

Four Law Systems

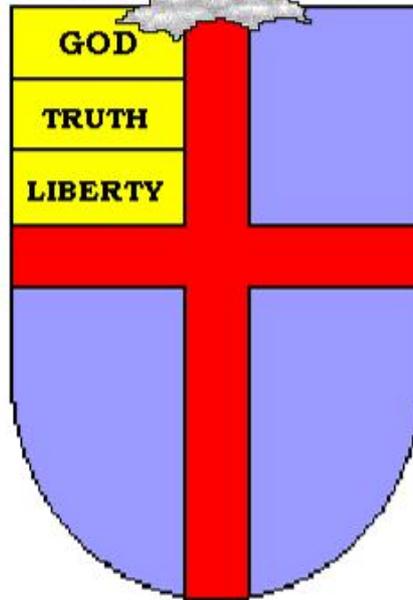
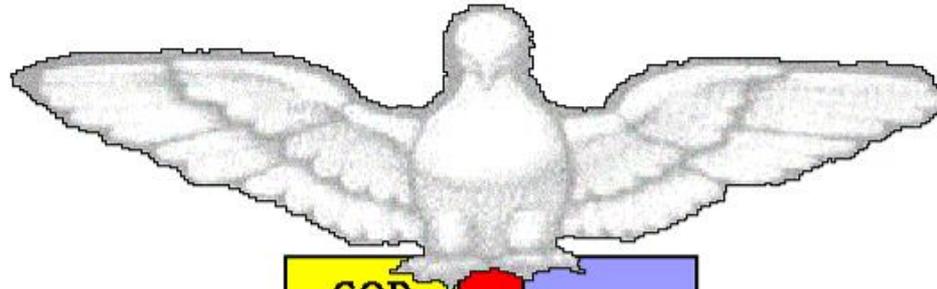
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by:
**Sovereignty Education and
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S E D M



Course Materials

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- *SEDM Forms Page*, Form #12.039
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COURSE OUTLINE

- 1. Dedication**
- 2. Introduction**
- 3. Purpose of government**
- 4. How the government's purpose becomes corrupted**
- 5. Four law systems: Constitution, Common law, Criminal law, Civil statutory code**
- 6. Constitutional Law**
- 7. Common Law**
- 8. Criminal Law**
- 9. Civil Statutory Code (franchise code)**
- 10. How to render each type of law unenforceable in court**
- 11. The goal: Communism**
- 12. Summary and Conclusions**

Dedication

God's [Delegation of Authority Order, the Bible \(Form #13.007\)](#) says you CANNOT consent to give away or even CONTRACT away [ANY of the rights He gave you \(Form #10.002\)](#) to any government. All of the methods of losing CONSTITUTIONAL or COMMON LAW protections require you to violate this commandment DIRECTLY from God:

*"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]

Purpose of Government

- The purpose of de jure governments is to protect PRIVATE rights and PRIVATE property.
- The FIRST step in that protection is to prevent PRIVATE property from being converted to PUBLIC property without the EXPRESS written consent of the owner.
 - Unalienable rights cannot lawfully be converted, even WITH consent. Form #12.038.
 - A government that makes a profitable business out of converting PRIVATE to PUBLIC is NO GOVERNMENT AT ALL. It is a de facto government:
De Facto Government Scam, Form #05.043
<http://sedm.org/Forms/FormIndex.htm>
 - Lawful methods of conversion are described in:
Separation Between Public and Private Course, Form #12.025
<http://sedm.org/Forms/FormIndex.htm>
- The following pages describe HOW the above limitations are corrupted:

How the Government's Purpose Becomes Corrupted

- **Telling people the purpose of government is to PROMOTE good, rather than PUNISH wrongdoers AFTER an injury happens. This:**
 - Gives us authority to regulate even when there is no provable injury.
 - Requires you to get government permission to do ANYTHING and EVERYTHING.
- **This turns government's purpose upside down:**
 - The purpose of government becomes to protect PUBLIC property owned or at least controlled by the government instead of protecting PRIVATE property.
 - Government then acts AS IF there is no PRIVATE property
 - EVERYTHING becomes a STATUTORY privilege that comes with a fee.
 - If your property hasn't been DONATED to the government, then it is COMPLETELY unprotected because they REFUSE to enforce the Common Law or the Constitution.
 - Courts then REFUSE to recognize even the EXISTENCE of PRIVATE property
 - Courts REFUSE to recognize those who are PRIVATE CONSTITUTIONAL but not STATUTORY citizens.
 - Whatever people want protected MUST be donated in whole or part to the PUBLIC to warrant any protection at all. This is done by "registering" the property or associating it with a franchise license number (SSN, TIN, EIN).

