIC status or government franchise using the above three mechanisms.**
- **Items 2 and 3 above are done through "equivocation".**
- **"Equivocation" is legally defined on the next page.**

Definition of "equivocation"

equivocation

***EQUIVOCA'TION**, n. Ambiguity of speech; the use of words or expressions that are susceptible of a double signification. Hypocrites are often guilty of equivocation, and by this means lose the confidence of their fellow men. **Equivocation is incompatible with the christian character and profession**.*

[SOURCE: http://1828.mshaffer.com/d/search/word,equivocation]

***Equivocation** ("to call by the same name") is an **informal** **logical fallacy**. It is the misleading use of a term with more than one **meaning** or **sense** (by glossing over which meaning is intended at a particular time). It generally occurs with **polysemic** words (words with multiple meanings).*

Albeit in common parlance it is used in a variety of contexts, when discussed as a fallacy, equivocation only occurs when the arguer makes a word or phrase employed in two (or more) different senses in an argument appear to have the same meaning throughout.

*It is therefore distinct from (semantic) **ambiguity**, which means that the context doesn't make the meaning of the word or phrase clear, and **amphiboly** (or syntactical ambiguity), which refers to ambiguous sentence structure due to **punctuation** or **syntax**.*

*[Wikipedia topic: Equivocation, Downloaded 9/15/2015; SOURCE: **https://en.wikipedia.org/wiki/Equivocation**]*

"unequivocal" means WITHOUT "equivocation"

- **A term people often use to describe something is "unequivocal". This is very commonly seen in judicial confirmation hearings, no less!**
- **The connotation of the word means UNAMBIGUOUS.**
- **The only way a word can be unambiguous is if:**
  - **There is only one context the word can be used. . .OR**
  - **There are multiple contexts, and ONLY ONE context has been identified for the word. . . OR**
  - **You have expressly defined the word BEFORE you invoke it to describe something.**

How "Private" Gets STOLEN

- **The word "equivocation" is closely related to the word "idem sonans":**

  "IDEM SONANS. *Sounding the same or alike; having the same sound.* ***A*** *term applied to names which are substantially the same, though slightly varied in the spelling, as "Lawrence" and "Lawrance," and the like. 1 Cromp. & M. 806; 3 Chit. Gen. Pr. 171; Golson v. State, 15 Ala.App. 420, 73 So. 753.*

  Two names are said to be "idem sonantes" if the attentive ear finds difficulty in distinguishing them when pronounced, or if common and long-continued usage has by corruption or abbreviation made them identical in pronunciation. State v. Griffie, 118 Mo. 188, 23 S.W. 878. The rule of "idem sonans" is that absolute accuracy in spelling names is not required in a legal document or proceedings either civil or criminal: that if the name, as spelled in the document, though different from the correct spelling thereof, conveys to the ear, when pronounced according to the commonly accepted methods, a sound practically identical with the correct name as commonly pronounced, the name thus given is a sufficient identification of the individual referred to, and no advantage ran be taken of the clerical error. State v. Hattaway, 180 La. 12, 156 So. 159. But the doctrine of "idem sonans" has been much enlarged by modern decisions, to conform to the growing rule that a variance, to be material, must be such as has misled the opposite party to his prejudice

  [Blacks Law Dictionary, Fourth Edition, p. 880]

- **The result of the equivocation is "dissimulation".**
- **The dissimulation accomplishes treating you as PUBLIC or as a PUBLIC OFFICER when in fact:**
  - **You are or at least WANT TO BE PRIVATE.**
  - **It is unlawful for you to act in the PUBLIC because you do not lawfully occupy the statutory franchise office of "person", "citizen", or "resident".**
- **"dissimulation" is legally defined on the next page.**

Definition of "dissimulation"

dissimulation

noun

***Synonyms and Antonyms of* DISSIMULATION**

***1. the inclination or practice of misleading others through lies or trickery <got whatever she wanted through shameless* dissimulation>**

***Synonyms** artifice, cheating, cozenage, craft, craftiness, crookedness, crookery, cunning, cunningness, deceitfulness, deception, deceptiveness, dishonesty, dissembling, dissimulation, double-dealing, dupery, duplicity, fakery, foxiness, fraud, guile, guilefulness, wiliness*

***Related Words** equivocation, lying, mendacity, prevarication; chicane, chicanery, fraudulence, hanky-panky, jugglery, legerdemain, mountebankery, obliquity, skulduggery (**or** skullduggery), subterfuge, swindling, trickery, wile; falsehood, falsity, fib, untruth; hypocrisy, insincerity, sanctimoniousness, two-facedness; artfulness, caginess (**also** cageyness), deviousness, shrewdness; treacherousness, underhandedness, unscrupulousness; covertness, furtiveness, secrecy, shadiness, sneakiness, stealthiness; oiliness, shiftiness, slickness, slipperiness, slyness, smoothness*

***Near Antonyms** candidness, candor, directness, frankness, openness, plainness, plainspokenness; honesty, probity; dependability, reliability, reliableness, solidity, trustability, trustiness, trustworthiness; decency, goodness, incorruptibility, integrity, righteousness, truthfulness, uprightness, virtuousness*

***Antonyms** artlessness, forthrightness, good faith, guilelessness, ingenuousness, sincerity*

2. the pretending of having virtues, principles, or beliefs that one in fact does not have <teenagers indulging in* dissimulation *simply in order to be one of the in crowd>

***Synonyms** cant, dissembling, dissimulation, insincerity, piousness*

***Related Words** deceit, deceitfulness, deception, deceptiveness, dishonesty, double-dealing, falsity, perfidy, two-facedness; affectation, affectedness, pretense (**or** pretence), pretension, pretentiousness, sanctimoniousness, self-righteousness, self-satisfaction; duplicity, fakery, falseness, fraudulentness, shamming; artificiality, glibness, oiliness, smoothness, unctuousness*

***Near Antonyms** candor, directness, forthrightness, frankness, honesty, openheartedness, openness, probity, straightforwardness, truthfulness; artlessness, guilelessness, naturalness, unaffectedness*

***Antonyms** genuineness, sincereness, sincerity*

***[Merriam Webster Online Dictionary: Dissimulation, Downloaded 10/13/2015;
SOURCE: http://www.merriam-webster.com/thesaurus/dissimulation]***

Funny Examples of "Dissimulation"

- **Don't Judge Too Quickly:**
  - **#1: Hospital**
    https://sedm.org/education//liberty-university/liberty-university-2-10-1-hospital/
  - **#2: Airplane**
    https://sedm.org/education//liberty-university/liberty-university-2-10-2-airplane/
  - **#3: Home**
    https://sedm.org/education//liberty-university/liberty-university-2-10-3-home/
  - **#4: Dad in Car**
    https://sedm.org/education//liberty-university/liberty-university-2-10-4-dad-in-car/
  - **#5: Park**
    https://sedm.org/education//liberty-university/liberty-university-2-10-5-park/

Two Ways to Convert Private to Public

- **There are TWO ways to convert PRIVATE to PUBLIC from a legal perspective:**
  1. **Convert the civil status of the OWNER (jurisdiction over the PERSON). This is done, for instance, by changing your DEFAULT civil status of "nonresident alien" as an American national by "electing" to be treated as a PRIVILEGED STATUTORY "citizen" or "resident", who file a 1040 instead of a 1040NR and can then take privileged "deductions" under 26 U.S.C. §162. The cost of PROCURING this "benefit" or privilege is that the character of your earnings changes from being taxable only from U.S. sources in 26 U.S.C. §872 to being taxable on your worldwide EARNINGS UNDER 26 U.S.C. §61 and §861. NOT a good deal.**
  2. **Convert the civil status of the PROPERTY. This is done, for instance, by calling the earnings "wages" when filing a W-4 as a private man or woman per 26 U.S.C. §3402(p).**
- **The following court case acknowledges the above two mechanisms to convert PRIVATE property to PUBLIC property:**

  "In the case of the federal government where the individual is either a United States citizen or an alien residing in the taxing jurisdiction, the tax under section 1 of the Code is based upon jurisdiction over the person; ***where the individual is an alien [LEGISLATIVELY OR CONSTITUTIONALLY "foreign", INCLUDING states of the Union] not residing in the taxing jurisdiction [the "geographical United States", meaning the District of Columbia per 26 U.S.C. §7701(a)(9) and (a)(10) and 4 U.S.C. §110(d)], the tax under section 871 of the Code is based upon jurisdiction over the [PUBLIC] property or income of the nonresident individual [GEOGRAPHICALLY and PHYSICALLY] located or earned in the taxing jurisdiction****"*
  [Great Cruz Bay, Inc., St. John v. Wheatley, 495 F.2d 301, 307 (3d Cir. 1974)]
- **Both of the above techniques usually involve a USUFRUCT in combination with EQUIVOCATION. More on this subject at:**

  ***What Is an Income tax "Exclusion"?*, SEDM**
  https://sedm.org/what-is-an-income-tax-exclusion/

How to PREVENT conversion of PRIVATE to PUBLIC

SEDM Disclaimer, Section 4.8: Law

The protection of PRIVATE rights mandated by the Bill of Rights BEGINS with and requires:

1. **ALWAYS keeping PRIVATE and PUBLIC rights separated and never mixing them together.**
2. **Using unambiguous language about the TYPE of "right" that is being protected: PUBLIC or PRIVATE in every use of the word "right". The way to avoid confusing PUBLIC and PRIVATE RIGHTS is to simply refer to PUBLIC rights as "privileges" and NEVER refer to them as "rights".**
3. **Only converting PRIVATE rights to PUBLIC rights with the express written consent of the HUMAN owner.**
4. **Keeping the rules for converting PRIVATE to PUBLIC so simple, unambiguous, and clear that a child could understanding them and always referring to these rules in every interaction between the government and those they are charged with protecting.**

How to PREVENT conversion of PRIVATE to PUBLIC

5. **Ensuring that in every interaction (and ESPECIALLY ENFORCEMENT ACTION, Form #05.032) between you and the government both administratively and in court, that any right the government claims to civilly enforce against, regulate, tax, or burden otherwise PRIVATE property is proven ON THE RECORD IN WRITING to originate from the rules documented in the previous step. This BURDEN OF PROOF must be met both ADMINISTRATIVELY and IN COURT BEFORE any enforcement action may be lawfully attempted by any government. It must be met by an IMPARTIAL decision maker with NO FINANCIAL interest in the outcome and not employed by the government or else a criminal financial conflict of interest will result. In other words, the government has to prove that it is NOT stealing before it can take property, that it is the lawful owner, and expressly HOW it became the lawful owner.**
6. **Enforcing the following CONCLUSIVE PRESUMPTION against government jurisdiction to enforce unless and until the above requirements are met:**

How to PREVENT conversion of PRIVATE to PUBLIC

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

1. ***A SPECIFIC formerly PRIVATE owner consented IN WRITING to convert said property to PUBLIC property.***
2. ***The evidence proving the conversion is not generated indirectly by a third party, but DIRECTLY by the original owner. Thus, false information returns such as W-2, 1099, etc. are inadmissible evidence of conversion. See Form #04.001.***
3. ***The owner was either abroad, domiciled on, or at least PRESENT on federal territory NOT protected by the Constitution and therefore had the legal capacity to ALIENATE a Constitutional right or relieve a public servant of the fiduciary obligation to respect and protect the right. Those physically present but not necessarily domiciled in a constitutional but not statutory state protected by the constitution cannot lawfully alienate rights to a real, de jure government, even WITH their consent.***
4. ***If the government refuses to meet the above burden of proof, it shall be CONCLUSIVELY PRESUMED to be operating in a PRIVATE, corporate capacity on an EQUAL footing with every other private corporation and which is therefore NOT protected by official, judicial, or sovereign immunity."***

Constitutional limitations upon the use of government/PUBLIC property

1. **The authority to control the use of government property originates from Article 4, Section 3, Clause 2 of the United States Constitution.**

   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.

2. **Congress may reach or control its property ANYWHERE, including outside of federal territory, in a constitutional state, or abroad.**

   "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)]

Constitutional limitations upon the use of government/PUBLIC property

3. **Courts are acting in an Article 4, Section 3, Clause 2 capacity when officiating over control of their property. They are NOT acting in an Article III capacity over PRIVATE property.**
4. **Governments don't produce ANYTHING, but merely STEAL what YOU produce. Consequently, they aren't paying you anything they EARNED and therefore can realistically OWN. You can't GRANT or LEND something until you actually "OWN" it as "ownership" is legally defined. The following funny video drives home this point:**

   ***Night of the Living Government*, Andrew Klavan**
   https://youtube.com/embed/aUwTyycRoCQ

5. **The receipt of monies from the government that always were yours cannot truthfully be called a "benefit" or a "privilege". The ONLY party in receipt of a "benefit" under such circumstances is, in fact, the GOVERNMENT! See:**

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

6. **Government is NOT GRANTING or LENDING ITS property if it is paying back money that you LOANED to it that they were charged by you with temporary custody over. An example is a "tax refund" they are paying you BACK.**

Constitutional limitations upon the use of government/PUBLIC property

- They can't place conditions the receipt of monies that ALWAYS WERE YOURS.
- YOU are the only one who can place conditions or attach strings by virtue of WHOSE property it always was. Ownership and control are synonymous.
- Government tries through SOPHISTRY to circumvent this limitation by paying the OFFICE as a public officer rather than the PRIVATE human filling said office.

7. **The conditions of the GRANT or LOAN of government property CANNOT be used to create new public offices that would unconstitutionally extend federal jurisdiction extraterritorially (meaning OUTSIDE the District of Criminals) . The offices MUST be lawfully created through an official appointment or election and by no other method. Otherwise, the national government could abuse franchises to "invade the states" commercially and break down the separation of powers (Form #05.023). The Declaration of Independence talks about this mechanism of "invasion" by referring to the "invaders" as "swarms of officers":**

> ***"He [the tyrant King] has erected a multitude of New Offices, and sent hither swarms of Officers [public officer "taxpayers", Form #05.008] to harrass our people, and eat out their substance."***
>
> ***[Declaration of Independence, 1776; SOURCE: https://www.archives.gov/founding-docs/declaration-transcript]***

More about this SCAM of unlawfully creating public offices is described below:

- ***Challenge ot Income Tax Enforcement Authority Within Constitutional States of the Union*, Form #05.052**
  https://sedm.org/Forms/05-Memlaw/ChallengeToIRSEnforcementAuth.pdf
- ***The "Trade or Business" SCAM*, Form #05.001**
  https://sedm.org/Forms/05-MemLaw/TradeOrBusScam.pdf

Constitutional limitations upon the use of government/PUBLIC property

8. **If everything you pay the government is a GRANT OR LOAN from you to them and not a reimbursement or a gift, then:**
   - **YOU are the "Merchant"/Creditor under U.C.C. §2-104(1).**
   - **They are the "Buyer"/Debtor under U.C.C. §2-103(1)(a).**
   - **The ONLY party who normally makes all the rules relating to their relationship is the Merchant. They must obey you and not the other way around.**
   - **You will ALWAYS win if there is a dispute between you and the government, because he who either makes the rules or writes the definitions always wins!**
   - **HOWEVER, if you DON'T have quantifiable property to grant or loan, there is not real CONSIDERATION and no ability to contract or as a legitimate Merchant.**

   More on the above can be found in:
   - ***Path to Freedom*, Form #09.015, Sections 5.6 and 5.7**
     https://sedm.org/Forms/FormIndex.htm
   - ***Injury Defense Franchise and Agreement*, Form #06.027-use this to turn the tables on them and fight franchises with anti-franchises as a Merchant.**
     https://sedm.org/Forms/06-AvoidingFranch/InjuryDefenseFranchise.pdf

Constitutional limitations upon the use of government/PUBLIC property

9. Congress cannot define "general welfare" in the constitution as a franchise benefit or grant/loan of government property and thereby abuse franchises to completely circumvent all of the limitations of the constitution. Here's what the ORIGINAL AUTHOR of the Constitution whose notes were used to compile the constitution said on this subject, only three years after the constitution was ratified, no less:

> ***"With respect to the words general welfare, I have always regarded them as qualified by the detail of powers connected with them. To take them in a literal and unlimited sense would be a metamorphosis of the Constitution into a character which there is a host of proofs was not contemplated by its creator."***
>
> ***"If Congress can employ money indefinitely to the general welfare, and are the sole and supreme judges of the general welfare, they may take the care of religion into their own hands; they may appoint teachers in every State, county and parish and pay them out of their public treasury; they may take into their own hands the education of children, establishing in like manner schools throughout the Union; they may assume the provision of the poor; they may undertake the regulation of all roads other than post-roads; in short, every thing, from the highest object of state legislation down to the most minute object of police, would be thrown under the power of Congress…. Were the power of Congress to be established in the latitude contended for, it would subvert the very foundations, and transmute the very nature of the limited Government established by the people of America."***
>
> ***"If Congress can do whatever in their discretion can be done by money, and will promote the general welfare, the government is no longer a limited one possessing enumerated powers, but an indefinite one subject to particular exceptions."***
>
> ***[James Madison. House of Representatives, February 7, 1792, On the Cod Fishery Bill, granting Bounties]***

[SEDM Disclaimer, Section 4.8 SOURCE: http://sedm.org/disclaimer.htm]

What Do "Rights" ATTACH To?

- **PUBLIC rights**
  - Attach to civil statuses, regardless of where the party holding the status is physically located.
  - Attach ONLY to domicile on federal territory as a prerequisite in the case of national franchises (Form #05.030).
  - Attach to the PUBLIC OFFICE domiciled on federal territory, and not the PRIVATE human FILLING said office.
- **PRIVATE rights**
  - Attach to HUMANS standing on LAND protected by the Constitution
  - Inherent in every human as natural rights and recognized as such in common law and the Constitution
  - Include the rights protected by the constitution via the Bill of Rights and the Fourteenth Amendment (equal protection)
  - Are "unalienable" according to the Declaration of Independence, which means that you aren't ALLOWED by law to surrender them even WITH your consent. See:

    Unalienable Rights, Form #12.038

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

What Do "Rights" ATTACH To?

- **PROOF:**
  - *"It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the [civil] status of the people who live in it."*
    [Balzac v. Porto Rico, 258 U.S. 298 (1922)]
  - *"Debitum et contractus non sunt nullius loci.*
    Debt and contract are of no particular place."
    [Bouvier's Maxims of Law, 1856]
- **For further details:**

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

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

Definition of "privilege" (PUBLIC right)

privilege \ˈpriv-lij, ˈpri-və-\ noun

[Middle English, from Anglo-French, from Latin *privilegium law for or against a private person, from privus private + leg-, lex law] 12th century: a right or immunity granted as a peculiar benefit, advantage, or favor: prerogative especially: such a **right or immunity attached specifically to a position or an office**

[Mish, F. C. (2003). Preface. Merriam-Websters collegiate dictionary. (Eleventh ed.). Springfield, MA: Merriam-Webster, Inc.]

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privilege verb transitive

-leged; -leging 14th century

1: to grant a privilege to

2: to accord a higher value or **superior position to** 〈*privilege one mode of discourse over another*〉

[Mish, F. C. (2003). Preface. Merriam-Websters collegiate dictionary. (Eleventh ed.). Springfield, MA: Merriam-Webster, Inc.]

Notes on "privileges"/"Public rights"

- **Based on the definition of "privilege" earlier:**
  - **They attach to OFFICES in the government if the privilege is GRANTED by government. An OFFICE in the government is called a "PUBLIC OFFICE".**
  - **They create a SUPERIOR position in relation to others. In religious terminology, this is called a "supernatural power", where HUMANS (YOU) are the "natural".**
  - **They constitute what the U.S. Supreme Court calls "class legislation" that is not "law" in a classical sense, but rather private law or a franchise. All private law and franchises create strife in communities where it is implemented. See:**

    ***What is "law"?*, Form #05.048**

    http://sedm.org/Forms/FormIndex.htm
- **The PLACE that "privileges" or "public rights" are CREATED legislatively is in the definitions section of statutes.**
  - **If the right attaches to a CIVIL STATUTORY STATUS (Form #13.008), it is a PRIVILEGE or PUBLIC RIGHT.**
  - **If the right attaches to LAND or to a CONSTITITIONAL rather than STATUTORY "person", it is a PRIVATE RIGHT. CONSTITUTIONAL rights attach to land and not the CIVIL STUTORY STATUS of humans standing ON that land.**
- **Example from Foreign Intelligence Surveillance Act (FISA):**

Notes on "privileges"/"Public rights"

- **EXAMPLE: Foreign Intelligence Surveillance Act (FISA), 50 U.S.C. §1801: Definitions:**
  - **(i)**"United States person" means a citizen of the United States, an alien lawfully admitted for permanent residence (as defined in section 1101(a)(20) of title 8), an unincorporated association a substantial number of members of which are citizens of the United States or aliens lawfully admitted for permanent residence, or a corporation which is incorporated in the United States, but does not include a corporation or an association which is a foreign power, as defined in subsection (a)(1), (2), or (3).
  - **(j)**"United States", when used in a geographic sense, means all areas under the territorial sovereignty of the United States and the Trust Territory of the Pacific Islands.
  - **(m)**"Person" means any individual, including any officer or employee of the Federal Government, or any group, entity, association, corporation, or foreign power.
  - **(o)**"State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Trust Territory of the Pacific Islands, and any territory or possession of the United States.
- **Clearly, this is a privilege rather than a private right, because "United States person" includes CIVIL (territorial) "citizens and residents" (Form #05.006) rather than POLITICAL/FOREIGN PRIVATE humans or "persons". The right attaches to a STATUS and therefore is a PRIVILEGE and a PUBLIC right.**
- **If you want to stay PRIVATE, you cannot invoke the "benefits" (Form #05.040), "privileges", or "protection" of the status of CIVIL "U.S. person" and if you do, you create the presumption that you ARE NOT protected by the Constitution and therefore have surrendered all your private rights.**

Notes on "privileges"/"Public rights"

- **Important point: You don't need no STINKING CIVIL statutes (Form #05.037) to protect PRIVATE constitutional rights. The constitution is SELF-EXECUTING and needs no statutes. See:**
  - ***Enumeration of Inalienable Rights*, Form #10.002, Section 4: The Bill of Rights is self-executing: No Statutes Needed to Enforce in Court**
    http://sedm.org/Forms/FormIndex.htm
  - ***Why You Shouldn't Cite Federal Statutes as Authority for Protecting Rights*, Family Guardian Fellowship**
    http://famguardian.org/Subjects/Discrimination/CivilRights/DontCiteFederalLaw.htm
  - ***Why Statutory Civil Law is Law for Government and Not Private Persons*, Form #05.037**
    http://sedm.org/Forms/FormIndex.htm
- **Most civil statutes only apply where the Constitution DOES NOT apply! Here is proof relating to Social Security, and, by implication, EVERY OTHER FEDERAL FRANCHISE!:**

  *"We must conclude that a person covered by the Act has not such a right in benefit payments… This is not to say, however, that Congress may exercise its power to modify the statutory scheme **free of all constitutional restraint.**"*
  [Flemming v. Nestor, 363 U.S. 603 (1960)]

Notes on "privileges"/"Public rights"

- **More on STATUTORY "U.S. Person"**
  - ***Sovereignty Forms and Instructions Online***, Form #10.004, Cites by Topic: "U.S. Person"

    http://famguardian.org/TaxFreedom/CitesByTopic/USPerson.htm
  - ***U.S. Person Position***, Form #05.53

    https://sedm.org/Forms/05-MemLaw/USPersonPosition.pdf
  - ***Flawed Tax Arguments To Avoid***, Form #08.004, Section 8.24: A Statutory "U.S. Person" includes state citizens or residents and is not limited to territorial citizens or residents

    https://sedm.org/Forms/08-PolicyDocs/FlawedArgsToAvoid.pdf
- **By using "privileges"/public rights/civil statutes to elevate those who receive them above others, the result is:**
  - Substituting PRIVATE rights in exchange for PUBLIC rights.
  - The complete destruction of EQUALITY of all under the law. See: ***Requirement for Equal Protection and Equal Treatment***, Form #05.033 http://sedm.org/Forms/FormIndex.htm
  - The violation of the constitutional prohibition against "Titles of Nobility", where the name of the PUBLIC OFFICE (such as STATUTORY "citizen", Exhibit #01.018) is the "Title of Nobility"
  - The establishment of an UNCONSTITUTIONAL state sponsored religion, where YOU as the "natural" have to "worship" (meaning "obey") and serve those with the state-granted "SUPERIOR" or "SUPER-NATURAL" powers.

Definition of Religion

"Religion. Man's relation to Divinity, to reverence, worship [servitude as a public officer], obedience, and submission to mandates and precepts [franchise "codes"] of supernatural or superior beings. In its broadest sense includes all forms of belief in the existence of superior beings exercising power over human beings by volition, imposing rules of conduct, with future rewards and punishments. Bond uniting man to God, and a virtue whose purpose is to render God worship due him as source of all being and principle of all government of things. Nikulnikoff v. Archbishop, etc., of Russian Orthodox Greek Catholic Church, 142 Misc. 894, 255 N.Y.S. 653, 663."

[Black's Law Dictionary, Sixth Edition, p. 1292]

Why Franchises Establish Religion

- "SUPERNATURAL OR SUPERIOR BEINGS" are those granted "privileges" of a franchise. See:

  Government Instituted Slavery Using Franchises, Form #05.030

  http://sedm.org/Forms/FormIndex.htm
- "WORSHIP" = Obedience to the dictates of the franchise "codes"
- Those DOING the worship are called PUBLIC OFFICERS, meaning AGENTS of the "SUPERIOR BEING".
- The "SUPERIOR BEING" being rendered "WORSHIP" is the "United States" government as a legal person AND a corporation.
- That "SUPERIOR BEING" has an unconstitutional "Title of Nobility" because it has "SUPERNATURAL OR SUPERIOR" powers above YOU as the "natural".
- The RESULT is what they call "all government of things".
- The purpose of all franchises and privileges they create is to CREATE inequality (and thereby DESTROY THE SOURCE OF ALL YOUR FREEDOM, which is EQUALITY), use that inequality to impose SERVITUDE, and establish a state sponsored religion that worships government or civil rulers instead of God.

