

HOW JUDGES UNCONSTITUTIONALLY MAKE LAW



DEDICATION

Unjust Judgments Rebuked.

A Psalm of Asaph.

82 *God stands in the divine assembly;*

He judges among the gods (divine beings).

How long will you judge unjustly

And show partiality to the wicked? Selah [pause and think about it].

Vindicate the weak and fatherless;

Do justice and maintain the rights of the afflicted and destitute.

Rescue the weak and needy;

Rescue them from the hand of the wicked.

The rulers do not know nor do they understand;

They walk on in the darkness [of complacent IGNORANT satisfaction];

All the foundations of the earth [the fundamental [principles of the administration of justice, Form #05.050](#)] are shaken.

I said, “You [judges] are gods [because of lack of accountability, [the Lucifer Principle](#)];

Indeed, all of you are sons of the Most High.

“Nevertheless you will die like men

And fall like any one of the princes.”

Arise, O God, judge the earth!

For to You belong all the nations.

[Psalm 82:1-8, Bible, NKJV]

The Messiah’s Triumph and Kingdom

2 *Why do the nations [governments] rage,*

And the people plot a vain thing [Form #11.401]?

The kings of the earth set themselves,

And the rulers take counsel together,

Against the LORD and against His Anointed, saying,

“Let us break [Their bonds \[God’s Law, Form #13.001\]](#) in pieces

And cast away Their cords from us.”

He who sits in the heavens shall laugh;

The Lord shall hold them in derision.

Then He shall speak to them in His wrath,

And distress them in His deep displeasure:

“Yet I have set My King

On My holy hill [political kingdom] of Zion.”

“I will declare the decree:

The LORD has said to Me,

‘You are My Son,

Today I have begotten You.

Ask of Me, and I will give You

How Judges Unconstitutionally “Make Law”

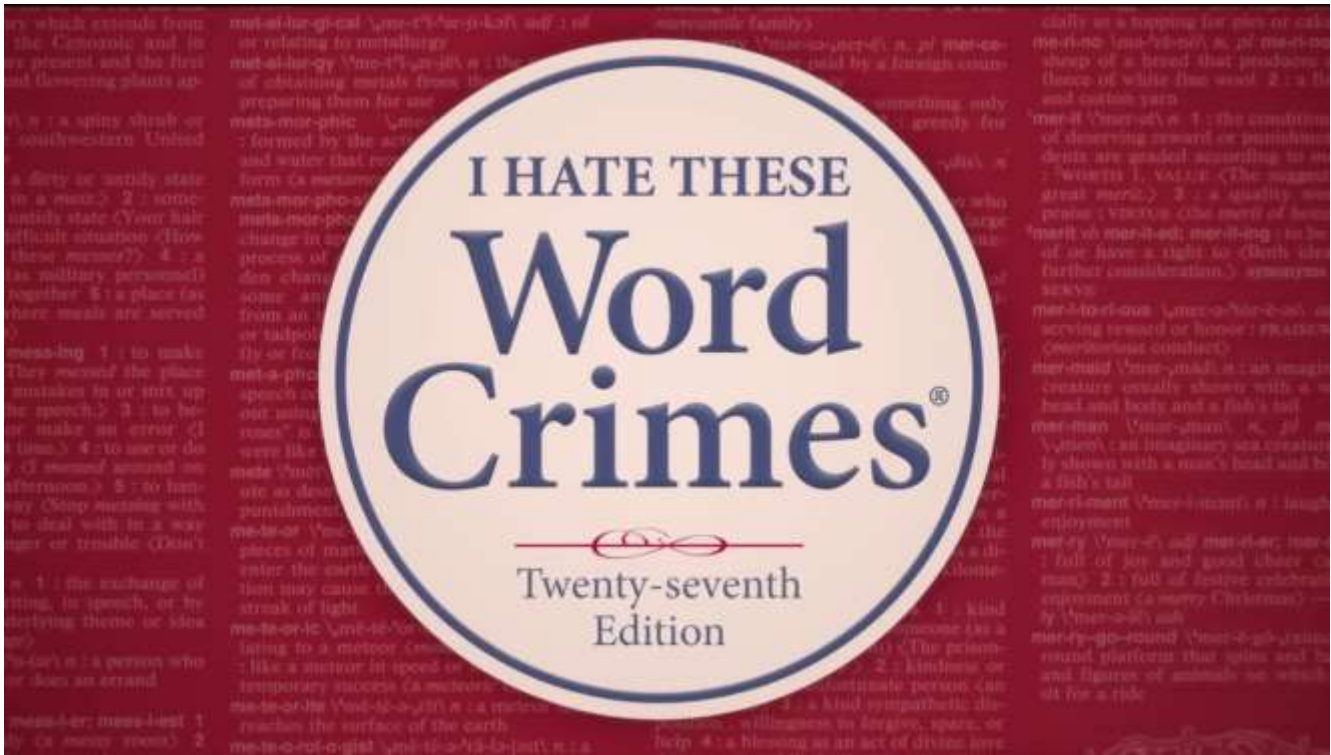
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Litigation Tool 01.008, Rev. 8/8/2018

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EXHIBIT: _____

*The nations [governments] for Your inheritance,
And the ends of the earth for Your possession.
You shall break them with a rod of iron;
You shall dash them to pieces like a potter's vessel.' ”*
*Now therefore, be wise, O kings;
Be instructed, you judges of the earth.
Serve the LORD with fear,
And rejoice with trembling.
Kiss the Son, lest He be angry,
And you perish in the way,
When His wrath is kindled but a little.
Blessed are all those who put their trust in Him [instead of GOVERNMENT]*
[Psalm 2:1-12, Bible, NKJV]



The purpose of this document is to PREVENT:

(Lawyer) Word Crimes-by Weird Al Yankovic
<https://youtu.be/8Gv0H-vPoDc?list=RD8Gv0H-vPoDc>

“Dishonest [[unequal](#), [Form #05.033](#)] scales are an abomination to the Lord, but a just weight is His delight.”
[Prov. 11:1, Bible, NKJV]

“The great enemy of clear language is insincerity. When there is a gap between one's real and one's declared aims, one turns as it were instinctively to long words and exhausted idioms, like a cuttlefish spurting out ink. “
[[George Orwell](#), "Politics and the English Language", 1946; English essayist, novelist, & satirist (1903 - 1950)]

“Political chaos is connected with the decay of language... one can probably bring about some improvement by starting at the verbal end.”
[[George Orwell](#)]

“Political language... is designed to make lies sound truthful and murder respectable, and to give an appearance of solidity to pure wind.”
[[George Orwell](#)]

“Sometimes the first duty of intelligent men is the restatement of the obvious. “
[[George Orwell](#)]

“Judicial verbicide is calculated to convert the Constitution into a worthless scrap of paper and to replace our government of laws with a judicial oligarchy.”
[[Senator Sam Ervin](#), during Watergate hearing]

“When words lose their meaning, people will lose their liberty.”
[Confucius, circa 500 B.C.]

“If a word has an infinite number of meanings [or even a SUBJECTIVE meaning], it has no meaning, and our reasoning with one another has been annihilated.”
[Aristotle, *Metaphysica* Book IV]

“Every nation, consequently, whose affairs betray a want of wisdom and stability, may calculate on every loss which can be sustained from the more systematic policy of their wiser neighbors. But the best instruction on this subject is unhappily conveyed to America by the example of her own situation. She finds that she is held in no respect by her friends; that she is the derision of her enemies; and that she is a prey to every nation which has an interest in speculating on her fluctuating councils and embarrassed affairs.