How the Government's Purpose Becomes Corrupted

- **Converting all PRIVATE to PUBLIC by:**
 - Forcing all owners to acquire a STATUTORY franchise status ([Form #05.030](#)), such as “taxpayer”, “persons”, or “benefit recipients”.
 - Compelling people to associate a franchise license number such as SSN or TIN with every major type of property, and especially houses and cars and bank accounts. [Form #05.012](#)
- **Making the government GOD in a literal sense, because:**
 - It owns all property.
 - It has supernatural powers above you, the “natural” man, because you can’t absolutely own PRIVATE property.
 - It is accountable to no one.
 - You need its permission to do ANYTHING and EVERYTHING. E.g., you need a:
 - » Business license or you will be told that you will be prosecuted for conducting business without a license.
 - » SSN or TIN or you will be told that you will be refused service.
 - » Building permit or you will be told your building will be torn down.
 - » Professional license or you will be prosecuting for “practicing without a license”

How the Government's Purpose Becomes Corrupted

- In this corrupted system of state sponsored government idolatry and religion (Form #05.016):
 - The government has SUPERIOR or SUPER-NATURAL rights above you the “natural” man or woman.
 - EVERYONE SERVES/WORSHIPS government as a public officer called a “citizen”, “resident”, “taxpayer”, etc.
 - “Taxes” become “tithes” to a state-sponsored church.
 - Judges become “priests” of a civil religion.
 - Court is the “church” for the religion.
 - Judges are the “priests” of the religion.
 - Hearings are the worship services.
 - Attorneys are “deacons” who conduct the worship services.
 - Limited liability under social insurance and statutes of limitation serve the same function as being “saved” by the death of Jesus on the cross.

Four Law Systems

- There are **FOUR** systems of law in American Jurisprudence:
 - Constitutional Law
 - Common Law
 - Criminal Law
 - Civil Statutory Codes (franchise privileges, [Form #05.030](#))
- Civil Statutory Codes are **FALSELY PRESUMED** by government actors to apply to **EVERONE**, including those who never consented ([Form #05.003](#)). They do this to financially benefit themselves and unconstitutionally expand their power. This creates a criminal financial conflict of interest.
- A human being subject to [Civil Statutory Codes \(franchises\)](#) **CANNOT** be protected by either the Constitution or the Common Law.
- Those protected by the Constitution or the Common Law are **NOT** subject to the [Civil Statutory Codes \(franchises\)](#).
- One's [explicit consent or actions INDICATING consent](#) are the only method of surrendering Constitutional or Common Law protections in exchange for Civil Statutory Codes/**PRIVILEGES**.

Constitutional Law

- Protects PRIVATE rights and PRIVATE property of ONLY human beings.
- Does not protect artificial entities or “fictions of law” (Form #09.071) created by any government. Examples:
 - Corporations.
 - LLCs.
 - Statutory “persons”, “taxpayers”, “spouses” (under the family code).
- PRIVATE rights protected by it attach to LAND and not to the civil statutory status of people ON the land.

“It is locality that is determinative of the application of the Constitution, in such matters as judicial procedure, and not the status of the people who live in it.”

[Balzac v. Porto Rico, 258 U.S. 298 (1922)]
- Does not GRANT or CREATE rights, but merely RECOGNIZES rights created and granted by God (the Creator).
- The CREATOR of the right determines the owner. Since government isn’t the creator of the right, it doesn’t own and therefore cannot TAKE AWAY PRIVATE rights. See:

Unalienable Rights Course, Form #12.038

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

Constitutional Law

- Is “self executing”, meaning that it needs NO statute to enforce or claim in court.