Why Franchises Establish Religion

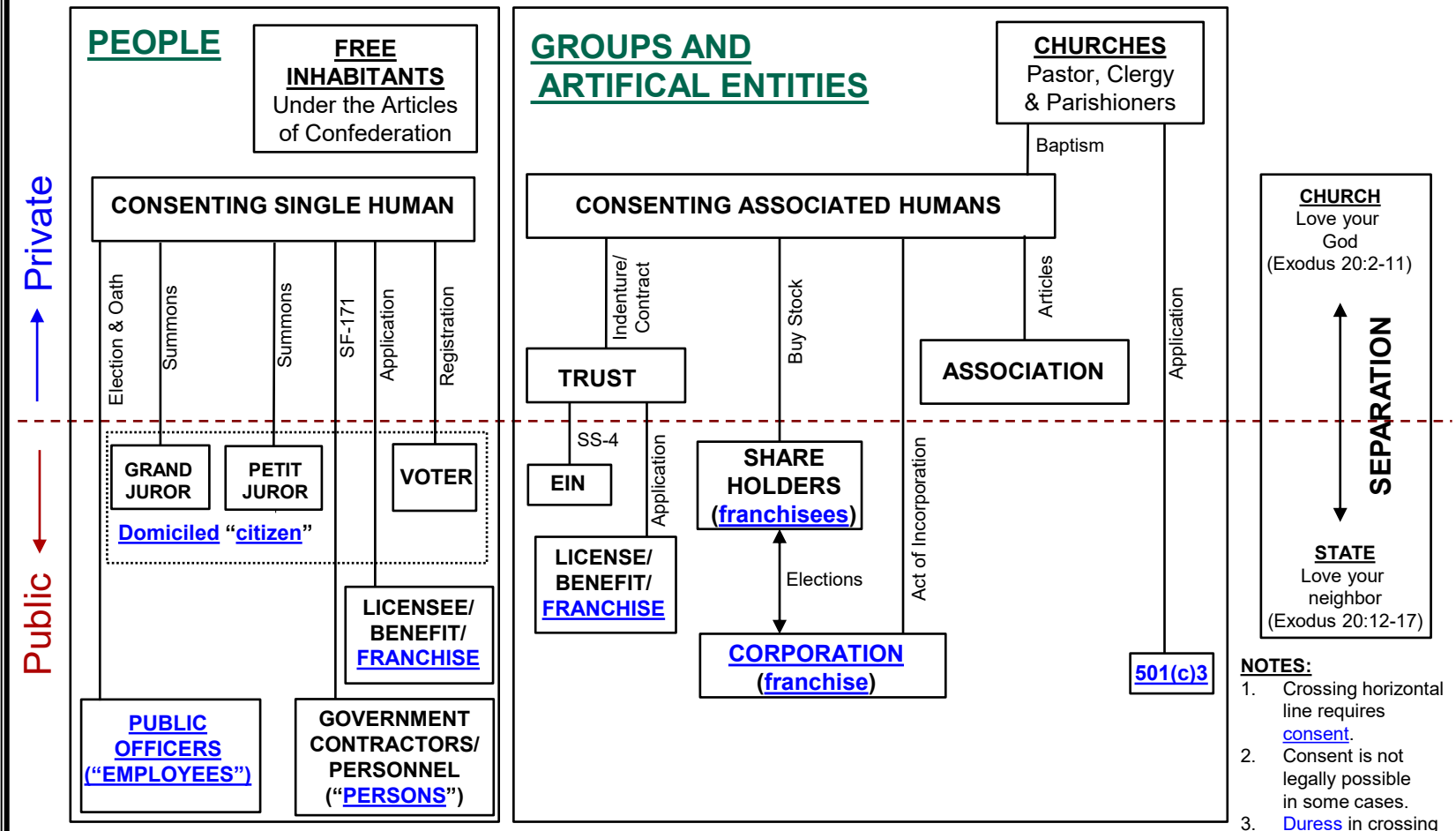
- **Don't believe us that franchises establish a state-sponsored religion? Look at legally admissible evidence proving our assertion:**
  - ***Government Has Become Idolatry and a False Religion-*** **also included in our Path to Freedom, Form #09.015: http://famguardian.org/Subjects/Taxes/Articles/Christian/GovReligion.htm**
  - ***Socialism: The New American Civil Religion*****, Form #05.016 http://sedm.org/Forms/FormIndex.htm**
  - ***Government Establishment of Religion*****, Form #05.038 http://sedm.org/Forms/FormIndex.htm**
  - ***Communism, Socialism, Collectivism Topic Page*****, Sections 4 and 5 http://famguardian.org/Subjects/Communism/Communism.htm**

De Jure Organization Diagram

- **It is a very helpful didactic device to provide a pictorial diagram to describe the separation of Public and Private rights.**
- **We will refer to the following diagram throughout the entire course.**

De Jure Organization

PRIVATE (people)



NOTES:

1. Crossing horizontal line requires consent.
2. Consent is not legally possible in some cases.
3. Duress in crossing the line renders any government de facto.

PUBLIC (government agents or officers)

De Jure Organization Diagram Notes

- **The straight lines between boxes are an act of consent.**
- **Public and private can only be connected through consent.**
- **The top and bottom can only be connected through consent on government property or federal territory.**
  - **Never in places that are not government (PUBLIC) property or are private.**
  - **Never in places protected by the Constitution or Bill of Rights.**

The reason: Constitutional rights are INALIENABLE per the Declaration of Independence, which is ORGANIC LAW enacted into law in the FIRST ACT of Congress, 1 Stat. 1.

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

De Jure Organization Notes

- **Government's job is to keep top and bottom separate.**
  - **It has a monopoly on "protection".**
  - **The purpose of its creation is "justice".**

    "Justice is the end of government. It is the end of civil society. It ever has been, and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit."

    [The Federalist No. 51 (1788), James Madison]
  - **"Justice" is legally defined as "the right to be left alone". See: http://famguardian.org/TaxFreedom/CitesByTopic/justice.htm**
  - **A government founded with the purpose of protecting your right to be left alone has as its first job LEAVING YOU ALONE, which means leaving you PRIVATE rather than PUBLIC. To impose duties of a public office against you that you didn't consent to is not only an INJUSTICE, but a THEFT of property and unconstitutional involuntary servitude in violation of the Thirteenth Amendment.**
  - **If they won't "leave you alone", take or demand your private rights or property, or demand bribes for the "privilege" of being left alone, they are a criminal RICO or "mafia protection racket".**
  - **When "justice" becomes a privilege/franchise, then we cease to have a real de jure government.**
- **The way to keep them separate is to prosecute all instances of duress under the common law and constitution and not statute law.**

Definition of "Duress"

DURESS*, *n*.** *Unlawful constraint exercised upon a man whereby he is forced to do some act that he otherwise would not have done. It may be either "duress of imprisonment," where the person is deprived of his liberty in order to force him to compliance, or by violence, beating, or other actual injury, or duress per minus, consisting in threats of imprisonment or great physical injury or death. Duress may also include the same injuries, threats, or restraint exercised upon the man's wife, child, or parent. Coughlin v. City of Milwaukee, 227 Wis. 357, 279 N.W. 62, 67, 119 A.L.R. 990; Radich* ***v. *Hutchins, 95 U.S. 213, 24 L.Ed. 409.*

Duress consists in any illegal imprisonment, or legal imprisonment used for an illegal purpose, or threats of bodily or other harm, or other means amounting to or tending to coerce the will of another, and actually inducing him to do an act contrary to his free will. Heider v. Unicume, 142 Or. 410, 20 P.2d. 384, 385; Shlensky v. Shlensky, 369 Ill. 179, 15 N.E.2d. 694, 698. And it is never "duress" to threaten to do that which a party has a legal right to do. Doernbecher v. Mutual Life Ins. Co. of New York, 16 Wash.2d. 64,132 P.2d. 751, 755, 756; Miller v. Walden, 53 Cal.App.2d. 353, 127 P.2d. 952, 956, 957. Such as, instituting or threatening to institute civil actions. Standard Radio Corporation v. Triangle Radio Tubes, 125 N.J.L. 131, 14 A.2d. 763, 765; Shipman v. Moseley, 319 Ill.App. 443, 49 N.E.2d. 662, 666.

[Black's Law Dictionary, Fourth Edition, p. 594]

Duress in the Context of Identity Theft

- **The main method of converting PRIVATE to PUBLIC without the consent of the owner is to associate a PUBLIC statutory civil status with a PRIVATE person against their consent or without ASKING for their consent. This is STEALING.**
- **In the context of identity theft, duress as we just defined exists:**
  1. **Its goal is unconstitutional and criminal peonage, by making you surety for public debts against your consent. 18 U.S.C. §1581 and the 13th Amendment.**
  2. **The enforcement authorized by the franchise is illegal and unlawful if directed at those who are not CONSENSUALLY, lawfully, and absent duress party to the franchise.**
  3. **If they refuse to allow you to administratively correct or rebut your civil status in their FRAUDULENT records, they in effect are criminally obstructing justice (18 U.S.C. §1505) by interfering with restoring your right to simply be left alone and to have a PRIVATE status. They are also making their records FRAUDULENT. 18 U.S.C. §1030.**
  4. **In the absence of the ability to correct your FALSE and FRAUDULENT civil status in their records, the only other remedy available is mainly to ILLEGALLY BRIBE (18 U.S.C. §201) them illegally to get them to go leave you alone. This "tax"/extortion money is a criminal violation of 18 U.S.C. §210-211)**

Duress in the Context of Identity Theft

- **In effect, they commit extortion and organized crime, and the judges with a criminal financial conflict of interest (28 U.S.C. 144, 455, and 18 U.S.C. §208) are the "organizers" of their criminal RICO "protection racket".**

Affidavit of Duress

- **It is important to be able to provide *legal evidence* that you are under duress.**
- **Below is our attempt to address the task of documenting the duress that causes the identity theft which can be used in court:**
  - ***Government Identity Theft*, Form #05.046**
    http://sedm.org/Forms/FormIndex.htm
  - ***Affidavit of Duress: Member Deposition*, Form #02.003**
    http://sedm.org/Forms/FormIndex.htm
  - ***Affidavit of Duress: Illegal Tax Enforcement by De Facto Officers*, Form #02.005**
    http://sedm.org/Forms/FormIndex.htm

How Separation Between Public and Private is Broken Down in the Diagram

- **Government becomes de facto and a MAFIA when:**
  1. **Requirement for consent crossing transitional center line is not recognized or is said to not exist. .or . .**
  2. **Consent was procured from someone legally ineligible. . .OR. .**
  3. **Duress in crossing center line is not prosecuted . .OR . .**
  4. **Franchises are offered or enforced outside of federal territory (judges make a profitable business out of alienating unalienable rights and thus have criminal conflict of interest) . .OR. .**
  5. **Consenting to one franchise causes you to have to consent to ALL franchises (adhesion/unconscionable contract which violates Unconstitutional Conditions Doctrine) . .OR. .**
  6. **Government forms do not recognize right to:**
     - **Place conditions on joining.**
     - **Quit or not have "participant" status.**
     - **Not sign up.**
     - **Indicate duress when signing up.**
  7. **Common law in court is either not recognized or sanctioned. Interferes with remedies for any or all of the above.**
  8. **Disputes involving above are heard in franchise court instead of constitutional court.**

Maxims of Law ALLOWING Conversion

Bouvier's Maxims of Law, 1856

1. **Cujus est commodum ejus debet esse incommodum. He who receives the benefit should also bear the disadvantage.**
2. **Que sentit commodum, sentire debet et onus. He who derives a benefit from a thing, ought to feel the disadvantages attending it. 2 Bouv. Inst. n. 1433.**
3. **Hominum caus jus constitutum est. Law is established for the benefit of man.**
4. **Injuria propria non cadet in beneficium facientis. One's own wrong shall not benefit the person doing it.**
5. **Privatum incommodum publico bono peusatur. Private inconvenience is made up for by public benefit.**

Maxims of Law PREVENTING Conversion

- **Bouvier's Maxims of Law, 1856**
  1. **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.
  2. **Privilegium est beneficium personale et extinguitur cum person.**
     A privilege is a personal benefit and dies with the person. 3 Buls. 8.
  3. **Quae inter alios acta sunt nemini nocere debent, sed prodesse possunt.**
     Transactions between strangers may benefit, but cannot injure, persons who are parties to them. 6 Co. 1.
  4. **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.
  5. **When the common law and statute law concur, the common law is to be preferred. 4 Co. 71**
  6. **Verba dicta de persona, intelligi debent de conditione personae.**
     Words spoken of the person are to be understood of the condition of the person. 2 Roll. R. 72.

Rules for Lawfully Converting PRIVATE Property into PUBLIC Property

- **All property starts out as EXCLUSIVELY PRIVATE and beyond the civil statutory control (Form #05.037) of government.**
- **It is VERY important to understand the simple rules the government must abide by in converting YOUR PRIVATE property to PUBLIC property.**
- **Any attempt by government to do any of the following in respect to one's PRIVATE rights and/or PRIVATE property (Form #10.002) is THEFT and a taking of property in violation of the Fifth Amendment if the rules we will show you have been violated:**
  - **Asserts a right to TAKE the property without compensation**
  - **Asserts a right to regulate or control the use of private property. This is called a "regulatory taking".**
  - **Asserts a right to convert the character of property from PRIVATE to PUBLIC without the express written consent of the original owner. IMPLIED consent CANNOT be used.**
  - **Asserts a right to TAX said property. Taxation, after all, is the process of converting PRIVATE property to PUBLIC property. See:**

    Overview of the Income Taxation Process (as a PROPERTY exercise)
    https://sedm.org/overview-of-the-income-taxation-process-as-a-property-exercise/

Supreme Court Rules for Lawfully Converting PRIVATE Property into PUBLIC Property

"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)]

Summary of Rules for Converting PRIVATE property into PUBLIC property

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

NOTE: There is only ONE condition, Which is #2, in which the conversion of private property to public property does NOT require compensation or consent, which is when the owner injures someone with it, and the taking happens AFTER the demonstrated injury.

Questions

- **The only way you can lose your PRIVATE property without consent and without compensation is:**
  - **To DONATE it to a "public use" OR**
  - **INJURE the equal rights (Form #05.033) of others in the use of it**
- **QUESTIONS:**
  - **1. How did your PRIVATE property or PRIVATE labor become a lawful subject of taxation? Taxation, after all, is the process of CONVERTING PRIVATE property into PUBLIC property.**
  - **2. By what specific authority does the government regulate or control any aspect of the use of your absolutely owned EXCLUSIVELY PRIVATE property that you have hurt NO ONE with?**

Answers

1. **Most people become a statutory "Taxpayer" through their own legal ignorance.**

   1.1. The method of volunteering is to misrepresent your civil status on a government form. See:
   ***Avoiding Traps in Government Forms*, Form #12.023**
   http://sedm.org/Forms/FormIndex.htm

   1.2. Since everyone is presumed by the courts to know the law, there is no excuse for ignorant volunteering.

   1.3. No government worker can assert a right nor has a duty to know or second guess their master or correct ignorant volunteers.

   1.4. Therefore, you have an obligation to give them reasonable notice of the above errors.

   1.5. Beyond that point, they are noticed of a violation of their fiduciary duty and any further enforcement action is a tort they are personally responsible for.

"My [God's] people are destroyed [and enslaved] for lack of knowledge [and the lack of education that produces it]."
[Hosea 4:6, Bible, NKJV]

Answers

2. **Only by VOLUNTEERING to assume the civil statutory status of a franchisee (e.g. "taxpayer", "citizen", "spouse", "driver"), ABSENT DURESS OR COERCION of any kind, can the government regulate the use of EXCLUSIVELY PRIVATE property.**

   2.1. This consent can only lawfully be given on land NOT protected by the constitution BECAUSE constitutionally protected rights are unalienable, according to the Declaration of Independence.

   2.2. In this way, you DONATE your private property to a PUBLIC use, public purpose, and public office.

   2.3. If there was any duress applied or tricks (equivocation or dissimulation) on government forms that would force or mislead you to volunteer, then the regulation becomes a form of THEFT.

Violation of the Rules for Converting PRIVATE property to PUBLIC property

- **A THEFT of property has occurred on behalf of the government if it attempts to do any of the following:**
  - **Circumvents any of the above rules for converting PRIVATE to PUBLIC.**
  - **Tries to blur, confuse, or obfuscate the distinction between PRIVATE property and PUBLIC property.**
  - **Refuses to identify EXACTLY which of the FIVE mechanisms identified in the preceding table was employed in EACH specific case where it:**
    - » **Asserts a right to regulate the use of PRIVATE property.**
    - » **Asserts a right to CONVERT the character of property from PRIVATE to PUBLIC.**
    - » **Asserts a right to TAX what you THOUGHT was PRIVATE property.**

Violation of the Rules for Converting PRIVATE property to PUBLIC property

- **Is your ignorance of law and the rules for converting property causing you to:**
  - **Unknowingly donate property to the government?**
  - **Condone and further government theft or identity theft? The only difference between THEFT and a DONATION is CONSENT.**
  - **Aid and abet conspiracies by public servants to:**
    - » **Deceive you about what the law permits and requires?**
    - » **Deprive you of Constitutional rights?**

PUBLIC v. PRIVATE Franchises

Characteristic	PUBLIC/GOVERNMENT Franchise	PRIVATE Franchise
Franchise agreement is	Civil law associated with the domicile of those who are statutory but not constitutional "citizens" and "residents" within the venue of the GRANTOR	Private law among all those who expressly consented in writing
Consent to the franchise procured by	IMPLIED by ACTION of participants: 1. Using the government's license number; 2. Declaring a STATUS under the franchise such as "taxpayer"	EXPRESS by signing a WRITTEN contract absent duress
Franchise rights are property of	Government (de facto government if property outside of federal territory)	Human being or private company
Choice of law governing disputes under the franchise agreement	Franchise agreement itself and Federal Rule of Civil Procedure 17(b).	Franchise agreement only
Disputes legally resolved in	Article 4, Section 3, Clause 2 statutory FRANCHISE court with INEQUITY	Constitutional court in EQUITY
Courts officiating disputes operate in	POLITICAL context and issue [political] OPINIONS	LEGAL context and issue ORDERS
Parties to the contract	Are "public officers" within the government grantor of the franchise	Maintain their status as private parties
Domicile of franchise participants	Federal territory. See 26 U.S.C. §7701(a)(39) and §7408(d)	Wherever the parties declare it or express it in the franchise

How you CONSENT to convert your property from PRIVATE to PUBLIC

- **Consent (Form #05.003) to convert your property from PRIVATE to PUBLIC can be manifested:**
  - **EXPRESS CONSENT**
    - **DIRECTLY through written agreement, government application, or oral (parole) agreement.. OR**
    - **By "registering" the property such as when a vehicle is registered with the DMV.. . . OR**
    - **By the PRIVATE OWNER consenting to a CIVIL STATUS (Form #13.008) as the absolute property owner and which adversely affects how TITLE to the property is held. For instance, consenting to hold title to the property as a public officer (Form #05.008) called a civil STATUTORY "taxpayer", "citizen", "resident", or "person". . . OR**
    - **By VOLUNTARILY associating otherwise private property with an SSN or TIN (Form #05.012), which is a "franchise mark". This transmutes the property from ABSOLUTE ownership to QUALIFIED ownership in which the government shares ownership with the party consenting to the status.**
  - **IMPLIED CONSENT**
    - **By using government/PUBLIC property in connection with otherwise PRIVATE property. It is a crime to use PUBLIC property for a PRIVATE purpose or benefit so when you mix PUBLIC with PRIVATE, one of them has to change character or a crime is being committed. For instance, by connecting PUBLIC SSNs and TINs (Form #05.012) to otherwise private property or PRIVATE transactions. This changes how the title is held and implicitly converts the PRIVATE property to PUBLIC property. . .OR**
    - **By engaging in a privileged activity, such as being an alien in a foreign country. Aliens are always privileged when visiting foreign countries. Congress has direct legislative control over them under its power over "foreign affairs". See 5 U.S.C. §553(a)(1).**

How you CONSENT to convert your property from PRIVATE to PUBLIC

Lawful ways of connecting PUB/PRI

- **There is only ONE way that PRI gets connected to PUB LAWFULLY and INVOLUNTARILY: An injury under the common law or the criminal law. Every other method requires consent.**
  - **Injury = sovereign power = involuntary = protection jurisdiction**
  - **Everything else = proprietary power = voluntary = civil jurisdiction**
- **The four lawful PUB/PRI connectors:**
- **Injury (involuntary, sovereign)**
  1. **Express consent (voluntary, proprietary)**
  2. **Implied consent (voluntary, sovereign)**
  3. **Civil membership (voluntary, proprietary)**
  4. **The following table summarizes the mechanisms for connecting PUB/PRI:**

How you CONSENT to convert your property from PRIVATE to PUBLIC

#	Name	Jurisdiction type	Choice of Law	Source of Power	Capacity Shift Trigger	Contradiction	Examples
1	Injury	Involuntary Protection (IP)	Criminal Common law	Sovereign power	Harm to rights → sovereign duty to protect	Government often treats civil statutory obligations as if they arise from injury-based jurisdiction, which is false.	1. Criminal Law 2. Civil injury under the common law
2	Express consent	Voluntary Protection (VP)	Civil statutes	Proprietary power	Application, signature, election	Government rarely proves the existence of an express election before enforcing civil statutes.	CapacityPUB election “U.S. person” election
3	Implied consent	Voluntary Protection (VP)	Civil statutes	Sovereign power	Entry into federally regulated domain	Courts often treat ordinary private activity as if it were federally regulated activity.	Alien commerce (1:8:3)
4	Civil membership	Voluntary Protection (VP)	Civil statutes	Proprietary power	Acceptance of civil identifiers or domicile	Government presumes that identifiers (SSN, domicile) create unlimited civil capacityPUB, even though they are limited-purpose privileges.	1. Domicile 2. Government identification

How you CONSENT to convert your property from PRIVATE to PUBLIC

NOTES:

1. **The Declaration of Independence establishes that the origin of ALL JUST civil authority is consent. Absent consent, every government action becomes UNJUST.**
2. **Voluntary/Involuntary Protection:**
    1. **Involuntary Protection (IP) = jurisdiction triggered by injury; sovereign duty to protect rights.**
    2. **Voluntary Protection (VP) = jurisdiction triggered by consent; proprietary or statutory authority.**
3. **Definitions:**
    1. **Implied consent = entering a domain Congress is constitutionally and EXPRESSLY empowered to regulate (e.g., alien commerce). It does not arise from ordinary private activity.**
    2. **Civil membership = accepting a civil status created by CIVIL statute (e.g., domicile, SSN).**
4. **Items 2–4 are not "jurisdictional facts" but "capacity-creating acts." The government cannot presume a civil capacityPUB without identifying the act that created it, because civil authority originates in consent.**
5. **Source of power:**
    1. **Sovereign power = duty to protect rights after injury**
    2. **Proprietary power = conditions attached to federal property or benefits**
    3. **Sovereign power (implied consent) = Congress's enumerated powers (e.g., alien commerce)**
    4. **Proprietary power (civil membership) = voluntary entry into statutory civil statuses**

How you CONSENT to convert your property from PRIVATE to PUBLIC

6. **Private rights[PRI] are unalienable per the Declaration of Independence, which means they are INCAPABLE of being SOLD or BARGAINED away to procure the benefits of a franchise as indicated in items 2 and 4 above. In other words, government can't act in a proprietary mode to get you to BARGAIN them away for a ransom. If they do, they are clearly corrupting our republican form of government per the following:**
   1. ***Unalienable Rights Course*, Form #12.038**
      https://sedm.org/LibertyU/UnalienableRights.pdf
   2. ***Enumeration of Inalienable Rights*, Form #10.002**
      https://sedm.org/Forms/10-Emancipation/EnumRights.pdf
   3. ***How Scoundrels Corrupted Our Republican Form of Government*, Family Guardian Fellowship**
      https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm
7. **The deep dark third rail issue and secret judges and the administrative state don't ever want to touch is EXACTLY what triggered consent to items 2 through 4. If they had to ADMIT consent was required and had the burden of proving consent on the record before exercising CIVIL enforcement authority:**
   1. **The whole system would collapse.**
   2. **Everyone would exit the CIVIL aspect of the social compact.**
8. **To avoid dealing with the admitting or proving the requirement for consent either express or implied, judges and the administrative state simply call all civil statusPUB which they have jurisdiction over simply a "statutory capacity" but never talk about HOW it became connected to you without your consent.**
9. **Civil statutes apply only to public capacitiesPUB created by consent; they do not apply to private personsPRI unless a capacity-creating act has occurred.**

How you CONSENT to convert your property from PRIVATE to PUBLIC

- **These four mechanisms are the only lawful pathways by which a private personPRI can enter a public capacityPUB. Injury invokes sovereign protection; all other pathways require consent and operate under proprietary or statutory authority. Any civil enforcement action must therefore identify the specific mechanism that created the public capacityPUB being enforced or it is PRESUMPTIVELY UNLAWFUL.**
- **Judges use the term "statutory capacity" as if it were a natural status, but every statutory capacity is created by a capacity-creating act (items 2–4). Without identifying that act, the capacity is a legal fiction.**

How to PREVENT manifesting consent to convert your property from PRIVATE to PUBLIC

- **It is important NEVER to manifest EXPRESS or IMPLIED consent to convert your property from PRIVATE to PUBLIC by the previously disclosed methods.**
- **The most frequent opportunity you have to manifest such consent is when filling out government forms, usually in connection with a government franchise (Form #05.030).**
- **You should avoid filling out any kind of government form. All such forms should be regarded as an effort by you to donate property of some kind to the government. That's why zoos have the following sign:**
  - **DON'T FEED THE ANIMALS**

  Rest assured, the government ARE literally animals. The Bible calls this animal "The Beast".