The internal effects of a mutable policy are still more calamitous. It poisons the blessing of liberty itself. It will be of little avail to the people, that the laws are made by men of their own choice, if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood; if they be repealed or revised before they are promulgated, or undergo such incessant changes that no man, who knows what the law is to-day, can guess what it will be to-morrow. Law is defined to be a rule of action; but how can that be a rule, which is little known, and less fixed?

Another effect of public instability is the unreasonable advantage it gives to the sagacious, the enterprising, and the moneyed few over the industrious and uniformed mass of the people. Every new regulation concerning commerce or revenue, or in any way affecting the value of the different species of property, presents a new harvest to those who watch the change, and can trace its consequences; a harvest, reared not by themselves, but by the toils and cares of the great body of their fellow-citizens. This is a state of things in which it may be said with some truth that laws are made for [benefit of] the FEW, not for the MANY.”

[Federalist Paper No. 62, James Madison]

“It has been frequently remarked, with great propriety, that a voluminous code of laws is one of the inconveniences necessarily connected with the advantages of a free government. To avoid an arbitrary discretion in the courts, it is indispensable that they should be bound down by strict rules [of statutory construction and interpretation] and precedents, which serve to define and point out their duty in every particular case that comes before them; and it will readily be conceived from the variety of controversies which grow out of the folly and wickedness of mankind, that the records of those precedents must unavoidably swell to a very considerable bulk, and must demand long and laborious study to acquire a competent knowledge of them.”

[Federalist Paper No. 78, Alexander Hamilton]

“What right have you [a government judge or legislator] to declare My [God’s] statutes [write man’s vain law or any substitute for the common law], or take My covenant [the Bible, Form #13.007] in your mouth, seeing you hate instruction and cast My words behind you? When you saw a thief, you consented with him, and have been a partaker with adulterers. You give your mouth to evil, and your tongue frames deceit. You sit and speak against your brother; you slander your own mother’s son. These things you have done, and I kept silent; you thought that I was altogether like you; but I will reprove you, and set them in order before your eyes. Now consider this, you who forget God, lest I tear you in pieces, and there be none to deliver: Whoever offers praise glorifies Me; and to him who orders his conduct aright [and bases it on God’s laws] I will show the salvation of God.”

[Psalm 50:16-23, Bible, NKJV]

“The coming of the lawless one [government anarchy created with sovereign immunity] is according to the working of Satan, with all power, signs, and lying wonders, and with all unrighteous deception among those who perish, because they did not

receive the love of the truth, that they might be saved. And for this reason God will send them strong delusion, that they should believe the lie, that they all may be condemned who did not believe the truth but had pleasure in unrighteousness."
[2 Thess. 2:9-12, Bible, NKJV]

"For the idols [civil rulers] speak **delusion**; The diviners envision lies, And tell false dreams; They comfort in vain. Therefore the people wend their way like sheep; They are in trouble because there is no shepherd [GOD, or an wolf pretending to BE a shepherd]."
[Zech. 10:2, Bible, NKJV]

"Your prophets [[judges wearing black robes](#) as [priests of a civil religion](#)] have seen for you **False and deceptive visions;**
They have not uncovered your iniquity,
To bring back your captives,
But have envisioned for you false prophecies and delusions."
[Lamentations 2:14, Bible, NKJV]

"He who kills a bull is as if he slays a man;
He who sacrifices a lamb, as if he breaks a dog's neck;
He who offers a grain offering, as if he offers swine's blood;
He who burns incense, as if he blesses an idol.
Just as they have chosen their own ways,
And their soul delights in their abominations,
So will I [GOD!] choose their delusions,
And bring their fears on them;
Because, when I called, no one answered,
When I spoke they did not hear;
But they did evil before My eyes,
And chose that in which I [GOD!] do not delight."
[Isaiah 66:3-4, Bible, NKJV]

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1 “*Shall the throne of iniquity, which devises evil by law, have fellowship with You? They gather together against*
2 *the life of the righteous, and condemn innocent blood. But the Lord has been my defense, and my God the rock*
3 *of my refuge. He has brought on them their own iniquity, and shall cut them off in their own wickedness; the*
4 *Lord our God shall cut them off.*”
5 *[Psalm 94:20-23, Bible, NKJV]*

6 “Law” as legally defined ISN'T **everything** the legislature passes, but only a VERY small subset. You are being systematically
7 LIED to by your public servants about this HUGELY IMPORTANT subject. Wise up! Don't drink their “Kool-Aide”.

8 **1 Introduction**

9 The most frequent method of judicial and government instituted injustice, usurpation, and corruption is judges
10 unconstitutionally “making law”. Most people understand this concept as a general principle, but even judges themselves are
11 loath to talk about HOW this actually happens in a real, live courtroom to real flesh and blood people. The purpose of this
12 memorandum of law is to describe EXACTLY how this process happens so that it can be identified for what it is and punished
13 both civilly and criminally.

14 This document was intended only as an introduction to the subject of how judges “make law”. It provides exhaustive links
15 to those who would like to investigate all the elements for themselves in their leisure at home. This document is also intended
16 to be filed as an attachment or exhibit in a complaint or pleading or motion filed in a court to both prevent and punish judges
17 who engage in this despicable, injurious, and unconstitutional behavior.

18 **2 Abuse of language and the rules of statutory construction by judges originated with the Pharisees in the Bible¹**

19 The abuse of the Rules of Statutory Construction and Interpretation by corrupt judges to undermine the Constitution or the
20 intent of the law is not a new phenomenon. Throughout this document, the term “judge” and “Pharisee” are effectively
21 equivalent in the case of those corrupt activist judges who abuse the Rules of Statutory Construction and Interpretation to
22 “make law”. The purpose of this section will be to prove this fact.

23 The first and most famous historical instance of the abuse of the Rules of Statutory Construction and Interpretation was
24 described in the Bible, when Jesus criticized the Pharisees. The Pharisees were the interpreters of God's law:

25 *Christ allows their office as expositors of the law; The scribes and Pharisees (that is, the whole Sanhedrim, who*
26 *sat at the helm of church government, who were all called scribes, and were some of them Pharisees), they sit in*
27 *Moses' seat (v. 2), as public teachers and interpreters of the law; and, the law of Moses being the municipal law*
28 *of their state, they were as judges, or a bench of justices; teaching and judging seem to be equivalent, comparing*
29 *2 Chr. 17:7, 9, with 2 Chr. 19:5, 6, 8. They were not the itinerant judges that rode the circuit, but the standing*
30 *bench, that determined on appeals, special verdicts, or writs of error by the law; they sat in Moses's seat, not as*
31 *he was Mediator between God and Israel, but only as he was chief justice, Ex. 18:26. Or, we may apply it, not to*
32 *the Sanhedrim, but to the other Pharisees and scribes, that expounded the law, and taught the people how to*
33 *apply it to particular cases.*

34 [. . .]