*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 \(1997\)](#)]

Common Law

- Created by judicial precedent.
- Also called “stare decisis”.
- Protects PRIVATE property and PRIVATE or natural rights of human beings. Private trusts are a subset of this protection.
- There is no FEDERAL common law applicable to state domiciled parties in federal court. See Erie R. Co. v. Tompkins, 304 U.S. 64 (1938).
- Most difficult of all law systems because it relies on case law research to enforce and manage rather than statutes organized by subject matter.
- For details on how to invoke the Common Law, see;
 - Common Law Practice Guide, Litigation Tool #10.013
<http://sedm.org/Litigation/LitIndex.htm>
 - Sovereignty and Freedom Page, Section 10.4: Common Law (OFFSITE LINK) –Family Guardian Fellowship
<http://famguardian.org/Subjects/Freedom/Freedom.htm>

Criminal Law

- Requires commission of the offending act on the territory of the state that passes it.
- Does NOT require [DOMICILE](#) in the forum to enforce.
- Does not require [CONSENT](#) of the target of the enforcement.
- Has evil intent as a prerequisite to convict. This is called “mens rea”.
- The victim must be a MEMBER of the state, which is why the case is filed in the NAME of the state.
- Prosecutor is always the state. Usually the district attorney.
- Some crimes have [a CIVIL \(franchise\) STATUS](#) as a predicate/prerequisite before they are enforceable.

Examples:

- [18 U.S.C. §208](#) requires the perpetrator to be a public officer BEFORE it may be enforced.
- Driving without a license criminal statutes require the driver to be an OFFICER of the state BEFORE the crime is even possible. They can't FORCE PRIVATE people to get a license. That would be involuntary servitude in violation of the Thirteenth Amendment.

Civil Statutory Codes (privileges)

- Require **DOMICILE** in the forum to have standing to sue under them. See **Federal Rule of Civil Procedure 17(b)**.
- Implements a civil protection franchise. See:
Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002
<http://sedm.org/Forms/FormIndex.htm>
- Grants **PUBLIC** privileges available **ONLY** to public officers already on official business.
 - It constitutes criminal conversion to give **PUBLIC** funds to **PRIVATE** parties unless there is an exchange of equal value.
 - **PRIVATE** humans cannot partake **WITHOUT** in effect consenting to be treated **AS IF** they are public officers, even if they in fact are not.
 - May not be offered or enforced **OUTSIDE** of federal territory.
- Create a **CONFLICT OF INTEREST** in judges and administrators, who in effect make a profitable business out of alienating **PRIVATE** rights that are **REQUIRED** by the Declaration of Independence to be **UNALIENABLE**.

How to Render Each Type of Law System Unenforceable in Court

- **Constitutional protections:**

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:

[. . .]

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.](#)

*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)]*

How to Render Each Type of Law System Unenforceable in Court

- **Common law protections:**

“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.

How to Render Each Type of Law System Unenforceable in Court

- **Criminal Law**

- Prove that you had no evil intent when committing the act. This is called “mens rea”.
- Prove that the act was not committed on the TERRITORY of the involved state.

How to Render Each Type of Law System Unenforceable in Court

- **Civil Statutory Codes ([civil franchises](#))**
 - No [domicile](#) in the forum (Federal Rule of Civil Procedure 17). Equivalent to being a [STATUTORY “non-resident non-person”](#). See [Form #05.020](#).
 - NOT invoking the protection of any statute from [the franchise](#).
 - EXPLICITLY defining terms on all government applications to EXCLUDE any and all definitions found in franchises or civil statutes. See [Form #12.023](#).
 - Withdrawing consent to the franchise offer. See [Form #05.003](#).
 - If others attempt to illegally enforce against non-resident non-consenting parties, showing that the definitions EXCLUDE the geography you are domiciled in, meaning showing that you are NOT [domiciled](#) in the [STATUTORY “United States” \(federal territory\)](#).
 - Prosecuting those who unlawfully enforce the [franchise code](#) extraterritorially for the crime of identity theft. See:
Government Identity Theft, Form #05.046
<http://sedm.org/Forms/FormIndex.htm>

The Goal of Nullifying Constitutional and/or Common Law Protections: Communism

[TITLE 50](#) > [CHAPTER 23](#) > [SUBCHAPTER IV](#) > Sec. 841.
[Sec. 841. – Findings and declarations of fact](#)