How to PREVENT manifesting consent to convert your property from PRIVATE to PUBLIC

- **If you are FORCED to fill out a government form, then we suggest the following language on the form:**
  - **All words on this form are defined to EXCLUDE any and all civil statutory terms or statutory statuses.**
  - **Applicant retains and reserves all rights and remains EXCLUSIVELY private per U.C.C. §1-308.**
  - **This form does NOT constitute an ACCEPTANCE of anything under the U.C.C., but rather a COUNTEROFFER.**
  - **Applicant retains his/her/its status as ONLY a Merchant under U.C.C. §2-104(1) of absolutely owned PRIVATE property, including his/her labor.**
  - **Government agent accepting this form is the Buyer of absolutely owned private property pursuant to U.C.C. §2-103(1)(a).**
  - **This form, regardless of what it says, constitutes a request to remain a "non-resident non-person" (Form #05.020) not subject to civil statutes and protected only by the common law and the constitution.**
  - **Any attempt to enforce any civil obligation (Form #12.040) under any statute or to acquire or control ANY PRIVATE property held by the applicant constitutes constructive consent (Form #05.003) to the following franchise agreement.**

    ***Injury Defense Franchise*, Form #06.027**

    https://sedm.org/Forms/FormIndex.htm
  - **These provisions are necessary because the government refuses to be accountable for ANYTHING, including the definitions of terms on the form. See Form #05.007.**

How to PREVENT manifesting consent to convert your property from PRIVATE to PUBLIC

- **In addition, we recommend attaching one of the forms in section 6 of our Forms/Pubs page to the application or form you are submitting:**

  Forms/Pubs Page, **Section 1.6: Avoiding Government Franchises and Licenses**

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

- **For more background on the above tactics, see:**
  - ***Avoiding Traps on Government Forms Course***, **Form #12.023** **https://sedm.org/Forms/FormIndex.htm**
  - ***Lawfully Avoiding Government Obligations Course***, **Form #12.040** **https://sedm.org/Forms/FormIndex.htm**
  - ***Proof of Claim: Your Main Defense Against Government Greed and Corruption***, **Form #09.073** **https://sedm.org/Forms/FormIndex.htm**

The Government War on Private Rights

Since the founding of this country, a concerted effort has been underway by corrupted politicians to:

1. **Undermine the protection of private rights.**
2. **Unlawfully convert PRIVATE rights into PUBLIC rights.**
3. **Turn a DE JURE government into a DE FACTO government and thus, a private, for profit federal corporation in which all "citizens" and "States" are really just statutory "employees" or "officers" of the corporation.**

The following pages will break down each of the above three elements into their component parts.

For more information on the above and a step by step analysis of how the above has been accomplished so far, see:

***How Scoundrels Corrupted Our Republican Form Of Government*, Family Guardian Fellowship**

http://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm

1. How Corrupted Governments Unlawfully Undermine the Protection of PRIVATE RIGHTS

- **Judges refusing to hear litigation that would address the dividing line between PUBLIC and PRIVATE rights.**
- **Judges omitting to address or making issues unpublished that are raised in litigation which would address the dividing line between PUBLIC and PRIVATE rights.**
- **Administrators refusing to issue government ID to those who refuse to associate themselves with PUBLIC franchise statuses, domicile on federal territory, or government identifying numbers. See:**

  ***Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002, Section 14.4**

  http://sedm.org/Forms/FormIndex.htm
- **Refusing to recognize or protect PRIVATE rights, thus compelling people to pursue a franchise status to have any remedy at all.**
- **Judges interfering with common law or constitutional remedies so that civil statutes (Form #05.037) are the only protection allowed.**
- **Refusing to provide administrative forms or procedures for use by those OTHER than franchisees. See:**

  ***Avoiding Traps in Government Forms Course*, Form #12.023**

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

1. How Corrupted Governments Unlawfully Undermine the Protection of PRIVATE RIGHTS (cont)

- **Refusing to provide remedies or assistance to persons OTHER than franchisees (such as STATUTORY "taxpayers"). This is a violation of the requirement for equal protection of the laws. See:**

  ***Requirement for Equal Protection and Equal Treatment*, Form #05.033**

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

- **Ignoring administrative responsive correspondence to all tax collection notices, thus forcing the target of illegal administrative tax enforcement to become the target for criminal levies and liens and the violation of PRIVATE rights they represent.**
- **Destroying administrative correspondence that exposes their illegal activity to protect their "plausible deniability". IRS frequently destroys correspondence you send them that exposes their illegal activity by calling it "frivolous" so it is removed from the administrative record. Thus it can't be used in litigation against them.**

1. How Corrupted Governments Unlawfully Undermine the Protection of PRIVATE RIGHTS (cont)

- **Causing those who insist that they are PRIVATE parties not acting as public officers or franchisees:**
  - **To be called "frivolous". See: *Responding to "Frivolous" Penalties or Accusations*, Form #05.027 http://sedm.org/Forms/FormIndex.htm**
  - **To be subject to an unconstitutional bill of attainder through administrative penalties. See: *Why Penalties are Illegal for Anything But Government Franchisees, Employees, Contractors, and Agents*, Form #05.010 http://sedm.org/Forms/FormIndex.htm**
  - **To be identified as "domestic terrorists". See: *Policy Document: Rebutted False Arguments About Sovereignty*, Form #08.018, Sections 5.6, 6.2, and 6.6 http://sedm.org/Forms/FormIndex.htm**
  - **To be subjected to psychological evaluation as being CRAZY.**

1. How Corrupted Governments Unlawfully Undermine the Protection of PRIVATE RIGHTS (cont)

- **Corrupting Constitutional courts by:**
  - **Courts refusing to define or recognize or enforce PRIVATE rights or PRIVATE property. See:**

    ***PROOF OF FACTS: Courts admit they don't give a damn about protecting your private rights or property, which is the ONLY purpose of establishing government to begin with*, FTSIG**
    https://ftsig.org/proof-of-facts-courts-admit-they-dont-give-a-damn-about-protecting-your-private-rights-or-property-which-is-the-only-purpose-of-establishing-government-to-begin-with/
  - **Replacing Article III Constitutional Courts with Article IV legislative franchise courts. See:**

    ***What Happened to Justice?*, Form #06.012**

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

    DIRECT LINK: http://sedm.org/Forms/05-MemLaw/SeparationOfPowers.pdf
  - **Forcing those who administer Constitutional Courts to have a criminal financial conflict of interest by making them into statutory "taxpayers". This started in 1938 with O'Malley v. Woodrough, 307 U.S. 277. See also United States v. Hatter, 532 U.S. 557 (1978), Lucas v. Earl, 281 U.S. 111 (1930).**
  - **Forcing lawyers to obtain a "license to practice law", which confers a conflict of interest that undermines the rights of their clients. See:**

    ***Unlicensed Practice of Law*, Form #05.029**

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

1. How Corrupted Governments Unlawfully Undermine the Protection of PRIVATE RIGHTS (cont)

- **Unlawfully enforcing national franchises within states of the Union. See:**

  ***Government Instituted Slavery Using Franchises*, Form #05.030**

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

  DIRECT LINK: http://sedm.org/Forms/05-MemLaw/Franchises.pdf

- **Allowing people receiving government "benefits" (Form #05.040) to vote or serve on jury duty. They have a criminal financial conflict of interest in connection with public benefits. This causes jurists on public assistance to rule in favor of the government in any litigation affecting their "benefits", thus making them unwittingly into government public officer recruiters.**

  "The king establishes the land by justice; but he who receives bribes [government "benefits", Form #05.040] overthrows it." [Prov. 29:4, Bible, NKJV]

- **Deliberately omitting to prosecute those engaging in any of the above, even upon receipt of a valid criminal complaint.**

2. How Corrupted Governments Unlawfully Convert PRIVATE RIGHTS into PUBLIC RIGHTS

- **Deliberately confusing the contexts for geographic words of art (Form #11.215) between the CONSTITUTIONAL and STATUTORY contexts. See:**

  ***Legal Deception, Propaganda, and Fraud*, Form #05.014, Sections 12.1, 15.1**

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

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

- **Abuse of "words of art". See:**

  ***Legal Deception, Propaganda, and Fraud*, Form #05.014, Section 12**

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

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

- **Abuse of presumption. See:**

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

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

  DIRECT LINK: http://sedm.org/Forms/05-MemLaw/Presumption.pdf

2. How Corrupted Governments Unlawfully Convert PRIVATE RIGHTS into PUBLIC RIGHTS

- **Encouraging private companies to illegally compel the use of government identifying numbers for commercial transactions of PRIVATE humans. This is a CONSPIRACY against rights. See:**

  ***Why It is Illegal for Me to Request or Use a Taxpayer Identification Number*, Form #04.206**

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

  DIRECT LINK: http://sedm.org/Forms/04-Tax/2-Withholding/WhyTINIllegal.pdf

- **Encouraging the filing of knowingly false and fraudulent information returns (e.g. W-2, 1042-S, 1098, 1099, etc) against those engaging in PRIVATE activity. See:**

  ***Correcting Erroneous Information Returns*, Form #04.001**

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

  DIRECT LINK: http://sedm.org/Forms/04-Tax/0-CorrErrInfoRtns/CorrErrInfoRtns.pdf

- **Unlawfully enforcing the Internal Revenue Code against PRIVATE non-residents in order to STEAL from people. Denying common law or constitutional remedies forces them to become STATUTORY "taxpayers" in order to have any chance of getting their STOLEN money back.**

- **Abusing the Federal Reserve Counterfeiting Franchise to bribe states to give up their sovereignty and become federal corporations and franchisees. See:**

  ***The Money Scam*, Form #05.041**

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

  DIRECT LINK: http://sedm.org/Forms/05-MemLaw/MoneyScam.pdf

3. How DE JURE governments are transformed into DE FACTO governments

- **Making citizenship into a franchise status. See:**

  ***Why You are a Political Citizen but Civil Non-Citizen, National, and Nonresident Alien*, Form #05.006, Section 5**

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

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

- **Deliberately confusing the FEDERAL government with the NATIONAL government or making them synonymous. See:**

  ***Two Political Jurisdictions: National government v. Federal government*, Family Guardian Fellowship**

  http://famguardian.org/Subjects/Taxes/Remedies/USvUSA.htm

- **Deliberately confusing POLITICAL citizens* with CIVIL citizens**+D or making them synonymous (equivocating), even though they are NOT. See:**

  ***Why the Fourteenth Amendment is Not a Threat to Your Freedom*, Form #08.015**

  FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
  DIRECT LINK https://sedm.org/Forms/08-PolicyDocs/FourteenthAmendNotProb.pdf

3. How DE JURE governments are transformed into DE FACTO governments (cont)

- **Confusing DOMICILE with NATIONALITY or making them synonymous, even though they are NOT. See:**

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

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

- **Making CIVIL citizen**+D status mandatory for those serving on jury duty or registering to vote.**
- **Breaking down the Separation of Powers between the States and the National government. See:**

  ***Government Conspiracy to Destroy the Separation of Powers*, Form #05.023**

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

  DIRECT LINK: http://sedm.org/Forms/05-MemLaw/SeparationOfPowers.pdf

- **For details on the above, see:**

  ***De Facto Government Scam*, Form #05.043**

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

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

Lawful "incentives" to Convert Private Rights to Public Rights

1. **Bribe you to sign up for new franchises with ADDITIONAL "benefits", but ONLY if you are domiciled on federal territory AND already work for the government as a public officer.**
   - **4 U.S.C. §72 restrains geographical exercise of federal offices to the District of Columbia unless there is EXPRESS statutory authorization elsewhere. There is not such authorization in the case of states of the Union.**
   - **They can't use government forms to unilaterally "elect" new public officers. See Avoiding Traps in Government Forms, Form #12.023**
2. **Claim "plausible deniability" as a defense, but ONLY if you don't point out their identity theft scam in every interaction with them. This is why it is mandatory in becoming a member to NOTICE them officially in our *Path to Freedom*, Form #09.015, Section 2 process.**
3. **Deceive you with "words of art" and "equivocation" in their official forms and publications.**
   - **The courts have held that you cannot trust anything a government worker says or publishes.**
   - **Even the IRS admits that you shouldn't rely on any of their publications or forms.**

Lawful "incentives" to Convert Private Rights to Public Rights

See:

***Avoiding Traps in Government Forms*, Form #12.023**

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

4. **Refuse to provide forms or ADMINISTRATIVE remedies or forms for those who are exclusively PRIVATE. However, they:**
   - **Cannot refuse to accept YOUR SUBSTITUTE/MODIFIED forms that DO provide remedies or DO represent ALL available options for your civil status.**
   - **Cannot refuse to allow you to acquire rights administratively over them the same way they do with you. Fight fire with fire. See:**
     ***Injury Defense Franchise and Agreement*, Form #06.027**
     http://sedm.org/Forms/FormIndex.htm
   - **Cannot interfere with common law or constitutional or court remedies for injuries caused by those who enforce government franchises against non-consenting non-participants. These people we call "non-resident non-persons". See:**
     ***Non-Resident Non-Person Position*, Form #05.020**
     http://sedm.org/Forms/FormIndex.htm

Limitations on Public Servants

1. Have no authority to provide a common law remedy to begin with. Everything they do is STATUTORY.
2. Common law remedy can only be provided in common law courts under Article III.
3. YOU must invoke the courts to the Constitutional or common law side. Stay away from the STATUTORY side.
4. If you DO NOT know how to invoke the CONSTITUTIONAL remedies or common law remedies, public servants cannot help you from their "administrative box". ALL of their delegated authority comes from the franchise statutes that DEFINE that box.
5. They have no duty to address that which is beyond their delegated authority to remedy. If they do, in fact, they are often censured and even fired.
6. All tax enforcements are legal… maybe not lawful… but legal for certain.
7. Who's fault is it though? It's mostly OUR fault for not bothering to study the law.

How Are Obligations (Rights) Created?

- **What is an "obligation"?**

  https://famguardian.org/TaxFreedom/CitesByTopic/obligation.htm

- **Rights are property**
- **Those who rights are owed TO are the OWNER of the right. They are called the "object" of rights.**
- **Every right gives rise to a corresponding OBLIGATION against the party who owes it to you**

  California Civil Code - CIV

  DIVISION 3. OBLIGATIONS [1427 - 3272.9]

  (Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14.)

  PART 1. OBLIGATIONS IN GENERAL [1427 - 1543] (Part 1 enacted 1872.)

  TITLE 1. DEFINITION OF OBLIGATIONS [1427 - [1428.]] (Title 1 enacted 1872.)

  1427. An obligation is a legal duty, by which a person is bound to do or not to do a certain thing.

  (Enacted 1872.)

- **Constitutional rights, for instance, are rights owed BY the government TO every human being standing on land protected by the constitution.**
- **There are only TWO ways that obligations/rights can be created:**
  - **A contract (consent or agreement, Form #05.003)**
  - **Operation of law**

How Are Obligations (Rights) Created?

- **Proof:**

  California Civil Code – CIV

  DIVISION 3. OBLIGATIONS [1427 - 3272.9]

  (Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14.)

  PART 1. OBLIGATIONS IN GENERAL [1427 - 1543] (Part 1 enacted 1872.)

  TITLE 1. DEFINITION OF OBLIGATIONS [1427 - [1428.]] (Title 1 enacted 1872.)

  [1428.] Section Fourteen Hundred and Twenty-eight. An obligation arises either from:

  One — The contract of the parties; or,

  Two — The operation of law. An obligation arising from operation of law may be enforced in the manner provided by law, or by civil action or proceeding.

  (Amended by Code Amendments 1873-74, Ch. 612.)

- **Contracts should be obvious. They include:**
  - **Written agreements**
  - **Franchises (Form #05.030)**
  - **Trusts. The constitution is a "trust indenture", for instance.**

  For details on consent, see:

  Requirement for Consent, Form #05.003; https://sedm.org/Forms/FormIndex.htm

- **Operation of law describes what happens in the ABSENCE of agreement or contract.**

How Are Obligations (Rights) Created?

- **Definition of "operation of law":**

  California Civil Code – CIV

  DIVISION 3. OBLIGATIONS [1427 - 3272.9]

  (Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14.)

  PART 3. OBLIGATIONS IMPOSED BY LAW [1708 - 1725]

  (Part 3 enacted 1872.)

  1708. Every person is bound, without contract, to abstain from injuring the person or property of another, or infringing upon any of his or her rights.

  (Amended by Stats. 2002, Ch. 664, Sec. 38.5. Effective January 1, 2003.)

- **Operation of law therefore applies where:**
  - **The parties affected did not consent or agree (Form #05.003) to anything.**
  - **An injury has been inflicted by one party against the other that gives rise to both damages and standing to sue the other party in court either under the common law or statute law (Form #05.037).**

How Are Obligations (Rights) Created?

- **The elements of standing are:**
  1. **The plaintiff must have suffered an "injury in fact"—an invasion of a legally protected interest which is (a) concrete and particularized, see *id.,* at 756; *Warth* v. *Seldin,* 422 U.S. 490, 508 (1975); *Sierra Club* v. *Morton,* 405 U.S. 727, 740-741, n. 16 (1972);[1] and (b) "actual or imminent, not `conjectural' or `hypothetical,' " *Whitmore, supra,* at 155 (quoting *Los Angeles* v. *Lyons,* 461 U. S. 95, 102 (1983)).**
  2. **There must be a causal connection between the injury and the conduct complained of—the injury has to be "fairly. . . trace[able] to the challenged action of the defendant, and not . . . th[e] result [of] the independent action of some third party not before the court." *Simon* v. *Eastern Ky. Welfare* 561*561 *Rights Organization,* 426 U.S. 26, 41-42 (1976).**
  3. **It must be "likely," as opposed to merely "speculative," that the injury will be "redressed by a favorable decision." *Id.,* at 38, 43.**

  The party invoking the court's jurisdiction bears the burden of establishing the above three elements. See *FW/PBS, Inc.* v. *Dallas,* 493 U.S. 215, 231 (1990); *Warth, supra,* at 508.

Why is it Important to Know How Obligations are Created?

- **It is important to know how obligations are created because governments enforcing an obligation administratively often mail you notices telling you that they believe you have a duty to do something.**
- **Your response to these administrative notices should always be to demand that they produce one of TWO things:**
  - **Proof that you expressly consented (Form #05.003) in writing to a contract with them.**
  - **Proof that they have been injured.**
- **If they can't meet the above burden of proof (Form #05.025) then:**
  - **You have established that you cannot have a "mens rea" or evil intent if you don't comply with their request. Therefore, you cannot be prosecuted criminally for failure to comply.**
  - **They MUST dismiss the enforcement action and all future enforcement.**
  - **A failure to satisfy the burden of proof places them in agreement that they have no authority to enforce.**
  - **You are exonerated from any and all obligations relating to the administrative enforcement.**
  - **All future enforcement actions (Form #05.032) are ILLEGAL and a tort.**
  - **You have no "civil status" under the franchise (Form #05.030) they are trying to enforce, meaning you are not a "person" (Form #08.023), "taxpayer" (Form #05.013), "individual", under their franchise agreement.**

Application: Traffic Court

- **When a court is attempting to enforce a malum prohibitum provision of the vehicle code, the best way to challenge it is to Demand proof on the record of:**
  - **A contract or**
  - **A specific injured party (operation of law)**
- **If the government cannot produce an injured party, they have to dismiss the case, even in traffic court.**

Remedy for Unlawful Possession, Taking, or Control over PRIVATE property by the government

- **When the government:**
  - **Exercises ANY kind of control over private property absent demonstrated injury. .OR**
  - **Takes unlawful possession of property NOT THEIRS or that they cannot prove they lawfully acquired title to. . .OR**
  - **Has stolen PRIVATE property.**

  …Then there is an IMPLIED waiver of sovereign immunity permitting you to sue the to either give it back or pay you for its equivalent value.
- **The remedy is provided under Fifth Amendment**
- **This remedy was acknowledged in Armstrong v. United States, 364 U.S. 40 (1960)**
  - **In the above case, the U.S. Supreme Court ruled that there was an implied waiver of sovereign immunity for property taken by the government. Click here to read the excerpt from the case to that effect.**
  - **This implied waiver applies to ALL violations or takings of constitutional or natural rights, which are ALSO property.**
  - **The waiver is not a STATUTORY waiver, but a CONSTITUTIONAL waiver. You don't need no stinking statute (see Form #05.037) to enforce it.**
- **The Constitution is self-executing and no statutes are needed to enforce it.**
- **It is the DUTY of the judge to both recognize and enforce this remedy or he is committing TREASON.**
- **The next page proves that the Bill of Rights is self-executing and can be enforced in court WITHOUT a stinking statute (see Form #05.037).**

Remedy for Unlawful Possession, Taking, or Control over PRIVATE property by the government

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)]

Remedy for Unlawful Possession, Taking, or Control over PRIVATE property by the government

- **When a legal action is undertaken to return the PRIVATE property or its unjust "benefits" to others, there is also an IMPLIED CONTRACT to return it that the government MUST honor, even WITHOUT a stinking statute (see Form #05.037):**

  "When the Government has illegally received money which is the property of an innocent citizen and when this money has gone into the Treasury of the United States, there arises an implied contract on the part of the Government to make restitution to the rightful owner under the Tucker Act and this court has jurisdiction to entertain the suit.
  90 Ct.Cl. at 613, 31 F.Supp. at 769."
  [Gordon v. U. S., 227 Ct.Cl. 328, 649 F.2d. 837 (Ct.Cl., 1981)]

  California Civil Code
  Section 2224

  "One who gains a thing by fraud, accident, mistake, undue influence, the violation of a trust, or other wrongful act, is, unless he or she has some other and better right thereto, an involuntary trustee of the thing gained, for the benefit of the person who would otherwise have had it."