35 *Hence he infers (v. 3), “Whatsoever they bid you observe, that observe and do As far as they sit in Moses's seat,*
36 *that is, read and preach the law that was given by Moses” (which, as yet, continued in full force, power, and*
37 *virtue), “and judge according to that law, so far you must hearken to them, as remembrances to you of the written*
38 *word.” The scribes and Pharisees made it their business to study the scripture, and were well acquainted with*
39 *the language, history, and customs of it, and its style and phraseology. Now Christ would have the people to make*
40 *use of the helps they gave them for the understanding of the scripture, and do accordingly. As long as their*
41 *comments did illustrate the text and not pervert it; did make plain, and not make void, the commandment of God;*
42 *so far they must be observed and obeyed, but with caution and a judgment of discretion.*
43 *[Commentary on Matt. 23:1-12, Henry, M. (1994). Matthew Henry's commentary on the whole Bible: complete*
44 *and unabridged in one volume (p. 1732). Peabody: Hendrickson]*

45 Back then, the Jews had a theocracy and the Bible was their law book, so the term “religion scholars” meant the lawyers of
46 that time who were the Pharisees and Saducees, not the pastors of today's time. In effect, the Pharisees seemed to be the

¹ Adapted from: *Legal Deception, Propaganda, and Fraud*, Form #05.014, Section 3; <https://sedm.org/Forms/FormIndex.htm>.

1 equivalent of our modern administrators in the Executive Branch, while the Saducees seemed to be the elites in the Judicial
2 Branch:

3 *I've had it with you! You're hopeless, you religion scholars, you Pharisees! Frauds! Your lives are roadblocks to*
4 *God's kingdom. You refuse to enter, and won't let anyone else in either.*

5 *"You're hopeless, you religion scholars and Pharisees! Frauds! You go halfway around the world to make a*
6 *convert, but once you get him you make him into a replica of yourselves, double-damned.*

7 *"You're hopeless! What arrogant stupidity! You say, 'If someone makes a promise with his fingers crossed, that's*
8 *nothing; but if he swears with his hand on the Bible, that's serious.' What ignorance! Does the leather on the*
9 *Bible carry more weight than the skin on your hands? And what about this piece of trivia: 'If you shake hands on*
10 *a promise, that's nothing; but if you raise your hand that God is your witness, that's serious'? What ridiculous*
11 *hairsplitting! What difference does it make whether you shake hands or raise hands? A promise is a promise.*
12 *What difference does it make if you make your promise inside or outside a house of worship? A promise is a*
13 *promise. God is present, watching and holding you to account regardless.*

14 *"You're hopeless, you religion scholars and Pharisees! Frauds! You keep meticulous account books, tithing on*
15 *every nickel and dime you get, but on the meat of God's Law, things like fairness and compassion and*
16 *commitment—the absolute basics!—you carelessly take it or leave it. Careful bookkeeping is commendable, but*
17 *the basics are required. Do you have any idea how silly you look, writing a life story that's wrong from start to*
18 *finish, nitpicking over commas and semicolons?*

19 *"You're hopeless, you religion scholars and Pharisees! Frauds! You burnish the surface of your cups and bowls*
20 *so they sparkle in the sun, while the insides are maggoty with your greed and gluttony. Stupid Pharisee! Scour*
21 *the insides, and then the gleaming surface will mean something.*

22 *"You're hopeless, you religion scholars and Pharisees! Frauds! You're like manicured grave plots, grass clipped*
23 *and the flowers bright, but six feet down it's all rotting bones and worm-eaten flesh. People look at you and think*
24 *you're saints, but beneath the skin you're total frauds.*

25 *"You're hopeless, you religion scholars and Pharisees! Frauds! You build granite tombs for your prophets and*
26 *marble monuments for your saints. And you say that if you had lived in the days of your ancestors, no blood would*
27 *have been on your hands. You protest too much! You're cut from the same cloth as those murderers, and daily*
28 *add to the death count.*

29 *"Snakes! Reptilian sneaks! Do you think you can worm your way out of this? Never have to pay the piper? It's*
30 *on account of people like you that I send prophets and wise guides and scholars generation after generation—*
31 *and generation after generation you treat them like dirt, greeting them with lynch mobs, hounding them with*
32 *abuse.*

33 *"You can't squirm out of this: Every drop of righteous blood ever spilled on this earth, beginning with the blood*
34 *of that good man Abel right down to the blood of Zechariah, Barachiah's son, whom you murdered at his prayers,*
35 *is on your head. All this, I'm telling you, is coming down on you, on your generation.*

36 *"Jerusalem! Jerusalem! Murderer of prophets! Killer of the ones who brought you God's news! How often I've*
37 *ached to embrace your children, the way a hen gathers her chicks under her wings, and you wouldn't let me. And*
38 *now you're so desolate, nothing but a ghost town. What is there left to say? Only this: I'm out of here soon. The*
39 *next time you see me you'll say, 'Oh, God has blessed him! He's come, bringing God's rule!'"*
40 *[Peterson, E. H. (2005). The Message: the Bible in contemporary language (Mt 23:13–39). Colorado Springs,*
41 *CO: NavPress.]*

42 Why did Jesus get angry? The scripture below gives us a clue:

43 *But to the wicked, God says:*

44 ***"What right have you to declare My [God's] statutes [write man's vain law], or take My covenant [the Bible]***
45 ***in your mouth, seeing you hate instruction and cast My words behind you?** When you saw a thief, you consented*
46 *with him, and have been a partaker with adulterers. You give your mouth to evil, and your tongue frames deceit.*
47 *You sit and speak against your brother; you slander your own mother's son. These things you have done, and I*
48 *kept silent; you thought that I was altogether like you; but I will reprove you, and set them in order before your*
49 *eyes. **Now consider this, you who forget God, lest I tear you in pieces, and there be none to deliver: Whoever***
50 ***offers praise glorifies Me; and to him who orders his conduct aright [and bases it on God's laws] I will show***
51 ***the salvation of God.**"*
52 *[Psalm 50:16-23, Bible, NKJV]*
53

1 *"For they being ignorant of God's righteousness, and seeking to establish their [the Pharisees] own*
2 *righteousness, have not submitted to the righteousness of God."*
3 *[Rom. 10:3, Bible, NKJV]*

4 In effect, by establishing their own substitute or addition to God's law using "oral tradition", the Pharisees and Saducees were
5 establishing a man-made religion in which THEY, and not the true and living God, were being "worshipped", in violation of
6 the First Commandment of the Ten Commandments. For proof, see the following:

[Why All Man-Made Law is Religious in Nature](http://famguardian.org/Subjects/LawAndGovt/ChurchVState/WhyAllManmadeLawRelig.htm), Family Guardian Fellowship
<http://famguardian.org/Subjects/LawAndGovt/ChurchVState/WhyAllManmadeLawRelig.htm>

7 The First Commandment forbids "worshipping" (serving) other gods. Anyone who can "make" law is the god of the society
8 that they make law FOR, and especially if that law applies to everyone BUT the law maker or law giver. God is the king of
9 the earth, and to recognize any OTHER king or any other law is to engage in religious idolatry.

10 *"For God is the King of all the earth. Sing praises with understanding."*
11 *[Psalm 47:7, Bible, NKJV]*

12 *"For the LORD is our Judge, the LORD is our Lawgiver, the LORD is our King; He will save [and protect] us."*
13 *[Isaiah 33:22, Bible, NKJV]*

14 A god, after all, is anyone or anything that has SUPERIOR or SUPERNATURAL powers or exemptions GREATER than
15 those who are "natural", meaning human. Governments and churches are what lawyers call "legal fictions" or "artificial
16 entities" that can have no more rights than those who delegated them their power.