The Congress finds and declares that the Communist Party of the United States [consisting of the IRS, DOJ, and a corrupted federal judiciary], although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the [de jure] Government of the United States [and replace it with [a de facto government ruled by the judiciary](#)]. It constitutes an authoritarian dictatorship [IRS, DOJ, and corrupted federal judiciary in collusion] within a [[constitutional](#)] [republic](#), demanding for itself the rights and [[FRANCHISE](#)] [privileges](#) [including immunity from prosecution for their wrongdoing in violation of [Article 1, Section 9, Clause 8 of the Constitution](#)] accorded to political parties, but denying to all others [the liberties \[Bill of Rights\] guaranteed by the Constitution \[Form #10.002\]](#). Unlike political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly [by corrupt judges and the IRS [in complete disregard, Form #05.014, of the tax franchise “codes”, Form #05.001](#)] prescribed for it by the foreign leaders of the world Communist movement [the IRS and Federal Reserve]. Its members [the Congress, which was terrorized to do IRS bidding by the framing of [Congressman Traficant](#)] have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of political parties, members of the Communist Party are recruited for indoctrination [in [the public FOOL system](#) by homosexuals, liberals, and socialists] with respect to its objectives and methods, and are organized, instructed, and disciplined [by the IRS and a corrupted judiciary] to carry into action slavishly the assignments given them by their hierarchical chieftains. Unlike political parties, the Communist Party [thanks to a [corrupted federal judiciary](#)] [acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members \[ANARCHISTS!, Form #08.020!\]](#). The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence [or using income taxes]. Holding that doctrine, its role as the agency of a hostile foreign power [the Federal Reserve and the American Bar Association (ABA)] renders its existence a clear present and continuing danger to the security of the United States. It is [the means whereby individuals are seduced \[illegally KIDNAPPED via identity theft!, Form #05.046\] into the service of the world Communist movement \[using FALSE information returns and other PERJURIOUS government forms submitted under duress, Form #04.001\], trained to do its bidding \[by FALSE government publications that the government is not accountable for the accuracy of, Form #05.007\], and directed and controlled \[using FRANCHISES illegally enforced upon NONRESIDENTS, Form #05.030\] in the conspiratorial performance of their revolutionary services. Therefore, the Communist Party should be outlawed](#)

Summary and Conclusions

- The most dangerous right you have is your right to contract.
- Your right to contract or consent can literally DESTROY all your other CONSTITUTIONAL and COMMON LAW rights, leaving nothing left but PUBLIC privileges and franchises that enslave you. See:

Government Instituted Slavery Using Franchises, Form #05.030

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

- Don't EVER consent to give up any rights.
- The [Declaration of Independence](#), which is organic law enacted by Congress in its first official act on Page 1 of the Statutes at Large says your CONSTITUTIONAL and COMMON LAW RIGHTS are "unalienable", meaning that you AREN'T ALLOWED by law to consent to give them away! See:

Unalienable Rights, Form #05.038

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

- Every attempt to offer or enforce [Civil Statutory Codes \(franchises\)](#) on land protected by the Constitution should be challenged at every point. See [Form #05.030](#).

Further references

- **PRIVATE Rights and Their Protection**
 - ***Enumeration of Inalienable Rights***, Form #10.002
<http://sedm.org/Forms/FormIndex.htm>
 - ***Unconstitutional Conditions Doctrine Law Review Articles***
<http://famguardian.org/Disks/TaxDVD/Franchises/UnconstCondit/>
- **Property and Separation of Private and Public**
 - ***Separation Between Public and Private***, Form #12.025
<http://sedm.org/home/government-corruption/>
 - ***Foundations of Freedom, Video 3: Status, Rights, and Privileges***, Form #12.021
SLIDES: <http://sedm.org/LibertyU/FoundOfFreedom-Slides.pdf>
VIDEO: <http://www.youtube.com/watch?v=ymC1GPE0gss>

Further references

- **Corruption**

- **Government Corruption**, Form #11.401
<http://sedm.org/home/government-corruption/>
- **De Facto Government Scam**, Form #05.043
<http://sedm.org/Forms/FormIndex.htm>

- **Franchises**

- **Government Franchises Course**, Form #12.012
<http://sedm.org/Forms/FormIndex.htm>
- **Government “Benefits” Scam**, Form #05.040
<http://sedm.org/Forms/FormIndex.htm>
- **Government Instituted Slavery Using Franchises**,
Form #05.030
<http://sedm.org/Forms/FormIndex.htm>