  "The United States, we have held, cannot, as against the claim of an innocent party, hold his money which has gone into its treasury by means of the fraud of its agent. *While here the money was taken through mistake without element of fraud, the unjust retention is immoral and amounts in law to a fraud of the taxpayer's rights.* ***What was said in the State Bank Case applies with equal force to this situation. 'An action will lie whenever the defendant has received money which is the property of the plaintiff, and which the defendant is obligated by natural justice and equity to refund. The form of the indebtedness or the mode in which it was incurred is immaterial.'***
  [Bull v. United States, 295 U.S. 247, 261, 55 S.Ct. 695, 700, 79 L.Ed. 1421]

Remedy for Unlawful Possession, Taking, or Control over PRIVATE property by the government

- **These remedies are useful against illegal tax enforcement for those who:**
  - **Are private, nonresident, and "foreign" in relation to federal territory and the exclusive jurisdiction of Congress. . .and**
  - **Are protected by the Constitution because on land in a state of the Union. . .and**
  - **Are private BECAUSE they do not occupy a public office, which is the ONLY proper subject of I.R.C. Subtitle A public officer franchise taxes. See Form #05.001.**
  - **Because they fit the above conditions, are a victim of criminal identity theft as described below because they are not the proper target for enforcement.**
    - ***Identity Theft Affidavit*, Form #14.020**
      https://sedm.org/Forms/14-PropProtection/Identity_Theft_Affidavit-f14039.pdf
    - ***Government Identity Theft*, Form #05.046**
      https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf
    - ***How Scoundrels Corrupted Our Republican Government*, Family Guardian Fellowship, Section 5: A Biblical Example of Someone who Fought the Corruption**
      https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm#BIBLICAL_EXAMPLE_FIGHT

Remedy for Unlawful Possession, Taking, or Control over PRIVATE property by the government

- **More information about remedies for unlawful possession, taking, or control over private property by a corrupted and covetous government**
  - ***Laws of Property***, **Form #14.018**
    https://sedm.org/Forms/14-PropProtection/LawsOfProperty.pdf
  - ***Proof of Facts: The Constitution Does NOT Confer Sovereign Immunity Upon Any Government and Therefore there is NO SUCH THING*****-SEDM Proof of Facts. Member subscriptions**
    https://sedm.org/proof-of-facts-the-constitution-does-not-confer-sovereign-immunity-upon-any-government-and-therefore-there-is-no-such-thing/
  - ***Forms/Pubs Page, Section 1.15: Remedies and Non-Statutory Claims for Government Violations of Rights***
    https://sedm.org/Forms/FormIndex.htm
  - ***Legal Remedies for the Protection of Private Rights Course***, **Form #12.019 (Member Subscriptions)**
    https://sedm.org/Forms/FormIndex.htm
    Sovereignty Forms and Instructions Online, **Form #10.004, Cites by Topic: Property**
    https://famguardian.org/TaxFreedom/CitesByTopic/property.htm
  - ***Property and Privacy Protection Topic***, **Family Guardian Fellowship**
    https://famguardian.org/Subjects/PropertyPrivacy/PropertyPrivacy.htm
  - ***Sovereignty and Freedom Points and Authorities***, **Litigation Tool #10.018, sections 4.2-4.6**
    https://sedm.org/Litigation/10-PracticeGuides/PointsAuth.pdf

What Happens When Churches Become PUBLIC

- ***The Crisis of Church Incorporation***, **Form #13.017**
  http://sedm.org/Forms/FormIndex.htm
- ***Policy Document: Corruption of Modern Christianity***, **Form #08.012**
  http://sedm.org/Forms/FormIndex.htm

How to Keep Churches PRIVATE

- ***Should Christians Always Obey the State?***, Form #13.014
  http://sedm.org/Forms/FormIndex.htm
- ***What Pastors and Clergy Need to Know About Government and Taxation***, Form #12.006
  http://sedm.org/Forms/FormIndex.htm
- ***Declaration of the Establishment of a Free Church***, Form #13.004
  http://sedm.org/Forms/FormIndex.htm
- ***Biblical Standards for Civil Rulers***, Form #13.013
  http://sedm.org/Forms/FormIndex.htm
- ***A Commentary on Revelation***, Form #17.055
  https://sedm.org/Forms/17-Theology/TheBookOfRevelation.pdf
- ***Commentary on Romans 13***, Form #17.056
  https://sedm.org/Forms/17-Theology/BookOfRomans13.pdf
- ***Spirituality Page***, Section 13: Church v. State and First Amendment, Family Guardian Fellowship
  https://famguardian.org/Subjects/Spirituality/spirituality.htm

HOW PEOPLE STAY PRIVATE

1. **Do not apply for or use PUBLIC government issued numbers. These are "franchise license numbers" that make you privileged. See:**
   - ***About SSNs and TINs on Government Forms and Correspondence*, Form #05.012**
     http://sedm.org/Forms/FormIndex.htm
   - ***Why It is Illegal for Me to Request or Use a "Taxpayer identification Number"*, Form #04.205**
     http://sedm.org/Forms/FormIndex.htm
   - ***Why You Aren't Eligible for Social Security*, Form #06.001**
     http://sedm.org/Forms/FormIndex.htm
   - ***Property and Privacy Protection Topic Page*, Section 7: Numerical Identification and Automated Tracking**
     http://famguardian.org/Subjects/PropertyPrivacy/PropertyPrivacy.htm
2. **Attach to every government form you fill out a mandatory attachment that:**
   1. **Defines terms on the form such that you indicate duress and withdraw consent to any and all government franchises.**
   2. **Define all numbers as a license to the government instead of their license to you. See, for instance, our:**

      ***Tax Form Attachment*, Form #04.201, Section 3.**
      https://sedm.org/Forms/04-Tax/2-Withholding/TaxFormAtt.pdf

HOW PEOPLE STAY PRIVATE

3. **Do not apply for or accept any kind of license, such as marriage licenses or driver licenses. See:**
   - ***Sovereign Christian Marriage***, **Form #13.009** http://sedm.org/Forms/FormIndex.htm
   - ***Sovereign Marriage Course***, **Form #12.016** http://sedm.org/Forms/FormIndex.htm
   - ***Defending Your Right to Travel***, **Form #06.010** http://sedm.org/Forms/FormIndex.htm
   - ***Unlicensed Practice of Law***, **Form #05.029** http://sedm.org/Forms/FormIndex.htm
   - ***Government Instituted Slavery Using Franchises***, **Form #05.030** http://sedm.org/Forms/FormIndex.htm

How to prevent switch from Private to Public in communications with or forms submitted to government

- **This section will show you how to constrain the context of terms used on a government form or in a government communication to prevent a conversion from:**
  - **A Private to a Public context**
  - **A Constitutional to a Statutory context**
- **The ability to do this is very important because it will prevent your own communication with the government from:**
  - **Being used as evidence in court to take you out of the protections of the Constitution and under the PRIVILEGES and franchises of government statutes.**
  - **Sanctioning, permitting, and even encouraging the judge or government attorney to switch the Choice of Law from Constitutional to Statutory.**
  - **Sanctioning, permitting, and even encouraging the judge or government attorney to kidnap your legal identity and move it to the federal zone, which we call the PLUNDER zone.**
- **In essence, the method of prevention involves defining either the CONTEXT of terms or the MEANING of terms to prevent equivocation that will be used to kidnap your legal identity and make you the target of criminal "human trafficking".**

How to prevent switch from Private to Public in communications with or forms submitted to government

- **We must remember that:**
  - **You should want to avoid being privileged or participating in any franchise (Form #05.030). The reasons are that if you do, then you will:**
    - **Forfeit your equality in relation to the government. Form #12.021, Video 1.**
    - **Be subject to their regulation and enforcement.**
    - **Become a public officer. All franchisees are public officers. Form #05.042.**
    - **Acquire a civil statutory status to which BOTH rights AND obligations attach that will constrain your freedom and autonomy.**
    - **Become a vassal and a slave of government.**
    - **Violate the first four commandments of the Ten Commandments, which require that you not SERVE other gods, which by implication means you can't have anyone above you who can tell you what to do or regulate your behavior.**
    - **Create and recognize an unconstitutional civil religion in violation of the First Amendment. Form #05.016.**
  - **All privileges attach to civil statutory statuses, such as "person", "individual", "driver", "spouse", etc. See Form #05.030.**
  - **Constitutional and Statutory civil jurisdictions are mutually exclusive and non-overlapping in most cases because of the Constitutional separation between Public and Private. See Form #12.025.**
  - **Nearly all civil statutes are for public officers and not private humans. See Form #05.037.**

How to prevent switch from Private to Public in communications with or forms submitted to government

- **If you invoke, pursue, or accept a civil statutory STATUS within a statute in order to claim a statutory public right, then you implicitly agree to accept all the corresponding obligations (Form #12.040) attached to the status within that title of code. Rights and obligations always go together. This derives from the Constitutional Avoidance Doctrine described in Form #05.030, Section 28.4.**
- **If you quote a statute not expressly invoking a constitutional source of jurisdiction, then you surrender the protections of the Constitution AND the common law.**

> ***The Court developed, for its own governance in the cases confessedly within its jurisdiction, a series of rules under which it has avoided passing upon a large part of all the constitutional questions pressed upon it for decision. They are:***
>
> ***[. . .]***
>
> ***6. The Court will not pass upon the constitutionality of a statute at the instance of one who has availed himself of its benefits.FN7 Great Falls Mfg. Co. v. Attorney General, 124 U.S. 581, 8 S.Ct. 631, 31 L.Ed. 527; Wall v. Parrot Silver & Copper Co., 244 U.S. 407, 411, 412, 37 S.Ct. 609, 61 L.Ed. 1229; St. Louis Malleable Casting Co. v. Prendergast Construction Co., 260 U.S. 469, 43 S.Ct. 178, 67 L.Ed. 351.***
>
> ***FOOTNOTES:***
>
> ***FN7 Compare Electric Co. v. Dow, 166 U.S. 489, 17 S.Ct. 645, 41 L.Ed. 1088; Pierce v. Somerset Ry., 171 U.S. 641, 648, 19 S.Ct. 64, 43 L.Ed. 316; Leonard v. Vicksburg, etc., R. Co., 198 U.S. 416, 422, 25 S.Ct. 750, 49 L.Ed. 1108.***
>
> ***[Ashwander v. Tennessee Valley Authority, 297 U.S. 288, 56 S.Ct. 466 (1936)]***

> ***"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]***

How to prevent switch from Private to Public in communications with or forms submitted to government

- **So what simplified language must we use to prevent a switch in contexts from PRIVATE to PUBLIC in our administrative dealings with the government or on government forms? Below is simplified language you can use as an excellent starting point:**
  1. **All of the terms used on this form shall have the common law and constitutional contexts ONLY.**
  2. **None of the terms used on this form or communication have any statutory significance whatsoever. You may not conclusively or prejudicially PRESUME (Form #05.017) that I have any statuses or corresponding obligations (Form #12.040) under any civil statute whatsoever. If you do, you are violating due process (Form #05.045), STEALING or CONVERTING private property to public property, and engaging in criminal identity theft, human trafficking, and simulating legal process against me.**
  3. **This communication does not constitute a request for any benefit, property, or privilege from any government. All privileges and franchises are implemented with loans of government property with legal strings or conditions attached. The point of attachment of those strings is the CIVIL STATUS (Form #13.008) of the party receiving said property. All of the government's civil statutory authority to regulate or control otherwise PRIVATE people or private property derives from the use or possession of GOVERNMENT property on loan to them under Article 4, Section 3, Clause 2 of the U.S. Constitution.**
  4. **It is NOT a privilege to demand the return of money or property that always was my PRIVATE property protected by the Constitution and which was:**
     1. **Wrongfully converted from PRIVATE to PUBLIC without my consent. OR**
     2. **Stolen from me by deception or fraud (Form #05.014). OR**
     3. **Paid or transferred to a government by mistake pursuant to civil statutes that DO NOT and CANNOT regulate my conduct or even that of the party who paid it or transferred the property to the government.**

How to prevent switch from Private to Public in communications with or forms submitted to government

5. **Any interference by you, the Recipient, with my exclusive ownership and control of such PRIVATE property is a common law trespass and a Fifth Amendment unconstitutional taking.**
6. **There is an implied waiver of sovereign immunity in the case of property unlawfully, criminally, or mistakenly transferred to the government.**
    1. **No statute is needed to recover the unlawfully converted property.**
    2. **The party who had the property stolen need not have a civil statutory status to recover the unlawfully transferred property.**
7. **In order to facilitate the return of the unlawfully taken property, the only thing that is Constitutionally required is an administrative Notice and Demand of a claim and a demand for return.**
8. **There is no need for anyone NOT PRIVILEGED to pursue or acquire a civil status (Form #13.008) such as statutory "taxpayer" or "person" in order to demand the return of unlawfully acquired PRIVATE property.**
9. **Any imposition of sovereign immunity to compel the acquisition of a civil status and the PUBLIC RIGHTS AND PRIVILEGES that attach to it in order to secure a PRIVILEGED/PUBLIC remedy constitutes a CONSTITUTIONAL tort, and a violation of the Unconstitutional Conditions Doctrine of the U.S. Supreme Court. See Form #05.030, Section 28.2 for details on the Unconstitutional Conditions Doctrine.**

How to prevent switch from Private to Public in communications with or forms submitted to government

10. **The ONLY context that this form may be interpreted in is one or more of the following:**
    1. **As a demand for the RETURN of any PRIVATE property of mine in the wrongful possession of the government and which is protected ONLY by the Fifth Amendment and the common law.**
    2. **A constructive notice of the rules applicable to the party in receipt of my PRIVATE property. These rules apply until the property is returned.**
    3. **An offer by ME as a Merchant under U.C.C. §2-104(1) to you as a Buyer under U.C.C. §2-103(1)(a) of the services and property needed to secure the return of said property.**
11. **A failure to immediately return the property or services or at least the VALUE of the wrongfully acquired property currently in your possession or enjoyment of shall constitute an ACCEPTANCE of:**
    1. **The terms of the following loan agreement.**

       ***Injury Defense Agreement and Franchise*, Form #06.027**

       https://sedm.org/Forms/06-AvoidingFranch/InjuryDefenseFranchise.pdf
    2. **The demand to pay for the cost of services and property needed to engage a court of justice to COMPEL you to return the property or value of property wrongfully acquired by you.**
12. **This is the FINAL NOTICE and DEMAND to return said property or at least its stated monetary value, and if it is ignored, I shall pursue a constitutional and/or common law claim for compelled return of the property or its value to me. That action shall be filed as either a Fifth Amendment taking or a common law trespass.**

Application of Property Law to Income Taxation

- **Taxation is the process of VOLUNTARILY converting ABSOLUTELY OWNED PRIVATE property to a PUBLIC use, public purpose, and/or public office. See:**

  ***Overview of the Income Taxation Process (as a PROPERTY exercise)*, SEDM**
  https://sedm.org/overview-of-the-income-taxation-process-as-a-property-exercise/

- **The income tax under Internal Revenue Code, Subtitles A and C is an excise tax upon federal property and rights.**
- **The word "excise" means "to cut".**
  - **The process of "cutting" means allocating revenue exchanged in a privileged commercial activity and diverting a portion of it to the support of the government**
  - **If the activity is NOT privileged, then it cannot be subject to an excise tax.**
  - **If the two parties to the commercial transaction are both private, and the excise reduces the compensation between them, then an excise tax in THAT scenario ONLY would represent an unconstitutional interference with the right to contract of the two parties. It would defeat the very purpose of establishing government to begin with..**
  - **In the context of the national government, privileges are created by only FOUR methods. The word "privileges" and "extraterritorial jurisdiction" are used interchangeably on this site. See the next page. These privileges derive from Form #10.011, Section 15.2**

PRIVILEGES/EXTRATERRITORIAL JURISDICTION

SOURCES OF EXTRATERRITORIAL JURISDICTION

1. ***A military or foreign affairs function of the United States***. ***5 U.S.C. §553***(a)(1).
    1. Making or executing war. This is the Department of Defense (DOD), Title 50 of the U.S. Code, and the Uniform Code of Military Justice (U.C.M.J.), 10 U.S.C. Chapter 47.
    2. Regulating aliens within the country. The presence test at 26 U.S.C. §7701(b) implements the tax aspect of this.
    3. Protecting VOLUNTARY CIVIL citizens**+D (not POLITICAL citizens*) abroad. This is done through passports, 26 U.S.C. §911 which pays for the protection, the Department of State (DOS), and the military.
    4. International commerce with foreign nations. This is done through the Foreign Sovereign Immunities Act (FSIA), 28 U.S.C. Chapter 97, U.S.C.I.S., Department of Homeland Security (DHS), and the foreign affairs supervision of the federal courts.
    5. Economic sanctions on foreign countries and political rulers imposed by the Department of the Treasury.
2. ***A matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts***. 5 U.S.C. §553(a)(2). Note that:
    1. " Taxes" do NOT fall in the category of "public property, loans, grants, or benefits" , but the U.S. supreme court identified them as a "quasi-contract" in Milwaukee v. White, 296 U.S. 268 (1935).
    2. In the case of "agency management or personnel", they are talking about public officers serving within the national government as EXPRESSLY GEOGRAPHICALLY authorized by 4 U.S.C. §72 and NOT elsewhere. We'll give you a HINT, there IS not "express legislative authorization" for "taxpayer" offices to be exercised outside the District of Columbia as required, so all those serving in such an office extraterritorially are DE FACTO officers (Form #05.043). The income tax is an excise tax upon the "trade or business" franchise, which is defined in in 26 U.S.C. §7701(a)(26) as "the functions of a public office", but those offices may not lawfully be exercised outside the District of Columbia. That is why the statutory geographical "United States" defined in 26 U.S.C. §7701(a)(9) and (a)(10) is defined as the District of Columbia and NOWHERE expressly extended outside the District of Columbia or the Federal statutory "State" defined in 4 U.S.C. §110(d).
    3. Civil statutory statuses such as "taxpayer", "citizen", "resident", and "person" AND the PUBLIC RIGHTS and privileges that attach to them are PROPERTY legislatively created and therefore owned by the national government. Those claiming these statuses are in receipt, custody, or "benefit" of federal privileges no matter where they physically are, and thus are subject to Congress power to "make all needful rules respecting the Territory and other property" granted by Article 4, Section 3, Clause 2 of the Constitution.

PRIVILEGES/EXTRATERRITORIAL JURISDICTION

3. ***Federal agencies or persons in their capacity as officers, agents, or employees thereof***. **44 U.S.C. §1505(a)(1).**
4. **EXPRESS and INFORMED consent or comity in some form. Note that NO ONE can consent FOR YOU. YOU have to consent YOURSELF. Presently, "comity" is legally defined as "willingness to grant a privilege". It USED to be defined as MUTUAL consent or agreement of both parties. This has the INSIDIOUS effect that it is OK for a judge to consent FOR YOU, or you to consent sub silentio or by acquiescence. The RESULT is that you are treated AS IF you are a privileged agent or officer of the state, which we call a "straw man", often without compensation. This is CRIMINAL HUMAN TRAFFICKING and CRIMINAL IDENTITY THEFT (Form #05.046) if you didn't KNOWINGLY consent. The purpose of this SOPHISTRY is to procure your consent INVISIBLY, so they don't have to recognize or respect your sovereignty or autonomy. After all, they think they know better than you about what is good for you. See:**
    1. ***Hot Issues: Invisible Consent***, **SEDM**
       https://sedm.org/invisible-consent/
    2. ***How American Nationals Volunteer to Pay Income Tax***, **Form #08.024**
       https://sedm.org/Forms/08-PolicyDocs/HowYouVolForIncomeTax.pdf

Application of Property Law to Income Taxation

- **Therefore, to be lawful, at least ONE of the two parties to the PRIVILEGED commercial transaction must either:**
  - **Be THE specific government instituting the excise tax or else there is an unconstitutional interference with contracting and commerce to impose the tax.**
  - **Be VOLUNTARILY REPRESENTING THE specific government instituting the excise tax in some capacity, usually as a public office or officer.**
- **The above explains why:**
  - **The income tax is measured by earnings in connection with a STATUTORY/PRIVILEGED "trade or business" (Form #05.001), which is defined in 26 U.S.C. §7701(a)(26) as "the functions of a public office"**
  - **At least one of the parties engaging in the transaction are privileged fictional statutory creations of Congress rather than merely human beings or private businesses. STATUTORY "citizens" (Form #10.011), "residents" (privileged aliens under 26 U.S.C. §7701(b)(1)(A), and "nonresident aliens (Form #05.020) engaged in a trade or business" are ALL privileged agents and/or officers of the national government and fictional creations of Congress, not flesh and blood humans who have constitutional protections.**
- **The ONLY type of non-privileged entity mentioned in the I.R.C. is a "nonresident alien NOT engaged in a trade or business" and this party is referred to as a "foreign estate" in 26 U.S.C. §7701(a)(31).**

Application of Property Law to Income Taxation

- **What is a "privilege"?: It's a loan or temporary grant of government property or rights for which in essence a RENTAL or USE fee is charged. That fee is called a "tax" or an "excise tax".**
- **For the purposes of this document, we treat "privilege tax" and "excise tax" as being equivalent.**
- **This website also uses "franchises" and "privileges" synonymously.**
- **Below is how the U.S. Supreme Court describes government property rental fee called an "excise tax":**

  "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)]

- **All people who are "liable" for excise taxes therefore are in essence paying RENT to Uncle Sam to temporarily "use" or "benefit" from government property or rights. Uncle is in the "property rental business", just like any "landlord", Enterprise Rental Car, Avis, etc.!**
- **More on this subject at:**

  ***Why the Federal Income Tax is a Privilege Tax Upon Government Property*, Form #04.404**

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

Application of Property Law to Income Taxation

- **Income taxation is always upon PROFIT or GAIN, and never the underlying PRIVATE property. For instance, taxes on LABOR are upon PROFIT from labor, not the underlying labor itself, which is property. That means NEVER can the ENTIRE amount earned from selling one's labor for compensation of EQUAL value be classified as "income" from a constitutional perspective. See:**
  - ***Proof that Involuntary Income Taxes on Your Labor are Slavery*, Form #05.055** *https://sedm.org/product/proof-that-involuntary-income-taxes-on-your-labor-are-slavery-form-05-055/*
  - ***Proof that earnings from labor are not "gross income" under 26 U.S.C. §61***, SEDM** https://sedm.org/proof-that-earnings-from-labor-are-not-gross-income-under-26-u-s-c-61/
  - ***Sovereignty Forms and Instructions Online*, Form #10.004, Cites By Topic: "income"** https://famguardian.org/TaxFreedom/CitesByTopic/income.htm
- **A tax upon labor as PRIVATE property is a direct tax, which is prohibited by the constitution.**

  "Before the Sixteenth Amendment Congress could not levy a direct tax without apportionment among the states. Pollock v. Farmers' Loan Trust Co., 157 U.S. 429, 15 S.Ct. 673, 39 L.Ed. 759, Id., 158 U.S. 601, 15 S.Ct. 912, 39 L.Ed. 1108. The Amendment allows a tax on "income" without apportionment, but an unapportioned direct tax on anything that is not income would still, under the rule of the Pollock case, be unconstitutional."

  [. . .]

  The first question is: which definition of income is controlling, that of Congress or that of the Supreme Court? Since the judiciary is traditionally charged with the responsibility of interpreting the Constitution, we shall assume, for the purposes of this decision only, that, because the Sixteenth Amendment is limited to income, Congress may not tax directly without apportionment that which the Supreme Court does not so define."

  [Commissioner of Int. Rev. v. Obear-Nester Glass, 217 F.2d. 56 (7th Cir. 1954)]

Application of Property Law to Income Taxation

- **Employers typically include ALL EARNINGS from labor on a Form W-2 (Form #04.006), but not all of these earnings or even MOST of such earnings would be "gross income" under 26 U.S.C. §61. Only though the following do "wages" always count as "income" income in a constitutional sense:**
  - **Legal ignorance of Americans and PRIVATE employers.**
  - **EXPRESSLY Consenting to CALL All your earnings CIVIL STATUTORY "wages" under 26 U.S.C. §3402(p) by signing a W-4 withholding form.**
- **The taxability of human labor as PRIVATE property is therefore a THIRD RAIL issue that the courts are LOATHE to talk about, because it amounts to involuntary servitude if not consensual.**
- **More on why taxes on your labor are UNCONSTITUTIONAL SLAVERY if you don't consent:**
  - ***How the Government Defrauds You Out of Legitimate Exclusions for the Market Value of Your Labor*, Form #05.026 https://sedm.org/Forms/05-MemLaw/DefraudLabor.pdf**
  - **Proof that Involuntary Income Taxes on Your Labor are Slavery, Form #05.055** (Member Subscriptions) https://sedm.org/product/proof-that-involuntary-income-taxes-on-your-labor-are-slavery-form-05-055/**

Authorities on Why You Should NEVER Borrow or Rent Government Property

- **The Bible:**

  "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]

- ***How Scoundrels Corrupted Our Republican Form of Government*, Family Guardian Fellowship**

  https://famguardian.org/Subjects/Taxes/Evidence/HowScCorruptOurRepubGovt.htm

Authorities on Why You Should NEVER Borrow or Rent Government Property

- **SEDM Opening Page:**

  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 pay dearly for the privilege. 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]

Application of Property Law to Income Taxation

- **These considerations are why the current definition of a "public office" in Black's Law Dictionary defines a public officer 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 1nd.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]***

- **Everyone who has custody of government property is therefore:**
  - **Deemed to be a public officer whether they want to be or not. The only way to abandon the office or PUBLIC office is to "return" the property. That's why they call it a "tax RETURN".**
  - **Deemed to be subject to the direct legislative control of Congress per Article 4, Section 3, Clause 2 of the Constitution and 5 U.S.C. §553(a)(2).**

Application of Property Law to Income Taxation

- **The authority of Congress to regulate and control uses of ITS property is found in the following:**
  - **Article 4, Section 3, Clause 2 of the United States Constitution**

    Article 4: States Relations

    Section III: Admission of New States; Property of the 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.
  - **The Administrative Procedures Act, 5 U.S.C. §553(a)(2) authorizes Congress to enact legislation that directly controls all uses of its property regardless of:**
    - **Whether there are implementing regulations or not.**
    - **Whether the party is a private American or a public servant.**
  - **26 U.S.C. §7805(a) authorizes the Secretary of the Treasury to "make all needful rules and regulations for the enforcement of the title". The "all needful rules" language comes directly out of Article 4, Section 3, Clause 2 of the United States Constitution.**

Application of Property Law to Income Taxation

- **5 U.S.C. §301 specifically authorizes the head of an Executive Department to make all rules for PROPERTY under its control:**

  TITLE 5 > PART I > CHAPTER 3 > § 301
  § 301. Departmental regulations

  The head of an Executive department or military department may prescribe regulations for the government of his department, the conduct of its employees, the distribution and performance of its business, and the custody, use, and preservation of its records, papers, and property. This section does not authorize withholding information from the public or limiting the availability of records to the public.

  In the case of the IRS, the "head of the Executive Department" is the Secretary of the Treasury.