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

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

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

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

24 *Quicquid acquiritur servo, acquiritur domino. Whatever is acquired by the servant, is acquired for the master.*
25 *15 Bin. Ab. 327.*

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

27 *What a man cannot transfer, he cannot bind by articles.*

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

30 That's the basis for what a "republic" is legally defined as.

31 *"Republican government. **One in which the powers of sovereignty are vested in the people and are exercised by***
32 ***the people, either directly, or through representatives chosen by the people, to whom those powers are specially***
33 ***delegated.** In re Duncan, 139 U.S. 449, 11 S.Ct. 573, 36 L.Ed. 219; Minor v. Happersett, 88 U.S. (21 Wall.) 162,*
34 *22 L.Ed. 627."*
35 *[Black's Law Dictionary Sixth Edition, p. 695]*

36 When the man-made law imputes more rights to governments or other artificial entities than ordinary humans, a man-made
37 religion has been created. We cover this in Government Establishment of Religion, Form #05.038.

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

Keep in mind that the term “hypocrite” used by Jesus in Matt. 23 is defined in the following passages as “trusting in privileges”, meaning franchises: Jer 7:4; Mt 3:9. The focus of hypocrites is to apply DIFFERENT rules to themselves than to everyone else, and to elevate their own importance ABOVE everyone else. In essence, they seek to destroy equality of treatment under the law and replace it with privileges and franchises. We discuss this corrupting aspect of franchises in:

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

We prove in Foundations of Freedom Course, Form #12.021, Video 1 that absolute equality under the law is the foundation of all your freedom. Therefore, the Pharisees sought indirectly to make everyone into THEIR slave and to make themselves the object of idol worship not unlike the Golden Calf or like Pharaoh. Below is a popular commentary on Matt. 23:1-12 which proves this:

II. He condemns the men. He had ordered the multitude to do as they taught; but here he annexeth a caution not to do as they did, to beware of their leaven; Do not ye after their works. Their traditions were their works, were their idols, the works of their fancy. Or, “Do not according to their example.” Doctrines and practices are spirits that must be tried, and where there is occasion, must be carefully separated and distinguished; and as we must not swallow corrupt doctrines for the sake of any laudable practices of those that teach them, so we must not imitate any bad examples for the sake of the plausible doctrines of those that set them. The scribes and Pharisees boasted as much of the goodness of their works as of the orthodoxy of their teaching, and hoped to be justified by them; it was the plea they put in (Lu. 18:11, 12); and yet these things, which they valued themselves so much upon, were an abomination in the sight of God.

Our Saviour here, and in the following verses, specifies divers particulars of their works, wherein we must not imitate them. In general, they are charged with hypocrisy, dissimulation, or double-dealing in religion; a crime which cannot be enquired of at men's bar, because we can only judge according to outward appearance; but God, who searcheth the heart, can convict of hypocrisy; and nothing is more displeasing to him, for he desireth truth.

Four things are in these verses charged upon them.

1. Their saying and doing were two things.

Their practice was no way agreeable either to their preaching or to their profession; for they say, and do not; they teach out of the law that which is good, but their conversation gives them the lie; and they seem to have found another way to heaven for themselves than what they show to others. See this illustrated and charged home upon them, Rom. 2:17–24. Those are of all sinners most inexcusable that allow themselves in the sins they condemn in others, or in worse. This doth especially touch wicked ministers, who will be sure to have their portion appointed them with hypocrites (ch. 24:51); for what greater hypocrisy can there be, than to press that upon others, to be believed and done, which they themselves disbelieve and disobey; pulling down in their practice what they build up in their preaching; when in the pulpit, preaching so well that it is a pity they should ever come out; but, when out of the pulpit, living so ill that it is a pity they should ever come in; like bells, that call others to church, but hang out of it themselves; or Mercurial posts, that point the way to others, but stand still themselves? Such will be judged out of their own mouths. It is applicable to all others that say, and do not; that make a plausible profession of religion, but do not live up to that profession; that make fair promises, but do not perform their promises; are full of good discourse, and can lay down the law to all about them, but are empty of good works; great talkers, but little doers; the voice is Jacob's voice, but the hands are the hands of Esau. Vox et praeterea nihil—mere sound. They speak fair, I go, sir; but there is no trusting them, for there are seven abominations in their heart.

2. They were very severe in imposing upon others those things which they were not themselves willing to submit to the burden of (v. 4); They bind heavy burdens, and grievous to be borne; not only insisting upon the minute circumstances of the law, which is called a yoke (Acts 15:10), and pressing the observation of them with more strictness and severity than God himself did (whereas the maxim of the lawyers, is Apices juris son sunt jura—Mere points of law are not law), but by adding to his words, and imposing their own inventions and traditions, under the highest penalties. They loved to show their authority and to exercise their domineering faculty, lording it over God's heritage, and saying to men's souls, Bow down, that we may go over; witness their many additions to the law of the fourth commandment, by which they made the sabbath a burden on men's shoulders, which was designed to be the joy of their hearts. Thus with force and cruelty did those shepherds rule the flock, as of old, Eze. 34:4.

But see their hypocrisy; They themselves will not move them with one of their fingers. (1.) They would not exercise themselves in those things which they imposed upon others; they pressed upon the people a strictness in religion which they themselves would not be bound by; but secretly transgressed their own traditions, which they publicly

1 enforced. They indulged their pride in giving law to others; but consulted their ease in their own practice. Thus
2 it has been said, to the reproach of the popish priests, that they fast with wine and sweetmeats, while they force
3 the people to fast with bread and water; and decline the penances they enjoin the laity. (2.) They would not ease
4 the people in these things, nor put a finger to lighten their burden, when they saw it pinched them. They could
5 find out loose constructions to put upon God's law, and could dispense with that, but would not bate an ace of
6 their own impositions, nor dispense with a failure in the least punctilio of them. They allowed no chancery to
7 relieve the extremity of their common law. How contrary to this was the practice of Christ's apostles, who would
8 allow to others that use of Christian liberty which, for the peace and edification of the church, they would deny
9 themselves in! They would lay no other burden than necessary things, and those easy, Acts 15:28. How carefully
10 doth Paul spare those to whom he writes! 1 Co. 7:28; 9:12.

11 3. They were all for show, and nothing for substance, in religion (v. 5); All their works they do, to be seen of men.
12 We must do such good works, that they who see them may glorify God; but we must not proclaim our good works,
13 with design that others may see them, and glorify us; which our Saviour here chargeth upon the Pharisees in
14 general, as he had done before in the particular instances of prayer and giving of alms. All their end was to be
15 praised of men, and therefore all their endeavour was to be seen of men, to make a fair show in the flesh. In those
16 duties of religion which fall under the eye of men, none are so constant and abundant as they; but in what lies
17 between God and their souls, in the retirement of their closets, and the recesses of their hearts, they desire to be
18 excused. The form of godliness will get them a name to live, which is all they aim at, and therefore they trouble
19 not themselves with the power of it, which is essential to a life indeed. He that does all to be seen does nothing to
20 the purpose.

21 He specifies two things which they did to be seen of men.

22 (1.) They made broad their phylacteries. Those were little scrolls of paper or parchment, wherein were written,
23 with great niceness, these four paragraphs of the law, Ex. 13:2–11; 13:11–16; Deu. 6:4–9; 11:13–21. These were
24 sewn up in leather, and worn upon their foreheads and left arms. It was a tradition of the elders, which had
25 reference to Ex. 13:9, and Prov. 7:3, where the expressions seem to be figurative, intimating no more than that
26 we should bear the things of God in our minds as carefully as if we had them bound between our eyes. Now the
27 Pharisees made broad these phylacteries, that they might be thought more holy, and strict, and zealous for the
28 law, than others. It is a gracious ambition to covet to be really more holy than others, but it is a proud ambition
29 to covet to appear so. It is good to excel in real piety, but not to exceed in outward shows; for overdoing is justly
30 suspected of design, Prov. 27:14. It is the guise of hypocrisy to make more ado than needs in external service,
31 more than is needful either to prove, or to improve, the good affections and dispositions of the soul.