- **The U.S. Supreme Court acknowledged the authority of Congress to control its property ANYWHERE in the country, and even where it has no territorial jurisdiction. Control exercised outside the territory of the national government is called "extraterritorial jurisdiction":**

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

Application of Property Law to Income Taxation

- **What do we mean by "property"?**
  - **PUBLIC RIGHTS conveyed by any civil statute. The ENTIRE civil statutory code is a "civil protection franchise". For proof, see:**
    - » ***Why Domicile and Becoming a "Taxpayer" Require Your Consent***, **Form #05.002** https://sedm.org/Forms/05-MemLaw/Domicile.pdf
    - » ***Why Statutory Civil Law is Law for Government and not Private Humans***, **Form #05.037** https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf
  - **The PRIVILEGE of voting. It's not a right because they can take it away if you commit a felony. The courts call it "the elective franchise".**
  - **Physical property.**
  - **Entitlements and "benefits" such as Social Security, Medicare, Obamacare, etc.**
  - **Government payments or grants.**
  - **Income tax refunds in the temporary custody of the national government and LOANED to them.**
- **IMPORTANT NOTE: RIGHTS are things they can't take away, give away, regulate, or tax, and which cost you NOTHING.**
- **If ANY civil statutory obligation (Form #12.040) attaches to a specific civil status (Form #13.008), then it can't possibly be a RIGHT of any kind, but rather is a PRIVILEGE. Watch out! See:**

  Lawfully Avoiding Government Obligations, **Form #12.040**
  https://sedm.org/LibertyU/AvoidGovernmentObligations.pdf

Application of Property Law to Income Taxation

- **Facts about Social Security Numbers and Taxpayer Identification Numbers:**
  - **Social Security Numbers and Taxpayer Identification Numbers are what the Federal Trade Commission calls a "franchise mark".**
  - **Social Security Numbers and Taxpayer Identification Numbers are legal evidence that the property they are connected to are donated to a public use, public purpose, and public office.**
  - **The only people who are required to provide such numbers are those in receipt of government privileges, benefits, property, or franchises (Form #05.030).**
  - **The Bible calls them the "Mark of the Beast". They are legal evidence that you are serving mammon/the beast/Caesar rather than God and Caesar's public officer. No man can serve two masters: God and mammon.**
- **For proof of the above see:**
  - ***About SSNs and TINs on Government Forms and Correspondence*, Form #05.012**
    https://sedm.org/Forms/05-MemLaw/AboutSSNsAndTINs.pdf
  - ***Social Security: Mark of the Beast*, Form #11.407**
    http://famguardian.org/Publications/SocialSecurity/TOC.htm

Application of Property Law to Income Taxation

- **Application of absolutely owned, constitutionally protected PRIVATE property to income tax reporting and withholding**
  - **The "right to exclude" and the ability to dictate the terms and conditions of the USE of private property are reserved EXCLUSIVELY to the ABSOLUTE OWNER.**
  - **Third parties MAY NOT determine the civil status of the ABSOLUTE OWNER of a payment or the PAYMENT itself.**
  - **IMPLICATION upon YOUR civil status: Banks, employers, and financial institutions may NOT UNILATERALLY impute a civil status to YOU as the absolute owner of yourself using a government form. They NEED your consent! For instance, they:**
    - **Cannot FORCE you to fill out an IRS Form W-9 imputing "U.S. Person" status to you. This is a PRIVILEGED status.**
    - **Cannot FORCE you to submit an IRS Form W-4 "Employee Withholding Allowance Certificate" for the PRIVILEGE of merely earning a living. Who is doing the "allowing"? YOU and not THEM!. This forces you to acquire the civil status of "employee" of the national government under 26 U.S.C. §3401(c).**
    - **The only choice they have is to ACCEPT WHATEVER withholding form you give them and to act as if it is correct and report and withhold according.**

    ANY OTHER approach results in: slavery in violation of the Thirteenth Amendment, criminal peonage (slavery to pay off public debt), and/or human trafficking (an international crime), and interference by the national government with your PRIVATE right to contract or NOT contract. More on this at:
    ***Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008**
    https://sedm.org/Forms/13-SelfFamilyChurchGovnce/RightToDeclStatus.pdf

Application of Property Law to Income Taxation

- **IMPLICATION upon the civil status of your property: Banks, employers, and financial institutions may NOT UNILATERALLY impute a civil status to any of the money the pay your or have in their custody that belongs to you. They need your CONSENT. For instance, they can't call it"**
  - **Statutory "wages" under 26 U.S.C. §3401 such as with a Form W-2.**
  - **Statutory "gross income" under 26 U.S.C. §61, such as with a Form 1042s.**
  - **Originating from "United States" federal territory under 26 U.S.C. §7701(a)(9) and (a)(10) or the "United States" federal corporation.**

  ONLY YOU, as the absolute owner have the absolute right to declare the civil status of your absolutely owned property and by doing so, to impute a civil statutory obligation to it. If they do, they are STEALING.
- **IMPLICATION upon your CONSENT (Form #05.003) in filling out withholding forms: Banks, employers, and financial institutions may NOT FORCE you to in effect CONSENT to convert your PRIVATE earnings into PUBLIC earnings by submitting an IRS Form W-4, which inevitably be TREATED AS IF you consented to call it PUBLIC, excise taxable "wages" under 26 U.S.C. §3402(p).**
  - **ONLY YOU, as the absolute owner, can convert your PRIVATE property to PUBLIC property. This is an outgrowth of the "right to exclude" that is the essence of ownership itself.**
  - **If you are either threatened to be FIRED or NOT HIRED for either INSISTING on submitting our Amended IRS Form W-8, Form #04.202 or refusing to submit IRS Form W-4 that you KNOW is false, then you are under duress and whatever form you do submit will be FALSE and FRAUDULENT.**
  - **You have a DUTY to report false and fraudulent withholding forms or those submitted under DURESS. It's PERJURY and a crime to submit them.**

Application of Property Law to Income Taxation

- **More on income tax in relation to property at:**
  - ***Property View of Income Taxation Course***, **Form #12.046**
    https://sedm.org/LibertyU/PropertyViewOfIncomeTax.pdf
  - ***Why the Federal Income Tax is a Privilege Tax Upon Government Property***, **Form #04.404** (Member Subscriptions)**
    https://sedm.org/product/why-the-federal-income-tax-is-a-privilege-tax-on-government-property-form-04-404/
  - ***Excluded Earnings and People***, **Form #14.019**
    https://sedm.org/Forms/14-PropProtection/ExcludedEarningsAndPeople.pdf
  - ***Laws of Property***, **Form #14.018**
    https://sedm.org/Forms/14-PropProtection/LawsOfProperty.pdf
  - ***SEDM Forms/Pubs Page***, **Section 1.4.2: Withholding Forms**
    https://sedm.org/Forms/FormIndex-SinglePg.htm#1.4.2__WITHHOLDING_FORMS
  - ***Citizenship Status v. Tax Status***, **Form #10.011, Sections 11 and 12**
    https://sedm.org/Forms/10-Emancipation/CitizenshipStatusVTaxStatus/CitizenshipVTaxStatus.htm
  - ***Federal and State Withholding Options for Private Employers***, **Form #09.001**
    https://sedm.org/Forms/FormIndex.htm

Application of this Presentation to a Federal/State Tax Collection Notice Response

Dear sir,

This letter is a response to your tax collection notice in which you allege, without evidence or even a valid signature of a real, accountable, living person who has a personal knowledge, that I have a liability under the Internal Revenue Code Subtitle A income tax franchise as a public officer engaged in a statutory "trade or business" as defined in 26 U.S.C. §7701(a)(26) while doing business on federal territory in the statutory "United States" defined geographically in 26 U.S.C. §7701(a)(9) and (a)(10) as the District of Columbia and excluding the constitutional states of the Union which I presently inhabit, excepting possibly where consent and comity are involved, which are NOT involved in this case.

This letter represents an honest attempt under the Beard Test to comply with the requirements of civil law applicable only to domiciliaries of the statutory geographical "United States" per Federal Rule of Civil Procedure 17(b), which I am not:

1. **It must purport to be a return.**
2. **It must contain enough information to calculate a tax liability (even $0 is a tax liability for these purposes, just as 0 counts as a number) and**
3. **It must contain some affirmation of the correctness of the return (we seem to recall SCOTUS saying something like "magic words are not necessary" but we think the Beard Test says the return must be signed "under penalty of perjury") and**
4. **Finally it must be an honest and reasonable attempt to comply with the REQUIREMENTS of the APPLICABLE law.**

I therefore hereby certify under penalty of perjury in response that this is a NON-STATUTORY return submitted by a non-resident party with the following civil status to both the PAYMENTS involved and the ABSOLUTE OWNER of the payment, which is me:

Application of this Presentation to a Federal/State Tax Collection Notice Response-Continued

1. **I am a "nonresident alien" not engaged in "the functions of a public office" or "trade or business" excise taxable franchise described in 26 U.S.C. §7701(a)(26). I do not consent to "effectively connect" any of my earnings to a "trade or business".**
2. **My earnings are excluded but rather NOT "exempt" from "gross income" by 26 U.S.C. §872, 26 C.F.R. §1.872-2(f), 26 C.F.R. §1.871-7(a)(4), and 26 U.S.C. §861(a)(3)(C)(i) because they do not originate from either the District of Columbia (statutory geographical "United States") or from the U.S. government ("United States") federal corporation as a legal fiction.**
3. **I don't need to file an income tax return or claim exemptions to reduce taxable earnings because I don't have STATUTORY "taxable income" or "gross income" under the "trade or business" excise taxable franchise documented in: *The "Trade or Business" SCAM*, Form #05.001; https://sedm.org/Forms/05-MemLaw/TradeOrBusScam.pdf.**
4. **There are no VOLUNTARY agreements in place between myself and any third party to convert my PRIVATE earnings into excise taxable PUBLIC "wages" as described in 26 U.S.C. §3402(p). Any evidence you have in your possession from third parties to the contrary is FALSE and a product of ILLEGAL duress by my business associates and are hereby declared VOID and a product of criminal extortion. Being threatened by a business associate to either be FIRED or not hired for not signing and submitting a W-4 certainly counts as criminal extortion in violation of 18 U.S.C. Chapter 41, recruitment into peonage to pay off public debt, and involuntary servitude to a third party in violation of the Thirteenth Amendment and 18 U.S.C. §1589. The product of such a CRIME cannot serve as useful evidence of any lawful form of "consent". Further, unalienable rights cannot be surrendered, even WITH consent, in a geographical place protected by the constitution, so any such agreements are void except where the constitution does not apply, such as on federal territory or abroad, which I do not work in. Further, it is a violation of my delegation of authority order direct from God (the Bible) to consent to such agreements as His full time agent, representative, and His property. Therefore such agreements can be of no binding force and effect and therefore would constitute theft of religious property and a violation of the First Amendment. I can't logically consent to give away property that doesn't belong to me but belongs to my Principal as His agent.**

Application of this Presentation to a Federal/State Tax Collection Notice Response-Continued

"You were bought [as property by God] at a price [by the blood of Jesus Christ]; do not become slaves of men [and by implication a GOVERNMENT of men]."

[1 Cor. 7:22, Bible, NKJV]

WHERE is separation of church and state when you need it, keeping in mind that my delegation of authority order says my BODY is God's Temple and property? 1 Cor. 6:19. Separation of church and state, according to the Bible, means separation of PRIVATE, which is God's, from PUBLIC, which is Caesar's. See:
Separation Between Private and Public Course, Form #12.025; https://sedm.org/LibertyU/SeparatingPublicPrivate.pdf.

5. **Any payments documented on information returns in your custody for the applicable reporting period are not reportable "wages" under 26 U.S.C. §3406 because:**
   5.1 All services were performed outside the "United States" and therefore expressly exempted from statutory "wages" per:
   5.1.1 26 C.F.R. §31.3121(b)-3(c)(1) in the case of Social Security.
   5.1.1. 26 C.F.R. §31.3401(a)(6)-1(b). In the case of income tax.
   5.2. The payer cannot make legal determinations or conclusions about the status of the payment. Only the OWNER, which is me, can. Christiansen v. National Savings and Trust Co., 683 F.2d. 520, 529 (D.C. Cir. 1982), Langbord v. U.S. Department of Treasury, CIVIL ACTION No. 06-5315, at *22 (E.D. Pa. July 5, 2011), and also Form #04.001 referenced later.

6. **All payments during the reporting period, including those documented on information returns in your custody, are expressly exempt from income tax reporting under:**
   6.1. 26 C.F.R. §1.1441-1(b)(5)(i).
   6.2. 26 C.F.R. §1.1441-1(e)(1)(ii)(A)(1).
   6.3. 26 C.F.R. §1.6041-4(a)(1).

Application of this Presentation to a Federal/State Tax Collection Notice Response-Continued

7. **My earnings are thus not subject to either W-2 "wage" withholding per 26 C.F.R. §31.3121(b)-3(c)(1) and 26 C.F.R. §3.3401(a)(6)-1(b) or "backup withholding" per 26 U.S.C. §3406. My earnings are not subject to backup withholding because they are not "reportable". They can only be reportable if:**
   7.1. They are connected with the "trade or business"/public office excise taxable franchise per 26 U.S.C. §6041(a).
   7.2. They are from "sources within the United States" in the case of IRS Form 1042s (Form #04.003) as ALLEGED "gross income", but even THAT is "trade or business" income per 26 U.S.C. §864(c)(3). The implications of this provision are that everything from "sources in the United States" is government payments and you IMPLICITLY agree as the recipient of the payment to in effect CONSENT to "effectively connect" the earning to the "trade or business"/public office excise taxable franchise, even though it TECHNICALLY is NOT. Otherwise, they are NOT reportable, per 26 U.S.C. §3406 and 26 C.F.R. §31.3406(g)-1(e).
8. **If you are in receipt of information returns such as the W-4, 1042, 1098, 1099, etc., then these reports are FALSE and constitute FRAUDULENT RETURNS as described by reference in:**
   W-2CC: https://sedm.org/Forms/04-Tax/3-Reporting/FormW-2CC-Cust/FormW-2CC.pdf
   1099-CC: https://sedm.org/Forms/04-Tax/3-Reporting/Form1099-CC-Cust/Form1099-CC.pdf

Application of this Presentation to a Federal/State Tax Collection Notice Response-Continued

9. **Because the earnings documented on the FALSE information returns are not "gross income" or "wages", they are therefore PRIVATE property protected by the Constitution and earned by a constitutionally protected PRIVATE party, not a PUBLIC officer.**
10. **The submitter of these false information returns has NO STATUTORY AUTHORITY over me as a NONRESIDENT party and NO DIRECT PERMISSION from me to convert these PRIVATE earnings to PUBLIC earnings by connecting them to a civil status such as "gross income" or "taxable income" or "reportable income", because the earnings are NOT THEIR property but MY absolutely owned exclusively private, constitutionally protected property. Such an offense is criminal conversion under 18 U.S.C. §654 (conversion from PRIVATE to PUBLIC) for which I demand that they be criminally prosecuted and civilly penalized.**
11. **Any false information returns in your possession relating to the reporting period DO NOT document the CIVIL STATUS of the payment absent my consent, because the submitter is NOT AUTHORIZED to make legal determinations about:**
    11.1 My STATUTORY civil status as a "person", "taxpayer", "citizen", "resident", etc or
    11.2 The STATUTORY civil status of my earnings as "income", "gross income", etc.
    11.3 Whether the earnings were paid from the STATUTORY geographical "United States" per 26 U.S.C. §7701(a)(9) and (a)(10) or the "United States" federal corporation as a legal person and fiction of law.
12. **Since the human parties made directly liable on their worldwide income are "citizens and residents" in 26 C.F.R. §1.1-1(a), then those civil statuses must be privileges and voluntary or else slavery in violation of the Thirteenth Amendment, peonage, and even international human trafficking will be the result. I choose not to volunteer, so the only status left that does not have direct liability attached is "nonresident alien". If those parties are actually physical and geographical parties, they would be tied to the "United States" in 26 U.S.C. §7701(a)(9) and (a)(10) as far as I can tell, and I'm not domiciled or present there or doing business there, so they can't be me.**

Application of this Presentation to a Federal/State Tax Collection Notice Response-Continued

13. **Insofar as "sources in the United States" is concerned, it appears to me that the United States in the I.R.C. is mostly referring to the FICTIONAL corporation as a public officer and not the geography, because slavery, peonage, and human trafficking are unconstitutional and possibly even criminal everywhere in the Union and even the world, not just within a physical state protected by the Constitution. Any other interpretation would lead to an interference with the private right to contract and associate. The U.S. Supreme Court held in Downes v. Bidwell, 182 U.S. 244 (1901) and Loughborough v. Blake, 18 U.S. 146, 5 Wheat. 317, 5 L.Ed. 98 (1820) that an income tax on the District of Columbia, which is what "United States" is defined as in 26 U.S.C. §7701(a)(9) and (a)(10), is a tax upon THE GOVERNMENT and not upon the GEOGRAPHY, and extends wherever and ONLY where that GOVERNMENT extends. To claim that I am IN THIS "United States" or worst yet that I am rendering "services in THIS United States" is to falsely claim that I am a public officer participating in an excise taxable franchise, which I am not in this case. This represents an INVASION of the constitutional states in violation of Article 4, Section 4 of the Constitution and criminal identity theft in violation of 18 U.S.C. §912.**
14. **Under common law rules, I have a right to refuse ANY and ALL "benefits", and by implication privileges. You are a business that only delivers ONE product: Protection. I am the customer and I get to decide if what you offer is a "benefit", and it isn't so I resign as the "customer" of your "protection racket". A refusal to recognize that right is a trespass upon private, constitutionally protected property. The basis of all just powers of government is CONSENT according to the Declaration of Independence, and I DO NOT consent to receive or to PAY FOR any "benefit":**

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

    Potest quis renunciare pro se, et suis, juri quod pro se introductum est. A man may relinquish, for himself and his heirs, a right which was introduced for his own benefit. See 1 Bouv. Inst. n. 83.

    [Bouvier's Maxims of Law, 1856; https://famguardian.org/Publications/BouvierMaximsOfLaw/BouviersMaxims.htm]
15. **According to the U.S. Supreme Court, when I am incapable of receiving "benefits", then anything you collect outside my FOREIGN domicile in a constitutional state is "EXTORTION" as legally defined. The states and not the national government protect private property where I have my domicile. I don't need you to protect me from THEM. I want THEM to protect me from YOU and the constitution says in Article 4, Section 4, that you are INVADING the states by trying to setup a "benefit" or "social insurance" business there not expressly authorized in the constitution. Union Refrigerator Transit Company v. Kentucky, 199 U.S. 194 (1905). See also James Madison, House Congressional Record, February 7, 1792, On the Cod Fishery Bill, granting Bounties.**

Application of this Presentation to a Federal/State Tax Collection Notice Response-Continued

"The power of taxation, indispensable to the existence of every civilized government, is exercised upon the assumption of an equivalent rendered to the taxpayer in the protection of his person and property, in adding to the value of such property, or in the creation and maintenance of public conveniences in which he shares -- such, for instance, as roads, bridges, sidewalks, pavements, and schools for the education of his children. If the taxing power be in no position to render these services, or otherwise to benefit the person or property taxed, and such property be wholly within the taxing power of another state, to which it may be said to owe an allegiance, and to which it looks for protection, the taxation of such property within the domicil of the owner partakes rather of the nature of an extortion than a tax, and has been repeatedly held by this Court to be beyond the power of the legislature, and a taking of property without due process of law. Railroad Company v. Jackson, 7 Wall. 262 ; State Tax on Foreign-Held Bonds, 15 Wall. 300; Tappan v. Merchants' National Bank, 19 Wall. 490, 499 ; Delaware &c. R. Co. v. Pennsylvania, 198 U.S. 341, 358 . In Chicago &c. R. Co. v. Chicago, 166 U.S. 226, it was held, after full consideration, that the taking of private property [199 U.S. 203] without compensation was a denial of due process within the Fourteenth Amendment. See also Davidson v. New Orleans, 96 U.S. 97, 102; Missouri Pacific Railway v. Nebraska, 164 U.S. 403, 417; Mt. Hope Cemetery v. Boston, 158 Mass. 509, 519."
[Union Refrigerator Transit Company v. Kentucky, 199 U.S. 194 (1905); SOURCE: https://scholar.google.com/scholar_case?case=14163786757633929654]

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

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

"If Congress can do whatever in their discretion can be done by money [meaning PROPERTY], and will promote the general welfare, the government is no longer a limited one possessing enumerated powers, but an indefinite one subject to particular exceptions."
[James Madison. House of Representatives, February 7, 1792, On the Cod Fishery Bill, granting Bounties]

16. The amount of tax owing for the affected tax year is therefore ZERO.

Application of this Presentation to a Federal/State Tax Collection Notice Response-Continued

Only I under the First Amendment and as the ORIGINAL and EXCLUSIVE owner of the remuneration I earned and accrued in exchange for my private labor, and as a result of a private agreement between myself and the payor may lawfully create admissible legal evidence of the civil status of any affected property. This right is an outgrowth of my right to "make all needful rules" respecting my absolutely owned, constitutionally protected, PRIVATE property. Any attempt to interfere with or supersede that right is a violation of my right to privately contract, a constitutional tort, and a common law trespass. See:

***Correcting Erroneous Information Returns*, Form #04.001;**

https://sedm.org/Forms/04-Tax/0-CorrErrInfoRtns/CorrErrInfoRtns.pdf.

I readily acknowledge that if my PRIVATE earnings had been CONSENSUALLY and VOLUNTARILY connected to a taxable civil status by ONLY ME, then I would have a legal duty to "return" the government/public funds in my possession and could be penalized for refusing to do so by virtue of YOUR authority to "make rules" for government property under Article 4, Section 3, Clause 2. See, for instance, Calif. Civil Code Sections 2223 and 2224:

> **2223 One who wrongfully detains a thing is an involuntary trustee thereof, for the benefit of the owner.**
>
> **(Repealed and added by Stats. 1986, Ch. 820, Sec. 8. Operative July 1, 1987, by Sec. 43 of Ch. 820.)**
>
> **2224 One who gains a thing by fraud, accident, mistake, undue influence, the violation of a trust, or other wrongful act, is, unless he or she has some other and better right thereto, an involuntary trustee of the thing gained, for the benefit of the person who would otherwise have had it."**

HOWEVER, there are no such PUBLIC funds in my possession or anyone ELSE'S possession and any withholdings you (the IRS OR the SSA) are in receipt of from third parties are UNLAWFUL and continue to be MY absolutely owned constitutionally protected private property. None of the parties to the transaction involve the government, in fact, and no government payments or officers are directly involved. As such, I have a right to make "all needful rules" respecting such property while in your TEMPORARY possession, control, or "benefit" just like you do under Article 4, Section 3, Clause 2. For your information, those rules are documented in:

***Injury Defense Franchise and Agreement*, Form #06.027;**

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

Application of this Presentation to a Federal/State Tax Collection Notice Response-Continued

Civil penalties and PROPERTY rental fees apply to your continued custody and "benefit" of all UNLAWFULLY withheld PRIVATE property in your possession per the above agreement. Similarly, my labor and services in educating you about what the law requires and forcing you to obey the laws stated herein also have fees and obligations attached in the above agreement, because negligence in dealing with the issues raised herein constitutes common law fraud that you cannot be allowed to benefit from or be rewarded for or punish me for directly or indirectly. You don't have to expressly consent to the agreement because your acceptance and continued "benefit" of the use of my private property, labor, or services in ANY form including in responding to your collection notice is sufficient to make the agreement enforceable per the U.S. Supreme Court and in conformance with the Uniform Commercial Code, where I am the "Merchant" offering you my services and property FOR SALE at a price. The above agreement, like the Internal Revenue Code itself, therefore behaves as what the U.S. Supreme Court a "quasi contract" in Milwaukee v. White, 296 U.S. 268 (1935).

> ***"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)]***

A denial of the SAME EQUAL right you exercise over government property to me over my property is a violation of the constitutional requirement for equal protection and equal treatment.

WHAT I REQUEST FROM YOU:

I request that ALL withholdings of every kind deducted from my pay and documented on any kind of information return be immediately refunded, including Social Security, Medicare, income tax, etc. because they are my absolutely owned private property and are not STATUTORY "wages" or public property of any kind. I do not consent to donate them to a public use or a public purpose of any kind and thus to convert them from PRIVATE to PUBLIC. I also request that any amounts withheld by the payer be returned to them as well. I do not wish retain eligibility for any government benefit or pay for any government "benefit" or privilege. I have/will submit SSA Form 7008 corrected reported earnings and IRS Form 843: Abatement to get the SSA/Medicare portion of the withholdings back. This correspondence shall also serve as formal notice to request the same thing as these two forms. I am NOT eligible for Social Security or any other federal benefit per the following proof:

Why You Aren't Eligible for Social Security, Form #06.001;

https://sedm.org/Forms/06-AvoidingFranch/SSNotEligible.pdf

Application of this Presentation to a Federal/State Tax Collection Notice Response-Continued

If you believe that I HAVE indeed expressly consented to convert my absolutely owned, constitutionally protected, PRIVATE property earnings to TAXABLE PUBLIC "gross income" or "wages" or STATUTORY FRANCHISE "income", please present legal evidence of same signed by me under penalty of perjury and executed on federal territory where constitutional rights or unalienable rights don't exist. If you do not present such evidence in your immediate response, then you forfeit your right to do so in the future. Third party reports or even your own determination that my earnings are derived from "sources within the United States" and PRESUMING or acting AS IF "United States" means THE GOVERNMENT does not constitute my consent in any form to occupy an office within said government as a franchisee because that would be impersonating a public officer in violation of 18 U.S.C. §912.

Your obligation and burden of proof at this point is then to:

1. **Identify exactly HOW my earnings were made to fall in the list of things that the government can tax and regulate directly through legislation as listed in 5 U.S.C. §553(a)(2).**
2. **Identify exactly WHICH of the five U.S. Supreme Court rules for converting property from PRIVATE to PUBLIC were exercised in determining that I have your property in my possession, as listed in: *Property View of Income taxation, Form #12.046, Section 6 https://sedm.org/LibertyU/PropertyViewOfIncomeTax.pdf***

Until such time as you prove the above, my property and earnings are presumed to be absolutely owned, private, constitutionally protected and therefore BEYOND taxation and CIVIL regulation:

> ***"The compensation which the owners of property, not having any special rights or privileges from the government in connection with it, may demand for its use, or for their own services in union with it, forms no element of consideration in prescribing regulations for that purpose.***
>
> ***[. . .]***

Application of this Presentation to a Federal/State Tax Collection Notice Response-Continued

> ***"It is only where some right or privilege [which are GOVERNMENT PROPERTY] is conferred by the government or municipality upon the owner, which he can use in connection with his property, or by means of which the use of his property is rendered more valuable to him, or he thereby enjoys an advantage over others, that the compensation to be received by him becomes a legitimate matter of regulation. Submission to the regulation of compensation in such cases is an implied condition of the grant, and the State, in exercising its power of prescribing the compensation, only determines the conditions upon which its concession shall be enjoyed. When the privilege ends, the power of regulation ceases."***
> ***[Munn v. Illinois, 94 U.S. 113 (1876)]***

The Internal Revenue Service is acting in a private capacity as debt collector for the Federal Reserve and are doing so by consent and contract. As such, you are on an equal footing to me as a PRIVATE party and may not assert official, judicial, or sovereign immunity in response. There is NO CONSTITUTIONAL AUTHORITY whatsoever to even assert sovereign immunity. For proof, see:

***Origin and Authority of the Internal Revenue Service*, Form #05.005;**

https://sedm.org/Forms/05-MemLaw/OrigAuthIRS.pdf.

Anything in response NOT signed under penalty of perjury by a living human being whose FULL printed legal birthname and detailed contact information is provided for service of legal process shall constitute: 1. A non-response; 2. Legal evidence of a default and agreement to the facts asserted herein per Federal Rule of Civil Procedure 8(b)(6); 3. A nihil dicit judgment against you. This is our method of ensuring "justice", which is the right to be left alone, and it also serves to prevent what the IRS calls "paper terrorism".

The following form is incorporated into this form by reference as an attachment in order to save space:

***Tax Form Attachment*, Form #04.201;**

https://sedm.org/Forms/04-Tax/2-Withholding/TaxFormAtt.pdf

Application of this Presentation to a Federal/State Tax Collection Notice Response-Continued

I declare under penalty of perjury under the COMMON LAW and EQUITY alone of my constitutional state and NOT under federal or state statutory law from WITHOUT the geographical "United States" documented in 26 U.S.C. §7701(a)(9) and (a)(10) and from WITHOUT the "United States" federal corporation per 28 U.S.C. §1746(1) that the foregoing facts are true, correct, and complete. Any commercial use of this information to benefit YOU constitutes implied consent by the Recipient to the Injury Defense Franchise, and Agreement, Form #06.027, previously mentioned.

Signed,

John Doe

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

Remedies for the Protection Of Private Rights

- ***How Issues: Laws of Property***
  https://sedm.org/laws-of-property/
- ***Laws of Property*, Form #14.018**
  FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
  DIRECT LINK: https://sedm.org/Forms/14-PropProtection/LawsOfProperty.pdf
- ***Unalienable Rights*, Form #12.038**
  FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
- ***Enumeration of Unalienable Rights*, Form #10.002**
  FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
  DIRECT LINK: http://sedm.org/Forms/10-Emancipation/EnumRights.pdf
- ***Know Your Rights and Citizenship Status*, Form #10.009**
  FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
- ***Legal Remedies that Protect Private Rights Course*, Form #12.019**
  FORMS PAGE: http://sedm.org/Forms/FormIndex.htm
- ***Common Law Practice Guide*, Litigation Tool #10.013**
  LITIGATION TOOLS PAGE: http://sedm.org/Litigation/LitIndex.htm

Identity Theft Resources

1. ***Government Identity Theft***, **Form #05.046-SEDM**
   http://sedm.org/Forms/FormIndex.htm
2. ***Government Identity Theft Playlist*** **-SEDM**
   https://www.youtube.com/playlist?list=PLin1scINPTOup5lPJW1u0exug2GtgPRwF
3. ***Liberty University, Section 4: Avoiding Government Franchises, Licenses, and Identity Theft***
   http://sedm.org/LibertyU/LibertyU.htm
4. ***Property and Privacy Protection, Section 11: Identity Theft*****-Family Guardian Fellowship**
   http://famguardian.org/Subjects/PropertyPrivacy/PropertyPrivacy.htm
5. ***Money, Banking, and Credit Topic, Section 6: Privacy and Identity Theft*****-Family Guardian Fellowship**
   http://famguardian.org/Subjects/MoneyBanking/MoneyBanking.htm
6. ***The Identity Trap*****-Freedom Taker**
   https://www.youtube.com/watch?v=lQl4lET97o4

Slavery Through Deception

- **U.S. Supreme Court's definition of "slavery":**

  "That it 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 [in their entirety]. 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)]

Slavery Through Deception

- **What is a slave? A SLAVE IS A HUMAN BEING:**
  - **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.**
  - **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.**
  - **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.**
  - **Who is compelled to economic or contractual servitude to anyone else, including a government. All franchises are contracts. Form #05.030.**
  - **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.**
  - **Whose ownership of property was converted from ABSOLUTE to QUALIFIED without their EXPRESS written and informed LAWFUL consent.**
  - **Who is not allowed to EXCLUDE government from benefitting from or taxing property held as ABSOLUTE title.**

Slavery Through Deception

- **What is a slave? A SLAVE IS A HUMAN BEING:**
  - **Who is EXCLUDED from holding Title to property as ABSOLUTE or outside the "State", where "State" means the GOVERNMENT (meaning a CORPORATION FRANCHISE, Form #05.024) and not a geographic place.**
  - **Who the government REFUSES its constitutional duty to protect the PRIVATE rights or property of (Form #12.038) or undermines or interferes with REMEDIES that protect them from involuntary conversion of ownership from ABSOLUTE to QUALIFIED.**
  - **Who is compelled to associate PUBLIC property with PRIVATE property, namely Social Security Numbers or Taxpayer Identification Numbers and thereby accomplish a conversion of ownership. SSNs and TINs are what the FTC calls a "franchise mark" (Form #05.012).**
  - **Whose reservation of rights under U.C.C. 1-308 or 1-207 is interfered with or ignored and thereby is compelled to contract with and become an agent or officer of a government (Form #05.042) using a government application form (Form #12.023).**
  - **Who isn't absolutely equal (Form #05.033) to any and every government or who is compelled to become unequal or a franchisee (Form #05.030). The basis of ALL your freedom is EQUALITY of rights, as held by the U.S. Supreme Court. See Form #12.021, Video 1.**

Slavery Through Deception

- **QUESTIONS:**
  - **Is there any difference between BEING someone else's property and BEING COMPELLED TO HOLD A PUBLIC OFFICE (a franchise, Form #05.030) that is someone else's property 24 hours a day, seven days a week?**
    ANSWER: NO!
  - **If government will not issue ID to NONRESIDENTS or EXCLUSIVELY PRIVATE PEOPLE not engaged in franchises and who don't have an SSN or TIN, haven't they effectively outlawed private property?**
    ANSWER: YES!
  - **If you can only own property as a public officer in the government engaged in a franchise, and all public officers represent the government, then can you as a PRIVATE human being realistically own ANYTHING?**
    ANSWER: NO!
  - **If the Declaration of Independence and the Courts universally agree that PRIVATE rights protected by the Constitution are "unalienable", which means they cannot lawfully be sold or bargained away, then how could you lawfully contract them away to procure the "benefits" of a government franchise?**
    ANSWER: YOU CAN'T. YOU HAVE BEEN DECEIVED! ONLY THOSE DOMICILED ON FEDERAL TERRITORY NOT PROTECTED BY THE CONSTITUTION CAN DO SO!

Slavery Through Deception

- **Conclusions:**
  - **No man is free if he does not own PRIVATE property that cannot be taxed. "Property tax" is an oxymoron.**
  - **You are a tenant on the de facto government's land and an uncompensated public servant of the de facto government (Form #05.043) and not God. This is a violation of the FIRST commandment to serve God with all your heart, mind, soul, and PROPERTY. Matt. 22:36-40, Exodus 20:3-11.**
    - **Hence, we are a pagan idol worshipping heathen. Our Christian religion has been dis-established through government DECEPTION and in violation of the First Amendment.**
    - **The De Facto government and not God gets the "First Fruits", because churches get their tithes AFTER taxes are withheld. God gets what is LEFT, not what is RIGHT! Prov. 3:9.**
  - **The de facto government owns EVERYTHING, because it owns all public offices and you are a public officer if you are using their LICENSE called the Social Security Number or Taxpayer Identification Number.**
  - **All lawful governments are instituted to protect PRIVATE rights and PRIVATE property. There is no PRIVATE property left, so there is no DE JURE government left.**
  - **The Constitution is TOILET PAPER and you are your public servants' door mat. The Constitution makes YOU "Caesar" (Form #12.006), but your public servants have put themselves in charge and turned the Public Trust into a SHAM Trust in pursuit of what the Bible calls "filthy lucre".**
  - **The only thing the law or the de facto FRANCHISE courts protect are the criminal activities of their fellow SHAM trustees.**
  - **The public servants have taken over the house, YOUR HOUSE, and put their Master, YOU, in the barn with the horses.**

Slavery Through Deception

- **YOU OUGHT TO BE MAD AS HELL NOW THAT YOU KNOW THE TRUTH.**

WHAT ARE YOU GOING TO DO ABOUT IT?

- ***Send this to your friends!***

  What is a Slave?
  https://sedm.org/what-is-a-slave/

How the Democrats and Media Avoid Social Responsibility and Discussing the Implications of this Course: Redefining "Socialism"

- **Because Democrats and the liberal media like big government and the abuse of the tax system to redistribute wealth that makes big government possible, they are loath to discuss the implications of this course.**
- **The core of this course is about how private property is lawfully converted to public property without violating the Constitution or the common law that it implements.**
- **To avoid the implications of this course and avoid social responsibility to fix the social problems it implicates, Democrats, liberal media, and statists must avoid:**
  - **Acknowledging the existence of private property.**
  - **Allowing any term to be defined or used to draw attention to the unlawful conversion of private property to public property. People cannot oppose something until a word is invented to accurately describe it.**
  - **Redefine words that implicate unlawful conversion to remove discussion of private property from their definitions.**

How the Democrats and Media Avoid Social Responsibility and Discussing the Implications of this Course: Redefining "Socialism"

- **To give you an example of how the above avoidance of the subject of this course was implemented, Democrats and liberals have, over the years:**
  - **Redefined the word "socialism" to remove any mention of its goal of eliminating private property.**
  - **Replaced "eliminating private property" in the definition with "social control of the means of production".**
  - **Made the definition of "means of production" sufficiently vague so that people would not notice that THEIR property is included in the definition, if it produces capital, appreciation, or value.**
- **This approach is an implementation of "identity politics", where control over language is abused to:**
  - **Shape and control the public debate and political discourse.**
  - **Remove any word or phrase which could accurately and succinctly describe the evils of this course so that people cannot oppose it. You need a word to describe this process before you can oppose or abolish it.**
- **To give you an example of this phenomenon, see the following article on our website:**

  Big Government IS Socialism, No Matter What the Democrats or Media Say
  https://sedm.org/big-government-is-socialism-no-matter-what-the-democrats-or-media-say/

How the Democrats and Media Avoid Social Responsibility and Discussing the Implications of this Course: Redefining "Socialism"

- **Because of these malicious tactics by Democrats and liberals to entrap you, we had to define the term "socialism" in our Disclaimer to fix its meaning so that it could not be taken out of context. See:**

  ***SEDM Disclaimer*, Section 4.27. Socialism**

  https://sedm.org/disclaimer.htm#4.27._Socialism

- **The above definition is as follows:**

"Socialism" Defined

SEDM Disclaimer,

Section 4: Meaning of Words

4.27 Socialism

The term "socialism" means any attempt by any government to use civil legislation to abolish private property or to convert private property ownership to public property, public rights, or privileges, whether by consent or by theft. "Ownership" and "control" are synonymous for the purpose of this definition. Such property includes land, labor, physical objects, chattel property, or constitutional rights.

Examples of the implementation of socialism include the following activities by government:

1. ***Government Franchises and licensing. See:***
   Government instituted Slavery Using Franchises, Form #05.030
   https://sedm.org/Forms/05-MemLaw/Franchises.pdf
2. ***Civil statutes when enforced against those not consensually serving WITHIN the government. See:***
   Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037
   https://sedm.org/Forms/05-MemLaw/StatLawGovt.pdf
3. ***Domicile, which is a civil statutory protection franchise. See:***
   Why Domicile and Becoming a "Taxpayer" Require Your Consent, Form #05.002
   https://sedm.org/Forms/05-MemLaw/Domicile.pdf
4. ***Income and excise taxation. See:***
   The "Trade or Business" Scam, Form #05.001
   https://sedm.org/Forms/05-MemLaw/TradeOrBusScam.pdf
5. ***Extraterritorial civil enforcement under the COLOR, but without the actual AUTHORITY of law. against parties not domiciled within the jurisdiction or venue doing the enforcement. See:***
   Challenge to Income Tax Enforcement Authority Within Constitutional States of the Union, Form #05.052
   https://sedm.org/Forms/05-Memlaw/ChallengeToIRSEnforcementAuth.pdf
6. ***Any attempt to change the civil status (Form #13.008) of parties situated extraterritorially without the exclusive jurisdiction of the lawmaker with or without their express or implied consent (Form #05.003). The result is that they are made to APPEAR as parties domiciled within the civil jurisdiction or venue of the lawmaker. See:***
   Government Identity Theft, Form #05.046
   https://sedm.org/Forms/05-MemLaw/GovernmentIdentityTheft.pdf
7. ***Any attempt to offer a "benefit" or franchise without recognizing or enforcing the right to NOT participate or to quit on any and every form administering the program. Thus, the program is TREATED as mandatory by fiat but in fact is voluntary. This violates the common law maxim that you have a right to refuse a "benefit". See:***
   Avoiding Traps in Government Forms Course, Form #12.023
   https://sedm.org/LibertyU/AvoidingTrapsGovForms.pdf

"Socialism" Defined (cont.)

The result of implementing socialism through civil legislation is ultimately to abolish constitutional or common law protections for property, and to replace them with legislatively granted civil privileges that come with obligations and a corresponding surrender of said rights. Below is how we describe this process on the opening page of our website:

> ***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.***
>
> ***[SEDM Website Opening Page; http://sedm.org]***

For the purpose of this definition "socialism" does NOT include "social control over the means of production" as most contemporary reference sources FALSELY identify it. Early dictionaries defined it consistent with our definition but over the years, the word has fairly recently been redefined to REMOVE the mention of abolition of private property from the definition. This was done so that statists would conveniently stop having to APOLOGIZE for government theft through the legislative process. For examples of this phenomenon, see:

Sovereignty Forms and Instructions Online, Form #10.004, Cites by Topic: "socialism"
https://famguardian.org/TaxFreedom/CitesByTopic/Socialism.htm

"Socialism" Defined (cont.)

It is important to emphasize here that when you want to stop public opposition to a government activity such as theft or conversion of private property, the easiest way is to redefine terms so that there is no word that accurately refers to the activity that is being opposed. The result is that you have eliminated vocabulary that could describe the thing being opposed, and thus to eliminate the political opposition entirely. This approach, in fact, is the heart of the modern phenomenon of "Identity politics": Control public opinion and public opposition by controlling language.

An important goal of this website is to ELIMINATE all forms of socialism as defined here, and thus to restore the supremacy of individual rights over governmental rights to our political and democratic processes and institutions. For details on the evils of socialism, see:

1. ***Socialism: The New American Civil Religion, Form #05.016 https://sedm.org/Forms/05-MemLaw/SocialismCivilReligion.pdf***
2. ***Social Security: Mark of the Beast, Form #11.407 http://famguardian.org/Publications/SocialSecurity/TOC.htm***

[SEDM Disclaimer, Section 4.27. Socialism; SOURCE: https://sedm.org/disclaimer.htm#4.27._Socialism]

Questions for Government In Disputes Over STEALING My Property or Labor under the Guise of "Enforcement"

1. **Does the government allege that I am in receipt, custody, or stewardship over any government/public property of any kind or that they share ownership or control of anything whose title is in my name?**
2. **If the answer to question 1 is YES, then please itemize such property.**
3. **If the answer to question 1 is NO, then:**
    1. **BY WHAT authority does the government claim a right to control, use, or STEAL my property or labor under Article 4, Section 3, Clause 2 of the Constitution? (relating to the right to "make needful rules" for PUBLIC property).**
    2. **Why don't I have the right to control or regulate YOU the government because you are attempting to use or control or "benefit" from my absolutely owned private property? ALL are equal under REAL law, and what you can do to ME I can do to YOU!**
4. **Does the government claim as the source of its enforcement authority the following:**

    "A matter relating to agency management or personnel or to public property, loans, grants, benefits, or contracts."

    [5 U.S.C. §553(a)(2)]

Questions for Government In Disputes Over STEALING My Property or Labor under the Guise of "Enforcement"

5. **Does the government claim that I am in receipt of any government "benefit" of any kind?**
6. **Does the government allege that Social Security is a "benefit" or conveys a public property right over my otherwise exclusively owned private property?**
7. **Does the government have evidence to prove that I specifically am lawfully eligible for Social Security as a "benefit"?**

   (See Form #06.001 proving that Social Security may NOT lawfully be offered in the EXCLUSIVE jurisdiction of a state of the Union and that if it is, the separation of powers is violated)
   https://sedm.org/Forms/06-AvoidingFranch/SSNotEligible.pdf

8. **Is the government aware that Social Security is not a CONTRACT and conveys no ABSOLUTE PRIVATE RIGHT to receive a "benefit"?**

   "We must conclude that a person covered by the Act has not such a right in benefit payments… This is not to say, however, that Congress may exercise its power to modify the statutory scheme free of all constitutional restraint."
   [Flemming v. Nestor, 363 U.S. 603 (1960)]

Questions for Government In Disputes Over STEALING My Property or Labor under the Guise of "Enforcement"

9. **Admit that the only place the national government can proceed "free of all constitutional restraint" based on the previous question is one of the following AND NO OTHERS:**
   1. **On federal territory where the constitution does not apply.**
   2. **Abroad, where the constitution ALSO does not apply.**
   3. **Among its own CONSENTING statutory "employees" under 5 U.S.C. §2105. Anything one consents (Form #05.003) to cannot form the basis for an injury, whether under the constitution or the common law or otherwise.**
10. **By what authority can or does the government claim that a so-called "benefit" it has no obligation to PAY (as absolutely owned private property) can create a reciprocal obligation AGAINST ME to PAY FOR? Isn't the basis of all contracts RECIPROCAL obligation and RECIPROCAL benefit?**
11. **Does the government assert that I am party to a CONTRACT or AGREEMENT of any kind with them that might waive any part of my sovereignty or any ABSOLUTE PRIVATE property right on my part?**

Questions for Government In Disputes Over STEALING My Property or Labor under the Guise of "Enforcement"

12. **If the answer to question 11 is YES, please produce the evidence of contract or agreement that is SIGNED by someone in the government. Parole or verbal contracts by the government are forbidden (Clark v. U.S., 95 U.S. 539 (1877)).**
13. **Does the government have scientific evidence that that there is a quantifiable NET economic "benefit" provable in a court of law to those "doing business" with them as STATUTORY "persons", "citizens", "residents", "taxpayers", etc.?**
    - ***The Government "Benefits" Scam*, Form #05.040**
      https://sedm.org/Forms/FormIndex.htm
    - ***Why the Government is the Only Real Beneficiary of All Government Franchises*, Form #05.051**
      https://sedm.org/Forms/FormIndex.htm
14. **If the answer to question 13 above is NO, then by what authority does the government claim that it provided "consideration" IN A CONSTITUTIONAL RATHER THAN STATUTORY/LEGISLATIVE court that might form a valid contract and a civil statutory obligation of any kind against me? See:**

    ***Lawfully Avoiding Government Obligations*, Form #12.040**
    https://sedm.org/Forms/FormIndex.htm

Questions for Government In Disputes Over STEALING My Property or Labor under the Guise of "Enforcement"

15. **If the Declaration of Independence says that all "just powers" (meaning CIVIL powers) of government derive from the CONSENT of those governed and there is NO PROVABLE CONSENT (Form #05.003) to anything government does CIVILLLY to me, then by WHAT authority do you alienate rights that are "unalienable" that are granted by the CREATOR and make a profitable business out of it that is a for profit corporation?**
16. **Doesn't enforcing the profitable business described in question 15 create 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?**
17. **How can a government corporation run for profit to maximize its revenues ever righteously pursue the common good and best interests of the PRIVATE people who don't work for it as public officers? Doesn't such a scenario ALWAYS put the PERSONAL best interest above the CUSTOMER's best interest? In other words, doesn't it cause the PUBLIC SERVANT to always "Lord It Over" those they are supposed to serve?**

Questions for Government In Disputes Over STEALING My Property or Labor under the Guise of "Enforcement"

18. If the state courts charged with protecting my private, constitutionally protected rights are:
18.1 Established as federal instrumentalities by being enumerated with an Employer Identification Number (EIN) subject to federal supervision.
18.2 Manned by judges with a PERSONAL conflict of interest as federal officers enumerated with a Social Security Number (SSN) or Taxpayer Identification Number (TIN).
…THEN doesn't that violate and destroy the separation of powers between the state and national government as described in the following?

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

More Evidence to Use for Questions

- **More evidence useful in expanding these questions can be found at:**
  1. ***Federal Enforcement Authority Within States of the Union***, **Form #05.032** (Member Subscriptions)**
     https://sedm.org/Forms/FormIndex.htm
  2. ***Challenging Jurisdiction Workbook***, **Form #09.082-VERY powerful defense against IRS enforcement actions**
     https://sedm.org/Forms/FormIndex.htm
  3. ***Challenge to Income Tax Enforcement Authority within Constitutional States of the Union***, **Form #05.053**
     https://sedm.org/Forms/FormIndex.htm
  4. ***Why the Federal Income Tax is a Privilege Tax Upon Government Property***, **Form #04.404** (Member Subscriptions)**
     https://sedm.org/Forms/FormIndex.htm
  5. ***Test for Federal Tax Professionals***, **Form #03.009**
     https://sedm.org/Forms/FormIndex.htm
  6. ***Federal Jurisdiction***, **Form #05.017**
     https://sedm.org/Forms/FormIndex.htm
  7. ***Sources of Extraterritorial Jurisdiction***, **SEDM**
     https://sedm.org/sources-of-extraterritorial-jurisdiction-domicile-contract-or-merely-consent-comity/

Perfect Separation

- **An important question to answer is:**

  "Given the practical realities of today's world and the need to regulate things at least minimally, what would be the PERFECT separation between PUBLIC and PRIVATE to achieve the maximum freedom, liberty, and choice for the most people?"

- **You might say that answering this question is critical to APPLYING the concepts in this course to modern practical reality. Thus, to answer it is the LAB or "homework" needed to make this course useful in a very real sense.**
- **Before we can APPLY the concepts in this course to answer this question, we must:**
  - **Facilitate and protect your right to operate in an exclusively PRIVATE capacity.**
  - **Document the REGULATORY environment that such a solution must operate within.**
  - **Be as "revenue neutral" to current government operations as possible, to minimize disruption to fiscal stability of governments.**

Regulatory Constraints of Perfect Separation

- **VOTING**
  - **Not all people should vote or be able to vote. Felons are an example of people who should not vote, because they are incapable of following the law.**
  - **In order to exclude unqualified voters, governments must convert voting from a PRIVATE RIGHT that cannot be taken away into a PUBLIC PRIVILEGE or FRANCHISE that CAN be taken away. That is why voting is called "elective franchise" by the courts.**
  - **In all cases we have seen, all registrars of voters in every state require DOMICILE as a prerequisite to registering to vote. They do this in part because you can only have ONE domicile in one place at a time, and thus, you are prevented automatically from registering in multiple places at a time to prevent voter fraud. This presents a huge problem however, because:**
    - **A domicile within a jurisdiction subjects the voter to being subject to civil statutory law that only pertains to public officers in the government. See Form #05.002.**
    - **Being subject to civil statutory franchise codes causes the voter to have a financial conflict of interest if they receive benefits from the government based on their domicile. Thus, "benefits" become the equivalent of an institutionalized criminal BRIBE of voters.**
    - **Civil domicile is the basis of income tax jurisdiction, and thus, the income tax functions indirectly as the equivalent of an unconstitutional "poll tax".**
  - **One usually needs government issued identification to be able to either register for or cast a vote.**
    - **This identification should NOT be tied either DOMICILE or STATUTORY "Residence" or to the receipt of any kind of PRIVILEGE that would force one to become PUBLIC for all purposes in order to vote.**
    - **In practice, no state offers NONRESIDENT ID, and thus one must be a PRIVILEGED domiciliary subject to the statutory civil law in order to obtain government ID.**

Regulatory Constraints of Perfect Separation

- **JURY SERVICE**
  - **Ideally, ALL people, whether PUBLIC or PRIVATE, should be able to serve as jurists except felons.**
  - **Currently, jurors are selected using driver license and income tax databases, which are BOTH franchises. People who are PRIVATE would not be in these databases and would therefore be discriminated against.**
  - **Jurors should NOT be selected using a method that prefers privileged/PUBLIC participants only, such as using the driver licensing databases or income tax roles to select jurists. This causes essentially only government slaves or officers to be able to serve as jurors and discriminates against PRIVATE or FREE jurists.**

Regulatory Constraints of Perfect Separation

- **LICENSING**
  - Licenses destroy equality between the governed and the governors and put the governors in a supervisory role.
  - Under the separation of powers (Form #05.023):
    - The States cannot offer THEIR taxable franchises or licenses within federal territory.
    - The FEDERAL government may establish taxable franchises or licenses within the territorial borders of the states. This was acknowledged by the U.S. Supreme Court in the License Tax Cases, 72 U.S. 462 (1866).
  - Implication: Thus, no government issued identifying number, including an SSN or TIN (Form #05.012), may be used in a legislatively foreign jurisdiction to:
    - Create a privilege/franchise (Form #05.030), such as a federal privilege in a Constitutional state or a Constitutional state privilege on federal territory.
    - Create a governmental/PUBLIC property or regulatory interest in private absolutely owned constitutionally protected property.
  - More on this subject in:
    - *Avoiding Traps on Government Forms*, Form #12.023 *https://sedm.org/LibertyU/AvoidingTrapsGovForms.pdf*
    - *About SSNs and TINs on Government Forms and Correspondence*, Form #05.012 https://sedm.org/Forms/05-MemLaw/AboutSSNsAndTINs.pdf