32 (2.) They enlarged the borders of their garments. God appointed the Jews to make borders or fringes upon their
33 garments (Num. 15:38), to distinguish them from other nations, and to be a memorandum to them of their being
34 a peculiar people; but the Pharisees were not content to have these borders like other people's, which might serve
35 God's design in appointing them; but they must be larger than ordinary, to answer their design of making
36 themselves to be taken notice of; as if they were more religious than others. But those who thus enlarge their
37 phylacteries, and the borders of their garments, while their hearts are straitened, and destitute of the love of God
38 and their neighbour, though they may now deceive others, will in the end deceive themselves.

39 4. They much affected pre-eminence and superiority, and prided themselves extremely in it. Pride was the darling
40 reigning sin of the Pharisees, the sin that did most easily beset them and which our Lord Jesus takes all occasions
41 to witness against.

42 (1.) He describes their pride, v. 6, 7. They courted, and coveted,

43 [1.] Places of honour and respect. In all public appearances, as at feasts, and in the synagogues, they expected,
44 and had, to their hearts' delight, the uppermost rooms, and the chief seats. They took place of all others, and
45 precedence was adjudged to them, as persons of the greatest note and merit; and it is easy to imagine what a
46 complacency they took in it; they loved to have the preeminence, 3 Jn. 9. It is not possessing the uppermost rooms,
47 nor sitting in the chief seats, that is condemned (somebody must sit uppermost), but loving them; for men to value
48 such a little piece of ceremony as sitting highest, going first, taking the wall, or the better hand, and to value
49 themselves upon it, to seek it, and to feel resentment if they have it not; what is that but making an idol of ourselves,
50 and then falling down and worshipping it—the worst kind of idolatry! It is bad any where, but especially in the
51 synagogues. There to seek honour to ourselves, where we appear in order to give glory to God, and to humble
52 ourselves before him, is indeed to mock God instead of serving him. David would willingly lie at the threshold in
53 God's house; so far was he from coveting the chief seat there, Ps. 84:10. It savours much of pride and hypocrisy,
54 when people do not care for going to church, unless they can look fine and make a figure there.

55 [2.] Titles of honour and respect. They loved greetings in the markets, loved to have people put off their hats to
56 them, and show them respect when they met them in the streets. O how it pleased them, and fed their vain humour,
57 digito monstrari et dicier, Hic est—to be pointed out, and to have it said, This be he, to have way made for them
58 in the crowd of market people; "Stand off, here is a Pharisee coming!" and to be complimented with the high and
59 pompous title of Rabbi, Rabbi! This was meat and drink and dainties to them; and they took as great a satisfaction
60 in it as Nebuchadnezzar did in his palace, when he said, Is not this great Babylon that I have built? The greetings
61 would not have done them half so much good, if they had not been in the markets, where every body might see

1 how much they were respected, and how high they stood in the opinion of the people. It was but a little before
2 Christ's time, that the Jewish teachers, the masters of Israel, had assumed the title of Rabbi, Rab, or Rabban,
3 which signifies great or much; and was construed as Doctor, or My lord. And they laid such a stress upon it, that
4 they gave it for a maxim that "he who salutes his teacher, and does not call him Rabbi, provokes the divine
5 Majesty to depart from Israel;" so much religion did they place in that which was but a piece of good manners!
6 For him that is taught in the word to give respect to him that teaches is commendable enough in him that gives
7 it; but for him that teaches to love it, and demand it, and affect it, to be puffed up with it, and to be displeased if
8 it be omitted, is sinful and abominable; and, instead of teaching, he has need to learn the first lesson in the school
9 of Christ, which is humility.

10 (2.) He cautions his disciples against being herein like them; herein they must not do after their works; "But be
11 not ye called so, for ye shall not be of such a spirit," v. 8, etc.

12 Here is, [1.] A prohibition of pride. They are here forbidden,

13 First, To challenge titles of honour and dominion to themselves, v. 8–10. It is repeated twice; Be not called Rabbi,
14 neither be ye called Master or Guide: not that it is unlawful to give civil respect to those that are over us in the
15 Lord, nay, it is an instance of the honour and esteem which it is our duty to show them; but, 1. Christ's ministers
16 must not affect the name of Rabbi or Master, by way of distinction from other people; it is not agreeable to the
17 simplicity of the gospel, for them to covet or accept the honour which they have that are in kings' palaces. 2. They
18 must not assume the authority and dominion implied in those names; they must not be magisterial, nor domineer
19 over their brethren, or over God's heritage, as if they had dominion over the faith of Christians: what they
20 received of the Lord, all must receive from them; but in other things they must not make their opinions and wills
21 a rule and standard to all other people, to be admitted with an implicit obedience. The reasons for this prohibition
22 are,

23 (1.) One is your Master, even Christ, v. 8, and again, v. 10. Note, [1.] Christ is our Master, our Teacher, our
24 Guide. Mr. George Herbert, when he named the name of Christ, usually added, My Master. [2.] Christ only is
25 our Master, ministers are but ushers in the school. Christ only is the Master, the great Prophet, whom we must
26 hear, and be ruled and overruled by; whose word must be an oracle and a law to us; Verily I say unto you, must
27 be enough to us. And if he only be our Master, then for his ministers to set up for dictators, and to pretend to a
28 supremacy and an infallibility, is a daring usurpation of that honour of Christ which he will not give to another.

29 (2.) All ye are brethren. Ministers are brethren not only to one another, but to the people; and therefore it ill
30 becomes them to be masters, when there are none for them to master it over but their brethren; yea, and we are
31 all younger brethren, otherwise the eldest might claim an excellency of dignity and power, Gen. 49:3. But, to
32 preclude that, Christ himself is the first-born among many brethren, Rom. 8:29. Ye are brethren, as ye are all
33 disciples of the same Master. School-fellows are brethren, and, as such, should help one another in getting their
34 lesson; but it will by no means be allowed that one of the scholars step into the master's seat, and give law to the
35 school. If we are all brethren, we must not be many masters. Jam. 3:1.

36 Secondly, They are forbidden to ascribe such titles to others (v. 9); "Call no man your father upon the earth;
37 constitute no man the father of your religion, that is, the founder, author, director, and governor, of it." The
38 fathers of our flesh must be called fathers, and as such we must give them reverence; but God only must be
39 allowed as the Father of our spirits, Heb. 12:9. Our religion must not be derived from, or made to depend upon,
40 any man. We are born again to the spiritual and divine life, not of corruptible seed, but by the word of God; not
41 of the will of the flesh, or the will of man, but of God. Now the will of man, not being the rise of our religion, must
42 not be the rule of it. We must not jurare in verba magistri—swear to the dictates of any creature, not the wisest
43 or best, nor pin our faith on any man's sleeve, because we know not whither he will carry it. St. Paul calls himself
44 a Father to those whose conversion he had been an instrument of (1 Co. 4:15; Phil. 10); but he pretends to no
45 dominion over them, and uses that title to denote, not authority, but affection: therefore he calls them not his
46 obliged, but his beloved, sons, 1 Co. 4:14.

47 The reason given is, One is your Father, who is in heaven. God is our Father, and is All in all in our religion. He
48 is the Fountain of it, and its Founder; the Life of it, and its Lord; from whom alone, as the Original, our spiritual
49 life is derived, and on whom it depends. He is the Father of all lights (Jam. 1:17), that one Father, from whom
50 are all things, and we in him, Eph. 4:6. Christ having taught us to say, Our Father, who art in heaven; let us call
51 no man Father upon earth; no man, because man is a worm, and the son of man is a worm, hewn out of the same
52 rock with us; especially not upon earth, for man upon earth is a sinful worm; there is not a just man upon earth,
53 that doeth good, and sinneth not, and therefore no one is fit to be called Father.

54 [2.] Here is a precept of humility and mutual subjection (v. 11); He that is greatest among you shall be your
55 servant; not only call himself so (we know of one who styles himself Servus servorum Dei—Servant of the servants
56 of God, but acts as Rabbi, and father, and master, and Dominus Deus noster—The Lord our God, and what not),
57 but he shall be so. Take it as a promise; "He shall be accounted greatest, and stand highest in the favour of God,
58 that is most submissive and serviceable;" or as a precept; "He that is advanced to any place of dignity, trust, and
59 honour, in the church, let him be your servant" (some copies read estō for estai). "let him not think that his patent
60 of honour is a writ of ease; no; he that is greatest is not a lord, but a minister." St. Paul, who knew his privilege
61 as well as duty, though free from all, yet made himself servant unto all (1 Co. 9:19); and our Master frequently

1 pressed it upon his disciples to be humble and self-denying, mild and condescending, and to abound in all offices
2 of Christian love, though mean, and to the meanest; and of this he hath set us an example.

3 [3.] Here is a good reason for all this, v. 12. Consider,

4 First, The punishment intended for the proud; Whosoever shall exalt himself shall be abased. If God give them
5 repentance, they will be abased in their own eyes, and will abhor themselves for it; if they repent not, sooner or
6 later they will be abased before the world. Nebuchadnezzar, in the height of his pride, was turned to be a fellow-
7 commoner with the beasts; Herod, to be a feast for the worms; and Babylon, that sat as a queen, to be the scorn
8 of nations. God made the proud and aspiring priests contemptible and base (Mal. 2:9), and the lying prophet
9 to be the tail, Isa. 9:15. But if proud men have not marks of humiliation set upon them in this world, there is a day
10 coming, when they shall rise to everlasting shame and contempt (Dan. 12:2); so plentifully will he reward the
11 proud doer! Ps. 31:23.

12 Secondly, The preferment intended for the humble; He that shall humble himself shall be exalted. Humility is that
13 ornament which is in the sight of God of great price. In this world the humble have the honour of being accepted
14 with the holy God, and respected by all wise and good men; of being qualified for, and often called out to, the
15 most honourable services; for honour is like the shadow, which flees from those that pursue it, and grasp at it,
16 but follows those that flee from it. However, in the other world, they that have humbled themselves in contrition
17 for their sin, in compliance with their God, and in condescension to their brethren, shall be exalted to inherit the
18 throne of glory; shall be not only owned, but crowned, before angels and men.

19 [Commentary on Matt. 23:1-12, Henry, M. (1994). Matthew Henry's commentary on the whole Bible: complete
20 and unabridged in one volume (pp. 1732-1733). Peabody: Hendrickson]

21 Jesus also criticized what he called “the leaven” of the Pharisees:

22 *The Leaven of the Pharisees and Sadducees*

23 Now when His disciples had come to the other side, they had forgotten to take bread. ⁶ Then Jesus said to them,
24 **“Take heed and beware of the leaven of the Pharisees and the Sadducees.”**

25 And they reasoned among themselves, saying, “It is because we have taken no bread.”

26 But Jesus, being aware of it, said to them, “O you of little faith, why do you reason among yourselves because
27 you have brought no bread? Do you not yet understand, or remember the five loaves of the five thousand and
28 how many baskets you took up? Nor the seven loaves of the four thousand and how many large baskets you took
29 up? How is it you do not understand that I did not speak to you concerning bread?—but to beware of the leaven
30 of the Pharisees and Sadducees.” **Then they understood that He did not tell them to beware of the leaven of
31 bread, but of the doctrine of the Pharisees and Sadducees.**
32 [Matt. 16:5-12, Bible, NKJV]

33 The “doctrine” Jesus is speaking of is the legal publications, rules, teachings, and beliefs of the lawyers at that time under a
34 theocracy, who were abusing the law and legal process to:

- 35 1. Expand the power and influence of those interpreting or enforcing the law to elevate their own importance, rights, or
36 privileges to be ABOVE everyone else. In other words, to destroy equality under the law.
- 37 2. Expand the definition or meaning of a words in the law to ADD things not expressly included. Today this is done by
38 abusing the word “includes”.
- 39 3. Undermine or circumvent the INTENT of the law and replace it with something more “beneficial” to the lawmaker.
40 Today this is done primarily by:
 - 41 3.1. “equivocation”, meaning confusing the multiple contexts of usually geographic words to expand those the area or
42 group membership covered by the law.
 - 43 3.2. Abuse of judicial precedent to extend the reach of a law to an unmentioned group. Also called “judicial activism”
44 or “legislating from the bench”.

45 The effect of the above sinister legal treachery is to replace God’s law with man’s law, and to do what the Founding Fathers
46 called “turn a society of law into a society of men”.

47 **Defilement Comes from Within**

48 Then the Pharisees and some of the scribes came together to Him, having come from Jerusalem. Now when they
49 saw some of His disciples eat bread with defiled, that is, with unwashed hands, they found fault. For the Pharisees
50 and all the Jews do not eat unless they wash their hands in a special way, holding the tradition of the elders.

1 When they come from the marketplace, they do not eat unless they wash. And there are many other things which
2 they have received and hold, like the washing of cups, pitchers, copper vessels, and couches.

3 Then the Pharisees and scribes asked Him, "Why do Your disciples not walk according to the tradition of the
4 elders, but eat bread with unwashed hands?"

5 He answered and said to them, "Well did Isaiah prophesy of you hypocrites, as it is written:

6 **'This people honors Me with their lips,**
7 **But their heart is far from Me,**
8 **And in vain they worship Me,**
9 **Teaching as doctrines [LAW] the commandments of men.'**

10 For laying aside the commandment of God, you hold the tradition of men—the washing of pitchers and cups, and
11 many other such things you do."

12 **He said to them, "All too well you reject the commandment of God, that you may keep your tradition.** For
13 Moses said, 'Honor your father and your mother'; and, 'He who curses father or mother, let him be put to death.'
14 But you say, 'If a man says to his father or mother, "Whatever profit you might have received from me is
15 Corban"—' (that is, a gift to God), then you no longer let him do anything for his father or his mother, making
16 the word of God of no effect through your tradition which you have handed down. And many such things you do."
17 [Mark 7:1-13, Bible, NKJV]

18 The irony is that under the pretence of being law abiding, the Pharisees in fact were what Jesus called "lawless".

19 "Even so you also outwardly appear righteous to men, but inside you are full of hypocrisy and lawlessness."
20 [Matt. 23:28, Bible, NKJV]

21 Contemporary Christianity largely misses this important point. They portray as Pharisaical any attempt to quote or enforce
22 ANY Biblical law and in so doing themselves acquire the same condemnation for "lawlessness" as the Pharisees.