Regulatory Constraints of Perfect Separation

- **GOVERNENT CIVIL SERVICES**
  - **For a definition of "civil services", see SEDM Disclaimer, Section 4.**
  - **Examples of civil services include:**
    - **Public/government K-12 education**
    - **Public/government universities**
    - **Social Security**
    - **Medicare**
    - **Unemployment insurance**
    - **Healthcare**
    - **Public library access**
    - **Public park access**
  - **Only those who WANT government civil services should have to pay for them. This includes public schools, public college, Social Security, Medicare, unemployment insurance, etc.**
  - **EVERYONE should be offered a choice to NOT participate in civil services for each specific service they DO NOT want to participate in, and to not be required to pay for it.**
  - **Currently, civil services are BUNDLED, meaning that if you want ANY service, you must sign up for ALL services. For instance, completing a W-4 classifies earnings as statutory "wages" and forces you to simultaneously sign up for Social Security, Medicare, and Unemployment insurance.**

The Solution to Perfect Separation

- **Below is how we propose PERFECT separation between PUBLIC and PRIVATE:**
  - **JURY SERVICE**
    - **We must STOP using driver licensing to summon jurors. This forces you to become privileged in order to serve as a jurist and makes it IMPOSSIBLE to vote as a private human.**
  - **VOLUNTARILY REGISTERING TO VOTE AND SERVE ON JURY DUTY**
    - **You should have to volunteer to vote or serve on jury duty.**
    - **Neither one should be based on civil domicile, so that you don't have to volunteer to be subject to the civil statutory franchise codes to exercise the power to vote.**
    - **So long as you can only register in one PLACE at a time, there can be no duplication, and if you DO register in multiple places, the act should be criminal to prevent fraud.**
    - **The government should maintain a separate database of PRIVATE volunteers not connected to any franchise.**
    - **It should be a crime to use that information for any kind of civil or criminal legal discovery so that by signing up, you don't have to incriminate yourself in violation of the Fifth Amendment.**

The Solution to Perfect Separation

- **GOVERNMENT CIVIL SERVICES**
  - **At the time that people register simultaneously to vote and serve on jury duty, they should also be required to complete a list of CIVIL SERVICES they want and agree to pay for during a specified time period. After the time period expires, liability to pay and eligibility to receive the benefit should automatically expire.**
  - **Those that they don't sign up for, they don't have to pay for.**
  - **When governments offer civil services, they must do so:**
    - **In a COMPETITIVE marketplace where anyone can offer the service.**
    - **As PRIVATE corporations who may not protect their activities with sovereign, official, judicial, or qualified immunity of any kind. This is the SAME constraint that private businesses who offer services must abide by. This is the Clearfield Doctrine.**
  - **Each separate civil service must stand on its own two feet and not be allowed to be subsidized if it has negative revenue. To allow otherwise forces or compels governments to engage in injurious bundling, overcharging, and monopolistic behavior.**
  - **There must be no BUNDLING of services, such that signing up for one service requires you to sign up for MULTIPLE services. For instance, if you sign up for unemployment insurance, then you don't automatically have to sign up for Social Security as you currently do.**

The Solution to Perfect Separation

» **Bundling of civil services is WRONG and must be outlawed, because it:**

- **Destroys choice and autonomy.**
- **Promotes a state sanctioned monopoly and prevents privatization.**
- **Amounts to economic sanctions against those who only need one service but are forced to pay for services they do not need or want.**

The Solution to Perfect Separation

- **GOVERNMENT IDENTIFICATION**
  - » **Governments must either:**
    - **Begin issuing NONRESIDENT ID**
    - **Force businesses to recognize PRIVATE ID**
  - » **Without doing one of these two things, those who wish to be PRIVATE non-resident parties (Form #05.020) subject to the criminal and common law and excluded from the civil statutory franchise codes (Form #05.037) are effectively BANNED from conducting commerce in every state of the Union.**
  - » **Because being banned from conducting commerce is a threat to life, then in effect those who want to operate PRIVATE without being a RESIDENT in effect are the target of a CRIMINAL DEATH THREAT by government if they refuse to be privileged.**
  - » **THIS is DISCRIMINATION and a violation of the First Amendment right of freedom from compelled association. It also COMPELS people to contract with the state under the CIVIL "social compact" (Form #05.002).**

Perfect Separation: Ideal Government

1. The States cannot offer THEIR taxable franchises within federal territory and the FEDERAL government may not establish taxable franchises within the territorial borders of the states.
2. Has the administrative burden of proof IN WRITING to prove to a common law jury of your peers that you CONSENTED in writing to the CIVIL service or offering before they may COMMENCE administrative enforcement of any kind against you. Such administrative enforcement includes, but is not limited to administrative liens, administrative levies, administrative summons, or contacting third parties about you. This ensures that you CANNOT become the unlawful victim of a USUALLY FALSE PRESUMPTION (Form #05.017) about your CIVIL STATUS (Form #13.008) that ultimately leads to CRIMINAL IDENTITY THEFT (Form #05.046). The decision maker on whether you have CONSENTED should NOT be anyone in the AGENCY that administers the service or benefit and should NEVER be ADMINISTRATIVE. It should be JUDICIAL.
3. Judges making decisions about the payment of any CIVIL SERVICE fee may NOT participate in ANY of the programs they are deciding on and may NOT be "taxpayers" under the I.R.C. Subtitle A Income tax. This creates a criminal financial conflict of interest that denies due process to all those who are targeted for enforcement. This sort of corruption was abused to unlawfully expand the income tax and the Social Security program OUTSIDE of their lawful territorial extent (Form #05.018). See Lucas v. Earl, 281 U.S. 111 (1930), O'Malley v. Woodrough, 307 U.S. 277 (1939) and later in Hatter v. U.S, 532 U.S. 557 (2001).
4. EVERY CIVIL service offered by any government MUST be subject to choice and competition, in order to ensure accountability and efficiency in delivering the service. This INCLUDES the minting of substance based currency. The government should NOT have a monopoly on ANY service, including money or even the postal service. All such monopolies are inevitably abused to institute duress and destroy the autonomy and sovereignty and EQUALTY of everyone else.
5. CANNOT "bundle" any service with any other in order to FORCE you to buy MORE services than you want. Bundling removes choice and autonomy and constitutes biblical "usury". For instance, it CANNOT:
   5.1. Use "driver licensing" to FORCE people to sign up for Social Security by forcing them to provide a "franchise license number" called an SSN or TIN in order to procure the PRIVILEGE of "driving", meaning using the commercial roadways FOR HIRE and at a profit.
   5.2. Revoke driver licenses as a method of enforcing ANY OTHER franchise or commercial obligation, including but not limited to child support, taxes, etc.
   5.3. Use funds from ONE program to "prop up" or support another. For instance, they cannot use Social Security as a way to recruit "taxpayers" of other services or the income tax. This ensures that EVERY PROGRAM stands on its own two feet and ensures that those paying for one program do not have to subsidize failing OTHER programs that are not self-supporting. It also ensures that the government MUST follow the SAME free market rules that every other business must follow for any of the CIVIL services it competes with other businesses to deliver.
   5.4 Piggyback STATE income taxes onto FEDERAL income taxes, make the FEDERAL government the tax collector for STATE TAXES, or the STATES into tax collectors for the FEDERAL government.
6. Can lawfully enforce the CRIMINAL laws without your express consent.
7. Can lawfully COMPEL you to pay for BASIC SERVICES of the courts, jails, military, and ROADS and NO OTHERS. EVERYONE pays the same EQUAL amount for these services.
8. Sends you an ITEMIZED annual bill for CIVIL services that you have contracted in writing to procure. That bill should include a signed copy of your consent for EACH individual CIVIL service or "social insurance". Such "social services" include anything that costs the government money to provide BEYOND the BASIC SERVICES, such as health insurance, health care, Social Security, Medicare, etc.
9. If you do not pay the ITEMIZED annual bill for the services you EXPRESSLY consented to, the government should have the right to collect ITS obligations the SAME way as any OTHER PRIVATE human. That means they can administratively lien your real or personal property, but ONLY if YOU can do the same thing to THEM for services or property THEY have procured from you either voluntarily or involuntarily. Otherwise, they must go to court IN EQUITY to collect, and MUST produce evidence of consent to EACH service they seek payment or collection for. In other words, they have to follow the SAME rules as every private human for the collection of CIVIL obligations that are in default. Otherwise, they have superior or supernatural powers and become a pagan deity and you become the compelled WORSHIPPER of that pagan deity. See Socialism: The New American Civil Religion, Form #05.016 for details on all the BAD things that happen by turning government into such a CIVIL RELIGION.

[*SEDM Disclaimer*, Section 4: Meaning of Words, Section 4.4; https://sedm.org/disclaimer.htm]

NAME for "Perfect Separation": "Natural law"

- **On our website, we have a NAME for Perfect Separation:**

NATURAL LAW!

- **Our definition of the above term appears on the next page.**

DEFINITION OF "NATURAL LAW"

4.31. Natural Law

For the purposes of this website and ministry, the term "natural law" is synonymous with the following behavior by civil government:

1. **ALL property is absolutely owned.**
2. **The protection of private property is not regarded by anyone in government as "making law" (Litigation Tool #01.009), but rather a fulfillment of the main purpose of establishing government and the oath that all public officers take when accepting office. The CIVIL statutes DO NOT protect PRIVATE property, but PUBLIC property that became public by donating PRIVATE property to a public use, a public purpose, and/or a public office. In that sense, the current civil government ONLY PROTECTS ITSELF and its own PUBLIC property, and NEVER YOU or ANY HUMAN BEING at least from a CIVIL perspective! See: Why The Government is the Only Real Beneficiary of All Government Franchises, Form #05.051**.**
3. **Civil statutes (Form #05.037) are not called "law", but civil service franchise contracts.**
4. **Only voting and jury service are privileges that can be CIVILLY regulated by default. Any other thing that is a voluntary privilege must be expressly signed up for and PAID for in writing on the annual tax return filed at the beginning of each year and only lasts for one year.**
5. **Government ID's are NOT used to change your civil status to a "resident" or "domiciliary". You remain PRIVATE when using government ID. See: Hot Issues: Identification*.**
6. **No other franchise or privilege (Form #05.030) is or can be bundled with voting or jury service, such as civil DOMICILE (Form #05.002).**
7. **All government "civil services" must be requested IN WRITING at the beginning of each year and you only pay for what you ask for. The purpose of filing tax returns is to CONSENT to specific civil services you want and to pay for them in advance. Those who didn't pay for them may not receive them. See SEDM Disclaimer, Section 4.6 for a definition of "civil service".**
8. **Everyone is subject to the criminal and common law, whether they consent or not.**
9. **Civil courts may not enforce civil statutory law upon any party UNLESS they expressly consented in writing to receive its benefits as public property. If they didn't, only the common law and criminal law applies. That consent shall appear on the tax return filed annually.**
10. **Administrative tax enforcement is NOT permitted and not necessary, since all civil services consumed are prepaid annually in advance. If you don't prepay, you don't get the service.**
11. **Every government agent is personally accountable for the accuracy and truthfulness of EVERYTHING he or she communicates to the public that might have an adverse affect on PRIVATE property or PRIVATE rights. Thus, they are PRESUMED to be communicating under penalty of perjury at all times. If they lie, they are civilly penalized. ANONYMOUS communication or collection letters are FORBIDDEN. All must be signed by a human being.**
12. **All government "benefits" are regarded as "civil services" that must be 100% paid annually for by those who consume them AS THEY ARE USED. Use of public funds for charity is FORBIDDEN.**
13. **The filing of information returns (Form #04.001) such as the W-2 and 1099 are forbidden and a criminal offense of impersonating a public office. They are unnecessary if civil services are consented to and paid for annually and you don't need to BE a public officer to consume civil services. Being a sponsor is sufficient to consume said services.**
14. **Consent must always be OVERT and in writing, and NEVER COVERT or implied through actions of any kind. See Hot Issues: Invisible Consent*.**

For a system of government that implements the above and builds upon existing organic and statutory law, and which requires the least possible changes to the current system to implement, see:

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

[SEDM Disclaimer, Section 4.31; https://sedm.org/disclaimer.htm#4.31. Natural law]

Detailed Plan for Perfect Separation

- **If you would like to read a DETAILED plan to actually IMPLEMENT the Perfect Separation described here, then please read:**

  ***Self Government Federation: Articles of Confederation*, Form #13.002**

  DIRECT LINK: https://sedm.org/Forms/13-SelfFamilyChurchGovnce/SGFArtOfConfed.pdf

  FORMS PAGE: https://sedm.org/Forms/FormIndex.htm

- **You can use the above plan to:**
  - **FIRE the current government civilly.**
  - **Implement your OWN PRIVATE CIVIL government.**
  - **Restore your freedom and sovereignty.**
- **Even if you DON'T FULLY implement the above plan, you can STILL implement part of it by LAWFULLY invoking the COMMON LAW rather than CIVIL STATUTORY franchise "code" (Form #05.037) in court. Below are tools describing in detail EXACTLY how to LAWFULLY do that:**
  - ***Hot Issues: Common Law*****, SEDM (Member Subscriptions) https://sedm.org/common-law-litigation/**
  - ***Common Law Practice Guide*, Litigation Tool #10.013 (Bookstore) https://sedm.org/ItemInfo/Ebooks/CommLawPractGuide/CommLawPractGuide.htm**
  - ***Choice of Law*, Litigation Tool #01.010 https://sedm.org/Litigation/01-General/ChoiceOfLaw.pdf**

How to Distinguish PRIVATE Rights from PUBLIC Rights

- **The most difficult and frequent thing that most freedom fighters fail at is being able to distinguish between PRIVATE rights and PUBLIC rights.**
- **The ability to do this is CRUCIAL to remaining free and sovereign.**
- **We have therefore prepared an exhaustive treatment and even a checklist on how to accomplish this task:**

  ***PRIVATE Right or Public Right? Course*, Form #12.044**

  https://sedm.org/Forms/FormIndex.htm
- **You should thoroughly read this course BEFORE attempting or applying this course to real life.**

How you LOSE Constitutional or Natural Rights, which are Private Property

- **As we said earlier, rights are property and Constitutional or natural rights are PRIVATE property.**
- **You have to GIVE UP some or all of your Constitutional rights to do business with the government.**
- **The mechanisms for SURRENDERING your Constitutional or natural rights in the process of doing business with the government are described in:**
  - ***How You Lose Constitutional or Natural Rights*, Form #10.015**
    https://sedm.org/Forms/10-Emancipation/HowLoseConstOrNatRights.pdf
  - ***Enumeration of Inalienable Rights*, Form #10.002, Section 11**
    https://sedm.org/Forms/10-Emancipation/EnumRights.pdf

How to keep PUBLIC and PRIVATE separate on a tax return

- **How to keep PUBLIC and PRIVATE separate on a tax return is addressed in the following:**

  ***1040NR Attachment*, Form #09.077**

  https://sedm.org/Forms/09-Procs/1040NR-Attachment.pdf

- **Below is an except from the above document**
  - **The first image keeps the CIVIL STATUS (Form #13.008) of the OWNER PRIVATE.**
  - **The second image keeps the CIVIL STATUS (Form #13.008) of the PROPERTY PRIVATE.**
- **For more on the subject of ensuring the OWNER and the PROPERTY are both PRIVATE instead of PUBLIC, see:**
  - ***What is an Income Tax "Exclusion"?*, SEDM**
    https://sedm.org/what-is-an-income-tax-exclusion/
  - ***Authorities on Rights as Property*, SEDM**
    https://sedm.org/authorities-on-rights-as-property/

How to keep PUBLIC and PRIVATE separate on a tax return: Keeping the Civil Status of the OWNER PRIVATE

3. NAME AND ADDRESS CLARIFICATION

1. All questions in this section are unanswered and lined out, including those relating to virtual currency. This is because the submitter is not engaged in statutory "trade or business" activities for any of the subject matters covered, which are entirely private and constitutionally protected. There is therefore NO DUTY to give an account of such PUBLIC (trade or business) funds VOLUNTARILY effectively connected to said activities under 26 U.S.C. §162 by listing them on the 1040-NR form and taking deductions. Private ownership implies the right to exclude giving information about such things and exclude the government from benefitting from such things. Any third-party reports connecting such activities to a "trade or business" (public office) are hereby declared FALSE and FRAUDULENT and are a product of duress.
2. My address information associated with the MANDATORILY attached 1040-NR is the following. Note that this information DOES NOT constitute a legal "domicile" or "residence" address within the context of any government law.

Mailing Address: _____

City, town or post office, state, and Zip: _____

How to keep PUBLIC and PRIVATE separate on a tax return: Keeping the civil status of the PROPERTY PRIVATE

- **Source:**

  1040-NR Attachment, **Form #09.077**
  https://sedm.org/Forms/09-Procs/1040NR-Attachment.pdf

How to keep PUBLIC and PRIVATE separate on a tax return: Keeping the civil status of the PROPERTY PRIVATE

5. Blocks 1 to 15: INCOME EFFECTIVELY CONNECTED WITH U.S. TRADE/BUSINESS

1. See definition of "effectively connected" later in section 11.
2. This section contains earnings described in 26 U.S.C. §871(b) from "sources within the United States" and is limited to earnings voluntarily associated with the "trade or business" excise taxable franchise defined as "the functions of a public office" in 26 U.S.C. §7701(a)(26). Everything listed in this section is subject to "trade or business" deductions under 26 U.S.C. §162. "United States" in this context means the government as a corporation, and not a geography. **26 C.F.R. §1.871-2(f) indicates that I am the only one who can "effectively connect" earnings in this section ("by that individual"). Thus, you have no authority to add ANYTHING to this section that I myself did not add, and certainly no type of "income".**
3. Values listed in this section are all zero, because:
   - 3.1. The 1040-NR Instructions relating to Block 1a (wages) state: "Don't include any income on line 1a Form 1040-NR that isn't treated as effectively connected". Thus, I can't include any earnings from labor that I don't consent to donate to a public use in order to procure the "benefit" of "deductions" under 26 U.S.C. §162 in connection with a "trade or business'.
   - 3.2. There is no place on the Schedule NEC to enter earnings from my personal labor, thus recognizing that I can only put it on a tax return if I donate it to a public use by "effectively connecting" it.
   - 3.3. Submitter does not consent and has no delegated authority or lawful authority to consent to "effectively connect" his/her earnings or him/her self to a statutory "trade or business" or public office either by entering it on the 1040-NR form or associating it with a statutory SSN/TIN franchise mark. He/she as the absolute owner of both is the only one authorized by law to do so as required by 26 C.F.R. §1.872-2(f) and as required by the Bill of Rights protecting all his/her private property.
   - 3.4. Earnings are therefore expressly excluded from "gross income" under 26 C.F.R. §1.871-7(a)(4) in this section. It would constitute fraud and possibly a violation of 18 U.S.C. §912 for me to claim otherwise, as proven by: *The Trade or Business Scam*, https://sedm.org/Forms/05-MemLaw/TradeOrBusScam.pdf.
   - 3.5. I rely on the fact that as a non-privileged American National, no one but me can "effectively connect" my earnings to a "trade or business" and I DO NOT consent to do so per the following incorporated by reference: *The Truth About "Effectively Connecting"*, Form #05.056; https://sedm.org/Forms/05-MemLaw/EffectivelyConnected.pdf.
4. Any amounts in this section connected with my personal labor are not listed, such as W-2 earnings, because:
   - 4.1. Earnings from labor are expressly excluded from "wages" under 26 C.F.R. §31.3401(a)(6)-1(b) in the case of income tax and 26 C.F.R. §31.3121(b)-3(c)(1) in the case of Social Security because services were performed outside the statutory geographical "United States" under 26 U.S.C. §7701(a)(9) and (a)(10) and 4 U.S.C. §110(d) and outside the U.S. government (fictional "U.S. Inc. federal corporation").
   - 4.2 Human labor is property under the protections of the Fifth Amendment Takings Clause. I am filing as a HUMAN BEING protected by the Fifth and Thirteenth Amendment who has not surrendered constitutional protections in exchange for public privileges under the Constitutional Avoidance Doctrine or the Public Rights Doctrine. As the absolute owner of myself, I have the right to exclude any and all others from using or benefiting from the use of my body as private property. Thus, my labor is "EXCLUDED by law" from "gross income" under 26 C.F.R. §1.61-2(a)(1) by law I CREATED and not YOURS in connection with exercising my right of absolute ownership.
   - 4.3. There is not now and never has been a statutory definition of "gross income" under 26 U.S.C. §61 or elsewhere that I have been able to locate which EXPRESSLY includes my private, constitutionally protected human labor that I have not converted to public ownership through some kind of voluntary express election, such as calling my earnings "wages" in 26 U.S.C. §3402(p) or electing any public status such as "U.S. person" under 26 U.S.C. §7701(a)(30), "taxpayer" under 26 U.S.C. §7701(a)(14), "employee" under 26 U.S.C. §3401(c), or "citizen or resident of the United States" in 26 C.F.R. §1.1-1(a). I consent to NOTHING and reject all privileges and benefits connected with these civil statuses and thus retain constitutional protections. Forcing these public civil statuses and the obligations associated with them upon me is an act of criminal identity theft (18 U.S.C. §912), involuntary servitude (Thirteenth Amendment), human trafficking, and a violation of the Fifth Amendment Takings Clause.
   - 4.4. The Recipient therefore has the burden of proving consent to a public civil status that comes with the civil obligations you want to enforce. That burden of proof BEGINS by producing evidence of a EXPRESS voluntary change in the tax status of myself or my property and by reading and rebutting, line by line, the following document under PENALTY OF PERJURY with your full legal birthname as required by 26 U.S.C. §6065: *Proof that Involuntary Income Taxes on Your Labor are Slavery*, Form #05.055; https://sedm.org/Forms/05-MemLaw/ProofIncomeTaxLaborSlavery.pdf.
   - 4.5. By filing this non-statutory tax return, I am shifting the burden of proof to you and away from me pursuant to 26 U.S.C. §6201(d) and 26 U.S.C. §7491. Any attempt to PRESUME my earnings from my own labor are "gross income" or "income" in a constitutional sense (16th Amendment profit) rather than supplying court admissible evidence to disprove is a violation of due process and THEFT by presumption on your part.
5. Any information returns in your possession which might create the appearance that earnings in this section are non-zero are FALSE because:
   - 5.1. The information returns relate ONLY to whether the FILER of the information return is engaged in a "trade or business" (public office) but DO NOT purport to say ANYTHING about whether the TARGET of the information return (me) is ALSO so engaged.
   - 5.2. Third parties cannot unilaterally "elect" the Submitter into public office involuntarily by filing false information returns either, since that would be illegal peonage, human trafficking, and slavery in violation of the Thirteenth Amendment and 18 U.S.C. §912.
   - 5.3. Submitter certifies that neither they nor the non-governmental filer of information returns were consensually or lawfully engaged in the voluntary statutory "trade or business"/public office excise taxable franchise as required by 26 U.S.C. §6041(a) and cannot unilaterally "elect" themselves into office by filling out any tax form as someone who doesn't consent and has no delegated authority to consent to do so.
   - 5.4. The withholding agent, business, or human being who filed the information return was provided with the following W-8 proving no reporting was permitted by law and willfully disregarded and possibly even threatened me for submitting it (duress): https://sedm.org/Forms/04-Tax/2-Withholding/W-8SUB.pdf.
   - 5.5. The information returns were submitted out of error by third parties because the person filing them pursuant to 26 U.S.C. §6041 is NOT within the "United States" as a legal fiction nor within the "United States" as geographically defined so the earnings are not a "U.S. source" either.
   - 5.6. All information returns constitute "lay legal conclusions" that are inadmissible as evidence of the existence of "trade or business"/public office activity or constitutional "income" from a "source within the United States". Christiansen v. National Savings and Trust Co., 683 F.2d. 520, 529 (D.C. Cir. 1982).
6. Blocks 12-13: Deductions
   - 6.1. Privileged deductions found in this section may only be taken in connection with a statutory "trade or business" pursuant to 26 U.S.C. §162.

How to keep PUBLIC and PRIVATE separate on a tax return: Keeping the civil status of the PROPERTY PRIVATE

6.2. Submitter is NOT consensually engaged in the statutory "trade or business"/public office franchise in 26 U.S.C. §7701(a)(26) and therefore is ineligible for any deductions in this section. Therefore, values in this section are all zero and it would constitute fraud for me to claim otherwise.

6.3. As a practical matter, I don't need deductions anyway if my earnings are from PRIVATE labor that is not within the definition of "gross income" and the rest of my earnings are expressly excluded by law.

7. Public positions, offices, or statutory statuses are government property, and there is no doubt that their government Creator and Owner has jurisdiction over them wherever they are **LAWFULLY** (per 4 U.S.C. §72) exercised under Constitution Article 4, Section 3, Clause 2. It is my understanding, however that:

7.1. It is a criminal offense in violation of 18 U.S.C. §912 to unilaterally "elect" oneself into public offices or a "trade or business" in pursuit government privileges from a legislatively foreign jurisdiction without a lawful oath or appointment in conformance with Title 5 of the U.S. Code.

7.2. One must be lawfully elected or appointed by someone ELSE under Title 5 BEFORE they can pursue benefits or privileges as a public officer subject to federal regulation.

7.3. It is a crime to BRIBE the government with taxes or withholdings (as a nontaxpayer and private party) so as to be treated AS IF they are a public officer engaged in the "trade or business" franchise who is therefore eligible for said benefits or privileges. 18 U.S.C. §210.

7.4. I also deny you the ability to treat me AS IF I am the government "employee" or office (20 C.F.R. is "employees benefits" and is the authority for issuing SSNs). Any identifying numbers provided are not a statutory Social Security number 20 C.F.R. §422.103 and instead are replaced with a PRIVATELY created and issued and owned number under my own substitute franchise and license agreement constraining your authority in this instance. See *Injury Defense Franchise and Agreement*, Form #06.027; https://sedm.org/Forms/06-AvoidingFranch/InjuryDefenseFranchise.pdf.