23 "Not everyone who says to Me, 'Lord, Lord,' shall enter the kingdom of heaven, but he who does the will of My
24 Father in heaven.

25 Many will say to Me in that day, 'Lord, Lord, have we not prophesied in Your name, cast out demons in Your
26 name, and done many wonders in Your name?'

27 And then I will declare to them, **'I never knew you; depart from Me, you who practice lawlessness!'**
28 [Matt. 7:21-23, Bible, NKJV]

29 In modern theology, the "lawlessness" of Christians who insist that the Old Testament has been repealed and that they don't
30 have to obey it is called "dispensationalism", "antinomianism", "hyper-grace", and even "anarchism under God's law order".
31 It is an attempt to justify and protect sin and to use "compartmentalization" or even "equivocation" to defend lawlessness.
32 The "equivocation" happens because they identify the Bible not as a single law book, but two separate books, Old and New
33 Testament, only one of which is REAL "law" that they must follow. For an interesting discussion of this subject of lawless
34 corrupted Christianity, refer to the following:

Laws of the Bible, Form #13.001, Section 5
<http://sedm.org/Forms/FormIndex.htm>

35 To put the above in a more contemporary context, Jesus is saying to lawyers that they are hypocrites and elitists if they try
36 expand or redefine or misapply any provision of the written law in such a way as to benefit themselves personally at others
37 expense:

38 **"Their seeking their own worldly gain and honour more than God's glory put them upon coining false and**
39 **unwarrantable distinction**, with which **they led the people into dangerous mistakes, particularly in the matter**
40 **of oaths; which, as an evidence of a universal sense of religion, have been by all nations accounted sacred (v.**
41 **16);** Ye blind guides. Note, 1. It is sad to think how many are under the guidance of such as are themselves blind,
42 who undertake to show others that way which they are themselves willingly ignorant of. His watchmen are blind
43 (Isa. 56:10); and too often the people love to have it so, and say to the seers, See not. But the case is bad, when
44 the leaders of the people cause them to err, Isa. 9:16. 2. Though the condition of those whose guides are blind is
45 very sad, yet that of the blind guides themselves is yet more woeful. Christ denounces a woe to the blind guides
46 that have the blood of so many souls to answer for."

1 Now, to prove their blindness, he specifies the matter of swearing, and shows what corrupt casuists they were.

2 (1.) He lays down the doctrine they taught.

3 [1.] They allowed swearing by creatures, provided they were consecrated to the service of God, and stood in any
4 special relation to him. They allowed swearing by the temple and the altar, though they were the work of men's
5 hands, intended to be the servants of God's honour, not sharers in it. An oath is an appeal to God, to his
6 omniscience and justice; and to make this appeal to any creature is to put that creature in the place of God. See
7 Deu. 6:13.

8 [2.] They distinguished between an oath by the temple and an oath by the gold of the temple; an oath by the altar
9 and an oath by the gift upon the altar; making the latter binding, but not the former. Here was a double
10 wickedness; First, That there were some oaths which they dispensed with, and made light of, and reckoned a man
11 was not bound by to assert the truth, or perform a promise. They ought not to have sworn by the temple or the
12 altar; but, when they had so sworn, they were taken in the words of their mouth. That doctrine cannot be of the
13 God of truth which gives countenance to the breach of faith in any case whatsoever. Oaths are edge-tools and
14 are not to be jested with. Secondly, That they preferred the gold before the temple, and the gift before the altar,
15 to encourage people to bring gifts to the altar, and gold to the treasures of the temple, which they hoped to be
16 gainers by. Those who had made gold their hope, and whose eyes were blinded by gifts in secret, were great
17 friends to the Corban; and, gain being their godliness, by a thousand artifices they made religion truckle to their
18 worldly interests. Corrupt church-guides make things to be sin or not sin as it serves their purposes, and lay a
19 much greater stress on that which concerns their own gain than on that which is for God's glory and the good of
20 souls.

21 (2.) He shows the folly and absurdity of this distinction (v. 17-19); Ye fools, and blind. It was in the way of a
22 necessary reproof, not an angry reproach, that Christ called them fools. Let it suffice us from the word of wisdom
23 to show the folly of sinful opinions and practices: but, for the fastening of the character upon particular persons,
24 leave that to Christ, who knows what is in man, and has forbidden us to say, Thou fool.
25 [Commentary on Matt. 23:1-12, Henry, M. (1994). *Matthew Henry's commentary on the whole Bible: complete
26 and unabridged in one volume* (p. 1734). Peabody: Hendrickson]

27 Notice that the Pharisees maliciously led people into a pattern of dangerous oaths. In modern times, this refers to the perjury
28 statements on government forms that you should NEVER sign. See:

Christians for a Test Oath, Family Guardian Fellowship
<http://famguardian.org/Subjects/LawAndGovt/ChurchVState/TestOath/contents.htm>

29 Pastor John Weaver gave an almost whimsical sermon about the Pharisees and hypocrites criticized by Jesus as follows:

How to Enrage Hypocrites and Pharisees, Pastor John Weaver
<http://www.sermonaudio.com/sermoninfo.asp?SID=68151428130>

30 From the above sermon, we can see that the Pharisees were replacing God's law with "the commandments of men", and the
31 men who were making those "commandments of men" were the Pharisees themselves instead of God. The "oral traditions"
32 of the Pharisees and Saducees is HOW they expanded upon God's law word to add their own leaven, as Jesus called it. That
33 leaven was found in the early Mishnah. The Mishnah eventually morphed into what is now the Talmud. The oral tradition
34 of the Jewish rabbis criticized by Jesus is therefore embodied in both the Talmud and its predecessor, the Mishnah:

35 As Jacob Neusner has explained, the schools of the Pharisees and rabbis were and are holy

36 "because there men achieve sainthood through study of Torah and imitation of the conduct of the
37 masters. In doing so, they conform to the heavenly paradigm, the Torah believed to have been
38 created by God "in his image," revealed at Sinai, and handed down to their own teachers ... If the
39 masters and disciples obey the divine teaching of Moses, "our rabbi," then their society, the school,
40 replicates on earth the heavenly academy, just as the disciple incarnates the heavenly model of Moses,
41 "our rabbi." The rabbis believe that Moses was (and the Messiah will be) a rabbi, God dons
42 phylacteries, and the heavenly court studies Torah precisely as does the earthly one, even arguing
43 about the same questions. These beliefs today may seem as projections of rabbinical values onto
44 heaven, but the rabbis believe that they themselves are projections of heavenly values onto earth.
45 The rabbis thus conceive that on earth they study Torah just as God, the angels, and Moses, "our
46 rabbi," do in heaven. The heavenly schoolmen are even aware of Babylonian scholastic discussions,
47 so they require a rabbi's information about an aspect of purity taboos.²

² Neusner, Jacob *Invitation to the Talmud: a Teaching Book* (1998): 8.

1 The commitment to relate religion to daily life through the law has led some (notably, [Saint Paul](#) and [Martin](#)
2 [Luther](#)) to infer that the Pharisees were more legalistic than other sects in the Second Temple Era. The authors
3 of the Gospels present Jesus as speaking harshly against some Pharisees (Josephus does claim that the Pharisees
4 were the "strictest" observers of the law, but he likely meant "most accurate"³). It is more accurate to say they
5 were legalistic in a different way.