8. Lastly, it would be outside of my biblical delegation of authority order to engage in a statutory "trade or business" franchise as a public officer working for a corporation (28 U.S.C. §3002(15)(A)) that has superior or supernatural powers in relation to me (the natural "person") like God does. Government is not my God, and the First Amendment doesn't allow it to become god. "No one can serve two masters; for either he will hate the one and love the other, or else he will be loyal to the one and despise the other. You cannot serve God and mammon [government]". Matt. 6:24, NKJV.

Rebutted false arguments about government property

- **The most common false arguments about property are:**
  1. **OWNERSHIP and RESPONSIBILITY can be lawfully and legally separated.**
  2. **You can have ANY PRIVATE property interest in any government privilege, "benefit", or "franchise".**
  3. **"Benefits", privileges, and franchises are UNALIENABLE CONSTITUTIONAL RIGHTS.**
  4. **You have a "RIGHT" to receive "benefits" from the government. This includes the medical "RIGHT" to healthcare.**
  5. **"Benefits" or privileges that are unequal can be or are a government function.**
- **The above are the core of the Democrat platform: Illegally bribe voters with goodies into becoming government employees so they can be used as political PAWNS, "useful idiots", SLAVES, and weapons of mass destruction against PRIVATE PROPERTY.**
- **Here is what ALL the above have in common:**

Rebutted false arguments about government property

Rebutted false arguments about government property: False Claim 1

- **FALSE CLAIM 1: OWNERSHIP and RESPONSIBILITY can be lawfully and legally separated.**
- **REBUTTAL 1:**
  - **Ownership and responsibility ALWAYS go together, just like LOVE and MARRIAGE.**
  - **You cannot own YOURSELF without taking COMPLETE and ABSOLUTE RESPONSIBILITY for yourself.**
  - **Here is what happens when you try to separate them: You become a GOVERNMENT SLAVE!**

Rebutted false arguments about government property: False Claim 1

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

[SEDM Opening Page; http://sedm.org]

Rebutted false arguments about government property: False Claim 2

- **FALSE CLAIM 2: You can have ANY PRIVATE property interest in any government privilege, "benefit", or "franchise".**
- **REBUTTAL 2:**
  - **All "benefits" are implemented with public offices. See:**

    ***Government Instituted Slavery Using Franchises*, Form #05.030**

    https://sedm.org/Forms/05-MemLaw/Franchises.pdf
  - **Public offices are CREATED by civil legislation.**
  - **The CREATOR of a thing is always the ABSOLUTE OWNER. See:**

    ***Hierarchy of Sovereignty: The Power to Create is the Power to Tax*, Family Guardian**

    https://famguardian.org/Subjects/Taxes/Remedies/PowerToCreate.htm

Rebutted false arguments about government property: False Claim 2

- **There is NOT SUCH THING as a PRIVATE PROPERTY interest in a "public office":**

  "Indeed, there can be no such thing in this country as [PRIVATE] property in office, although the common law sustained a different view sometimes reflected in early cases. 1974 "

  _____

  FOOTNOTES:

  1974 Butler v. Pennsylvania, 51 U.S. (10 How.) 402 (1850). Cf. Marbury v. Madison, 5 U.S. (1 Cr.) 137 (1803); Hoke v. Henderson, 154 N.C. (4 Dev.) 1 (1833). See also United States v. Fisher, 109 U.S. 143 (1883); United States v. Mitchell, 109 U.S. 146 (1883); Crenshaw v. United States, 134 U.S. 99 (1890)

  [United States Constitution: Analysis and Interpretation, U.S. Government Printing Office, 2004, p. 392; https://famguardian.org/PublishedAuthors/Govt/CRS/USConstAnnotated.pdf]

Rebutted false arguments about government property: False Claim 3

- **FALSE CLAIM 3: "Benefits", privileges, and franchises are UNALIENABLE CONSTITUTIONAL RIGHTS.**
- **REBUTTAL 3:**
  - **Constitutional rights are PRIVATE.**
  - **Government "Benefits", privileges, and franchises are PUBLIC.**
  - **PUBLIC and PRIVATE are NOT equivalent and MUST, as a matter of ORGANIC law, always remain separate.**
  - **Every attempt to make PUBLIC and PRIVATE equivalent or equivocate to make them APPEAR equivalent inevitably leads to making ALL PROPERTY PUBLIC! There is NO other rational way to accomplish this!**
  - **Private property cannot have two owners. It can only have ONE, or else it is QUALIFIED ownership shared with the government, and thus GOVERNMENT is the real absolute owner and you are the equitable and INFERIOR owner.**

Rebutted false arguments about government property: False Claim 4

- **FALSE CLAIM 4: You have a "RIGHT" to receive "benefits" from the government. This includes the medical "RIGHT" to FREE healthcare.**
- **REBUTTAL 4:**
  - **To have a PRIVATE "RIGHT" implies you are the ABSOLUTE OWNER.**
  - **You cannot have ABSOLUTE ownership over yourself (self-ownership) without COMPLETE RESPONSIBILITY for yourself and all your needs and depending on NO ONE to satisfy those needs.**
  - **Eligibility for government "benefits" represent an alleged but not ACTUAL PRIVATE property claim upon government property.**
  - **In fact:**
    - **All "benefits" are implemented with offices.**
    - **The U.S. Supreme Court has held that there is NO private property interest in any government office.**

      "Indeed, there can be no such thing in this country as [PRIVATE] property in office, although the common law sustained a different view sometimes reflected in early cases. 1974 "

      FOOTNOTES:

      1974 Butler v. Pennsylvania, 51 U.S. (10 How.) 402 (1850). Cf. Marbury v. Madison, 5 U.S. (1 Cr.) 137 (1803); Hoke v. Henderson, 154 N.C. (4 Dev.) 1 (1833). See also United States v. Fisher, 109 U.S. 143 (1883); United States v. Mitchell, 109 U.S. 146 (1883); Crenshaw v. United States, 134 U.S. 99 (1890)

      [United States Constitution: Analysis and Interpretation, U.S. Government Printing Office, 2004, p. 392; https://famguardian.org/PublishedAuthors/Govt/CRS/USConstAnnotated.pdf]

Rebutted false arguments about government property: False Claim 5

- **FALSE CLAIM 5: "Benefits" or privileges that are unequal can be or are a government function.**
- **REBUTTAL 5:**
  - **The purpose of government is "justice" as LEGALLY defined, not "Justice" as POLITICALLY defined.**
  - **"Justice" is founded upon EQUALITY OF TREATMENT, not EQUALITY OF OUTCOME.**

    ***What is "Justice"?*, Form #05.050**
    https://sedm.org/Forms/05-MemLaw/WhatIsJustice.pdf
  - **Under all "benefit" programs, there is ALWAYS inequality of treatment:**
    - **Just like any private business (Form #05.024), those who are not paying customers of a government "benefit" or at least CONSENTING MEMBERS cannot receive the service or product offered.**
    - **Membership in any government program ALWAYS comes with costs and civil obligations:**

      "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 lædas. 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 (1877);
      SOURCE: https://scholar.google.com/scholar_case?case=6419197193322400931]

Rebutted false arguments about government property: False Claim 5

- **Those who don't sign up for the program or "benefit", even while they are ORDINARY CONSTITUTIONAL "citizens" and "residents", cannot receive a "benefit" or "privilege". A "privilege", after all, is legally defined as something offered to OTHER than "citizens" and "residents".**

  Privilege. *A particular benefit or advantage enjoyed by a person, company, or class* ***beyond the common advantages of other citizens****. An exceptional or extraordinary power or exemption. A peculiar right, advantage, exemption, power, franchise, or immunity held by a person or class, not generally possessed by others.*

  [Black's Law Dictionary, Sixth Edition, p. 1197]

- **Governments that treat people UNEQUALLY are not operating in a GOVERENMENTAL capacity, but in a PRIVATE corporate, DE FACTO capacity as a matter of consent and contract, rather than as a REAL or DE JURE government.**
- **Governments SKIRT these limits by:**
  - **Creating a NEW and SUBSTITUTE definition for "citizen" or "resident" that means a franchisee.**
  - **Making the definition local to a specific franchise.**
  - **Treating THAT "citizen" or "resident" as a public officer in a specific branch of government.**
  - **This, in fact, is EXACTLY how the income tax works. "Taxpayers" are volunteers:**

    How American Nationals Volunteer to Pay Income Tax**, form #08.024**

    https://sedm.org/Forms/08-PolicyDocs/HowYouVolForIncomeTax.pdf

Rebutted false arguments about government property: False Claim 5

- **More on FALSE CLAIM 5 at:**
  - ***The Government "Benefits" Scam***, **Form #05.040 (Member Subscriptions)** https://sedm.org/product/the-government-benefits-scam-form-05-040/
  - ***Why the Government is the Only Real Beneficiary of All Government Franchises***, **Form #05.051 (Member Subscriptions)** https://sedm.org/product/why-the-government-is-the-only-real-beneficiary-of-all-government-franchises-form-05-051/
  - ***Requirement for Equal Protection and Equal Treatment***, **Form #05.033** https://sedm.org/Forms/05-MemLaw/EqualProtection.pdf
  - ***Corporatization and Privatization of the Government***, **Form #05.024** https://sedm.org/Forms/05-MemLaw/CorpGovt.pdf
  - ***De Facto Government Scam***, **Form #05.043** https://sedm.org/Forms/05-MemLaw/DeFactoGov.pdf

Rebutted false arguments about government property: Conclusion

- **All of these false arguments are about "SOCIALISM".**
- **The essence of "SOCIALISM" is a system of government in which there is NO PRIVATE property.**
- **When there is no PRIVATE property, then EVERYTHING inevitably must BECOME PUBLIC property.**
- **Modern definitions of "socialism" try to obscure this definition by associating it with Marx's idea of "state control over the means of production". That is just a red herring.**
- **For further details on what socialism is and why you have been deceived about what it is, see:**
  - ***Communism, Socialism, and Collectivism Topic*, Family Guardian Fellowship https://famguardian.org/Subjects/Communism/Communism.htm**
  - ***Socialism: The New American Civil Religion*, Form #05.016 https://sedm.org/Forms/05-MemLaw/SocialismCivilReligion.pdf**

Rebutted false arguments about government property: Conclusion

- **In truth the ONLY real "beneficiary" of all government franchises is the government! For proof, see:'**
  - ***Why the Government is the ONLY Real Beneficiary of All Government Franchises***, **Form #05.051** (Member Subscriptions)** https://sedm.org/product/why-the-government-is-the-only-real-beneficiary-of-all-government-franchises-form-05-051/
  - ***The Government "Benefits" Scam***, **Form #05.040** (Member Subscriptions)** https://sedm.org/product/the-government-benefits-scam-form-05-040/
- **Below is what we say about this in our Disclaimer:**

Rebutted false arguments about government property: Conclusion

SEDM Disclaimer

4.10 Franchises

[. . .]

The injustice (Form #05.050), sophistry, and deception (Form #05.014) underlying their welfare state system is that:

1. Governments don't produce anything, but merely transfer wealth between otherwise private people (see Separation Between Public and Private, Form #12.025).

2. The money they are paying you can never be more than what you paid them, and if it is, then they are abusing their taxing powers!

> ***To lay, with one hand, the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms.***
>
> ***Nor is it taxation. 'A tax,' says Webster's Dictionary, 'is a rate or sum of money assessed on the person or property of a citizen by government for the use of the nation or State.' 'Taxes are burdens or charges imposed by the Legislature upon persons or property to raise money for public purposes.' Cooley, Const. Lim., 479.***
>
> ***Coulter, J., in Northern Liberties v. St. John's Church, 13 Pa.St. 104 says, very forcibly, 'I think the common mind has everywhere taken in the understanding that taxes are a public imposition, levied by authority of the government for the purposes of carrying on the government in all its machinery and operations—that they are imposed for a public purpose.' See, also Pray v. Northern Liberties, 31 Pa.St. 69; Matter of Mayor of N.Y., 11 Johns., 77; Camden v. Allen, 2 Dutch., 398; Sharpless v. Mayor, supra; Hanson v. Vernon, 27 Ia., 47; Whiting v. Fond du Lac, supra."***
>
> ***[Loan Association v. Topeka, 20 Wall. 655 (1874)]***

Rebutted false arguments about government property: Conclusion

3. If they try to pay you more than you paid them, they must make you into a public officer to do so to avoid the prohibition of the case above. In doing so, they in most cases must illegally establish a public office and in effect use "benefits" to criminally bribe you to illegally impersonate such an office. See The "Trade or Business" Scam, Form #05.001 for details.

4. Paying you back what was originally your own money and NOTHING more is not a "benefit" or even a loan by them to you. If anything, it is a temporary loan by you to them! And its an unjust loan because they don't have to pay interest!

5. Since you are the real lender, then you are the only real party who can make rules against them and not vice versa. See Article 4, Section 3, Clause 2 of the Constitution for where the ability to make those rules comes from.

6. All franchises are contracts that require mutual consideration and mutual obligation to be enforceable. Since government isn't contractually obligated to provide the main consideration, which is "benefits" and isn't obligated to provide ANYTHING that is truly economically valuable beyond that, then the "contract" or "compact" is unenforceable against you and can impose no obligations on you based on mere equitable principals of contract law.

> ***"We must conclude that a person covered by the Act has not such a right in benefit payments… This is not to say, however, that Congress may exercise its power to modify the statutory scheme free of all constitutional restraint."***
>
> ***[Flemming v. Nestor, 363 U.S. 603 (1960)]***

> ***"... railroad benefits, like social security benefits, are not contractual and may be altered or even eliminated at any time."***
>
> ***[United States Railroad Retirement Board v. Fritz, 449 U.S. 166 (1980)]***

[SEDM Disclaimer, Section 4.10: Franchise; https://sedm.org/disclaimer.htm]

The Biblical Remedy

- **Here is what GOD says about this welfare state franchise SCAM and sophistry:**

  For thus says the LORD: " You have sold yourselves for nothing, And you shall be redeemed without money."

  [Isaiah 52:3, Bible, NKJV]

- **And here is how you are commanded by God to react/respond to it:**

Rebutted false arguments about government property: Conclusion

- **Weep and repent:**

> ***"So it was, when I heard these words, that I sat down and wept, and mourned for many days; I was fasting and praying before the God of heaven."***
>
> ***5 And I said: "I pray, LORD God of heaven, O great and awesome God, You who keep Your covenant [trust indenture, Form #13.007] and mercy with those who love You and observe [KEEP] Your commandments [laws], 6 please let Your ear be attentive and Your eyes open, that You may hear the prayer of Your servant [trustee and officer] which I pray before You now, day and night, for the children of Israel Your servants, and confess the sins of the children of Israel which we have sinned against You. Both my father's house and I have sinned. 7 We have acted very corruptly against You, and have not kept the commandments, the statutes, nor the ordinances which You commanded Your servant Moses. 8 Remember, I pray, the word that You commanded Your servant [trustee and officer] Moses, saying, 'If you are unfaithful, I will scatter you among the nations; 9 but if you return to Me, and keep My commandments and do them, though some of you were cast out to the farthest part of the heavens, yet I will gather them from there, and bring them to the place which I have chosen as a dwelling for My name.' 10 Now these are Your servants [trustees and officers] and Your people, whom You have redeemed by Your great power, and by Your strong hand. 11 O Lord, I pray, please let Your ear be attentive to the prayer of Your servant, and to the prayer of Your servants who desire to fear Your name; and let Your servant prosper this day, I pray, and grant him mercy in the sight of this man."***
>
> ***[Nehemiah 1:4, Bible, NKJV]***

NOTICE: The above refers to the obedient as God's "SERVANTS". God is saying we are HIS public officers (and NEVER Caesar's ONLY), and that we must be good stewards under the Bible Trust Indenture over HIS property, which consists of the ENTIRE Heaven and Earth. See:

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

Rebutted false arguments about government property: Conclusion

- **Take RESPONSIBILITY by rebuilding the wall of separation between PUBLIC and PRIVATE: Nehemiah 3.**

  "Let us rise up and build [the WALL of separation between PUBLIC (Government/man) and PRIVATE (God)]." Then they set their hands to this good work.

  19 But when Sanballat the Horonite, Tobiah the Ammonite official, and Geshem the Arab heard of it, they laughed at us and despised us, and said, "What is this thing that you are doing? Will you rebel against the king?"

  20 So I answered them, and said to them, "The God of heaven Himself will prosper us; therefore we His servants will arise and build, but you have no heritage or right or memorial in Jerusalem."

  [Nehemiah 3: 18-20, Bible, NKJV]

- **Study the law DAY AND NIGHT! (which is the PURPOSE of this website)**

  "Now all the people gathered together as one man in the open square that was in front of the Water Gate; and they told Ezra the scribe to bring the Book of the Law of Moses, which the LORD had commanded Israel. 2 So Ezra the priest brought the Law before the assembly of men and women and all who could hear with understanding on the first day of the seventh month. 3 Then he read from it in the open square that was in front of the Water Gate from morning until midday, before the men and women and those who could understand; and the ears of all the people were attentive to the Book of the Law."

  [Nehemiah 8:1-3, Bible, NKJV]

How to absolutely own real/personal property

- **Real property:**
  - **Done through land patents.**
  - **Covered in the following document on our site:**

    Allodial Titles and Land Patents*, Member Subscription Form #15.01*

    https://sedm.org/reference/mbr-sub-lib/
  - **Note: Land Patents do NOT defeat mortgages. See:**

    ***Flawed Tax Arguments*, Form #08.004, Section 10.9**

    https://sedm.org/Forms/08-PolicyDocs/FlawedArgsToAvoid.pdf
  - **We don't know of anyone who offers a land patent process that is credible and reliable.**
  - **Ron Gibson is an authority on land patents. We don't have any of his materials on our site.**
  - **We are working on our own patent process but it is not perfected.**
  - **Lawfully avoiding income taxation of real estate sales is discussed in:**

    Income Taxation of Real Estate Sales*, Form #05.028*

    https://sedm.org/product/income-taxation-of-real-estate-sales-form-05-028/

How to absolutely own real/personal property

- **Cars**
  - **Cars are a net LIABILITY rather than an asset.**
  - **Our own approach is to keep them in their own dedicated trust so that the trust rather than you are liable if the car injures others.**
  - **We don't believe the Manufacturer's Certificate of Ownership (MCO) has anything to do with absolute ownership of cars.**
  - **REGISTERING it is what transmutes ownership from absolute to qualified. Don't register it if you or a trust want to absolutely own it.**
- **Money**
  - **We don't recommend using Federal Reserve Notes. They subject to continual loss of value because of money printing by corrupt governments.**
  - **Instead keep your assets in land, hard assets, or silver or gold and store it outside your home so it can't be raided or stolen.**
- **More on acquiring or proving absolute ownership at:**

  ***Hot Issues: Laws of Property*, Section 6: Acquiring or proving absolute ownership**

  https://sedm.org/laws-of-property/

Summary and Conclusions

- **If you want to be free and protect your sovereignty then you:**
  1. **Must understand the laws of property.**
  2. **Must fight attempts by government to convert PRIVATE to PUBLIC. This is done by challenging jurisdiction. Form #12.010**
  3. **Must retain a PRIVATE status and PRIVATE property.**
  4. **Must keep the burden of proof upon the government (Form #05.025) that they have followed the rules for lawfully converting PRIVATE to PUBLIC.**
  5. **Cannot pursue any privilege, public status, public benefit, or public right in the context of your interactions with any government.**
  6. **Cannot associate public property such as government identifying numbers with PRIVATE property without converting private property to public property and committing a FRAUD.**

Summary and Conclusions

- **Private property and private rights are, in respect to the PUBLIC rights and civil statutory law:**
  - **Foreign. See:**
    ***"Sovereign"="Foreign"*, Family Guardian Fellowship**
    http://famguardian.org/Subjects/Freedom/Sovereignty/Sovereign=Foreign.htm
  - **Nonresident. See:**
    ***Non-Resident Non-Person Position*, Form #05.020**
    http://sedm.org/Forms/FormIndex.htm
  - **Defensible with ONLY the Constitution, common law, and equity and not the statutory civil law. See:**
    ***Common Law Practice Guide*, Litigation Tool #10.013**
    http://sedm.org/Litigation/LitIndex.htm

Summary in a Nutshell

"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."

[SEDM Opening Page (bottom); http://sedm.org]

"We have repeatedly held that the Federal Government may impose appropriate conditions on the use of federal property or privileges [franchises, Form #05.030] and may require that state instrumentalities comply with conditions [obligations, Form #12.040] that are reasonably related to the federal interest in particular national projects or programs. See, e. g., Ivanhoe Irrigation Dist. v. McCracken, 357 U.S. 275, 294 -296 (1958); Oklahoma v. Civil Service Comm'n, 330 U.S. 127, 142 -144 (1947); United States v. San Francisco, 310 U.S. 16 (1940); cf. National League of Cities v. Usery, 426 U.S. 833, 853 (1976); Fry v. United States, 421 U.S. 542 (1975). A requirement that States, like all other users, pay a portion of the costs of the benefits [Form #05.040] they enjoy from federal programs is surely permissible [meaning CONSTITUTIONAL] since it is closely related to the [435 U.S. 444, 462] federal interest in recovering costs from those who benefit and since it effects no greater interference with state sovereignty than do the restrictions which this Court has approved."

[Massachusetts v. United States, 435 U.S. 444 (1978); https://scholar.google.com/scholar_case?case=16842193024599209893]

Further references

- ***Hot Issues: Laws of Property*-SEDM**
  https://sedm.org/laws-of-property/
- ***Laws of Property*, Form #14.018**
  https://sedm.org/Forms/14-PropProtection/LawsOfProperty.pdf
- ***Authorities on Rights as Property*, SEDM**
  https://sedm.org/authorities-on-rights-as-property/
- ***Understanding American Property Rights* (OFFSITE LINK) – Family Guardian Fellowship**
  http://famguardian.org/Publications/PropertyRights/tableoc.html
- ***Unalienable Rights Course*, Form #12.038-introduction to the subject of unalienable rights**
  http://sedm.org/Forms/FormIndex.htm
- ***Enumeration of Inalienable Rights*, Form #10.002-detailed treatment of all types of rights**
  http://sedm.org/Forms/FormIndex.htm
- ***How You Lose Constitutional or Natural Rights*, Form #10.015**
  https://sedm.org/Forms/10-Emancipation/HowLoseConstOrNatRights.pdf

Further references

- ***Property and Privacy Protection Topic*** **(OFFSITE LINK) - Family Guardian Fellowship**
  http://famguardian.org/Subjects/PropertyPrivacy/PropertyPrivacy.htm
- ***Private v. Public Property/Rights and Protection Playlist*** **(OFFSITE LINK)-SEDM Youtube channel**
  https://www.youtube.com/playlist?list=PLin1sclNPTOtxYewMRT66TXYn6AUF0KTu
- ***PRIVATE Right or Public Right? Course*****, Form #12.044**
  https://sedm.org/Forms/FormIndex.htm
- ***Boundaries of Order: Private Property as a Social System*****, Form #11.120, Butler Shaffer (deceased)**
  - **FORMS PAGE:** ***https://sedm.org/Forms/FormIndex.htm***
  - ***https://cdn.mises.org/Boundaries%20of%20Order%20Private%20Property%20as%20a%20Social%20System_0.pdf***
  - ***https://mises.org/library/boundaries-order-private-property-social-system***
  - ***https://www.amazon.com/Boundaries-Order-Private-Property-Social/dp/1933550163/***
- ***The Absolute Nature of Property*****, Butler Shaffer. Video describing the above book**
  https://sedm.org/the-absolute-nature-of-property-butler-shaffer/
- ***Legal Remedies that Protect Private Rights Course*****, Form #12.019 (Member Subscription form)**
  http://sedm.org/Forms/FormIndex.htm

Further references

- ***Know Your Rights and Citizenship Status***, **Form #10.009 (Member Subscription form)- Forms page.**

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

- ***Sovereignty and Freedom Topic, Section 6: Private and Natural Rights* (OFFSITE LINK)-Family Guardian Fellowship**

  http://famguardian.org/Subjects/Freedom/Freedom.htm#RIGHTS:

- ***Relationship of Property Law to Government Franchises:***
  - ***Government Franchises Course***, **Form #12.012**

    http://sedm.org/Forms/FormIndex.htm
  - ***Government "Benefits" Scam***, **Form #05.040 (Member Subscription form)**

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

    http://sedm.org/Forms/FormIndex.htm
  - ***Why the Government is the Only Real Beneficiary of All Government Franchises***, **Form #05.051**

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

Further references

- ***They Own It All (Including You)!: By Means of Toxic Currency***, **Ronald Macdonald, Robert Rowen**
  - » **BOOK: https://www.amazon.com/They-Own-All-Including-You/dp/1439233616/**
  - » **REBUTTAL: https://sedm.org/critique-of-the-book-they-own-it-all-including-you-by-ronald-macdonald/**

- **Application of this course to Income Taxation:**
  - ***Foreign Tax Status Information Group (FTSIG) Website*-applies laws of property to the pursuit of a PRIVATE and FOREIGN tax status to opt out of tax system**

    https://ftsig.org
  - ***Property View of Income Taxation Course*, Form #12.046**

    https://sedm.org/LibertyU/PropertyViewOfIncomeTax.pdf
  - ***Why the Federal Income Tax is a Privilege Tax Upon Government Property*, Form #04.404** (Member Subscriptions)**

    https://sedm.org/product/why-the-federal-income-tax-is-a-privilege-tax-on-government-property-form-04-404/
  - ***Excluded Earnings and People*, Form #14.019**

    https://sedm.org/Forms/14-PropProtection/ExcludedEarningsAndPeople.pdf