6 **In some cases Pharisaic values led to an extension of the law** — for example, the Torah requires priests to bathe
7 themselves before entering the Temple. The Pharisees washed themselves before Sabbath and festival meals (in
8 effect, making these holidays "temples in time"), and, eventually, before all meals. Although this seems
9 burdensome compared to the practices of the Sadducees, in other cases, Pharisaic law was less strict. For
10 example, Jewish law [prohibits Jews from carrying objects](#) from a private domain ("reshut ha-yachid") to a public
11 domain ("reshut ha-rabim") on Sabbath. This law could have prevented Jews from carrying cooked dishes to the
12 homes of friends for Sabbath meals. The Pharisees ruled that adjacent houses connected by lintels or fences could
13 become connected by a legal procedure creating a partnership among homeowners; thereby, clarifying the status
14 of those common areas as a private domain relative to the members of the partnership. In that manner people
15 could carry objects from building to building.

16 [Wikipedia: Pharisees; Downloaded on 9/30/2016; SOURCE: <https://en.wikipedia.org/wiki/Pharisees>]

17 The "sainthood" spoken of above is how the Pharisees elevated themselves ABOVE all others, destroyed equality, and thereby
18 became hypocrites and pagan idols. Such people want their way, not God's way and seek to INJECT their approach into the
19 law through "divine revelation" where THEY and ONLY THEY are the only authorized source of "revelation". Weaver
20 above concludes that Pharisees and hypocrites get angry with those who want God's laws followed.

21 **"They were sworn enemies to the gospel of Christ, and consequently to the salvation of the souls of men (v.
22 13); They shut up the kingdom of heaven against men, that is, they did all they could to keep people from
23 believing in Christ, and so entering into his kingdom. Christ came to open the kingdom of heaven, that is, to
24 lay open for us a new and living way into it, to bring men to be subjects of that kingdom. Now the scribes and
25 Pharisees, who sat in Moses's seat, and pretended to the key of knowledge, ought to have contributed their
26 assistance herein, by opening those scriptures of the Old Testament which pointed at the Messiah and his
27 kingdom, in their true and proper sense; they that undertook to expound Moses and the prophets should have
28 showed the people how they testified of Christ; that Daniel's weeks were expiring, the sceptre was departed from
29 Judah, and therefore now was the time for the Messiah's appearing. Thus they might have facilitated that great
30 work, and have helped thousands to heaven; but, instead of this, they shut up the kingdom of heaven; they made
31 it their business to press the ceremonial law, which was now in the vanishing, to suppress the prophecies, which
32 were now in the accomplishing, and to beget and nourish up in the minds of the people prejudices against Christ
33 and his doctrine.**

34 1. They would not go in themselves; Have any of the rulers, or of the Pharisees, believed on him? Jn. 7:48. No;
35 they were too proud to stoop to his meanness, too formal to be reconciled to his plainness; **they did not like a**
36 **religion which insisted so much on humility, self-denial, contempt of the world, and spiritual worship.**
37 **Repentance was the door of admission into this kingdom, and nothing could be more disagreeable to the**
38 **Pharisees, who justified and admired themselves, than to repent, that is, to accuse and abase and abhor**
39 **themselves; therefore they went not in themselves; but that was not all.**

40 2. **They would not suffer them that were entering to go in. It is bad to keep away from Christ ourselves, but it**
41 **is worse to keep others from him; yet that is commonly the way of hypocrites; they do not love that any should**
42 **go beyond them in religion, or be better than they. Their not going in themselves was a hindrance to many;**
43 **for, they having so great an interest in the people, multitudes rejected the gospel only because their leaders**
44 **did; but, besides that, they opposed both Christ's entertaining of sinners (Lu. 7:39), and sinners' entertaining**
45 **of Christ; they perverted his doctrine, confronted his miracles, quarrelled with his disciples, and represented**
46 **him, and his institutes and economy, to the people in the most disingenuous, disadvantageous manner**
47 **imaginable; they thundered out their excommunications against those that confessed him, and used all their**
48 **wit and power to serve their malice against him; and thus they shut up the kingdom of heaven, so that they**
49 **who would enter into it must suffer violence (ch. 11:12), and press into it (Lu. 16:16), through a crowd of**
50 **scribes and Pharisees, and all the obstructions and difficulties they could contrive to lay in their way.** How well
51 is it for us that our salvation is not entrusted in the hands of any man or company of men in the world! If it were,
52 we should be undone. They that shut out of the church would shut out of heaven if they could; but the malice of
53 men cannot make the promise of God to his chosen of no effect; blessed be God, it cannot.

54 II. They made religion and the form of godliness a cloak and stalking-horse to their covetous practices and
55 desires, v. 14.

56 [Commentary on Matt. 23:1-12, Henry, M. (1994). *Matthew Henry's commentary on the whole Bible: complete*
57 *and unabridged in one volume* (p. 1733-1734). Peabody: Hendrickson]

58 Today, the rulings of corrupt covetous judges are the equivalent of the "oral tradition" of the Pharisees. The only people who
59 our Constitution allows to CREATE law under our system of government is the legislative branch. Judges are NOT supposed

³ Josephus. *The Antiquities of the Jews*. pp. 13.5.9.

1 to make law, but judicial activism and “legislating from the bench” has, for all intents and purposes, resurrected the legal
2 equivalent of the “oral traditions of the Pharisees”.

3 ***“The government of the United States has been emphatically termed a government of laws, and not of men. It***
4 ***will certainly cease to deserve that high appellation, if the laws furnish no remedy for the violation of a vested***
5 ***legal right.”***
6 ***[Marbury v. Madison, 5 U.S. 137, 1 Cranch 137, 2 L.Ed. 60 (1803)]***

7 A “government of judges” instead of “law” is also called a “kritarchy”. This kritarchy (government of judges) approach is
8 doomed to failure and our copy of the Bible explains why:

9 *The Book of Judges stands in stark contrast to Joshua. In Joshua an obedient people conquered the land through*
10 *trust in the power of God. In Judges, however, a disobedient and idolatrous people are defeated time and time*
11 *again because of their rebellion against God.*

12 *In seven distinct cycles of sin to salvation, Judges shows how Israel had set aside God’s law and in its place*
13 *substituted “what was right in his own eyes” (21:25). The recurring result of abandonment from God’s law is*
14 ***corruption from within and oppression from without.*** *During the nearly four centuries spanned by this book,*
15 *God raises up military champions to throw off the yoke of bondage and to restore the nation to pure worship. But*
16 *all too soon the “sin cycle” begins again as the nation’s spiritual temperance grows steadily colder.*

17 ...

18 *The Book of Judges could also appropriately be titled “The Book of Failure.”*

19 ***Deterioration (1:1-3:4).*** *Judges begins with short-lived military successes after Joshua’s death, but quickly turns*
20 *to the repeated failure of all the tribes to drive out their enemies. The people feel the lack of a unified central*
21 *leader, but the primary reasons for their failure are a lack of faith in God and lack of obedience to Him (2:1-2).*
22 *Compromise leads to conflict and chaos. Israel does not drive out the inhabitants (1:21, 27, 29, 30); instead of*
23 *removing the moral cancer [IRS, Federal Reserve?] spread by the inhabitants of Canaan, they contract the*
24 *disease. The Canaanite gods [money, sex, covetousness] literally become a snare to them (2:3). Judges 2:11-23*
25 *is a microcosm of the pattern found in Judges 3-16.*

26 ***Deliverance (3:5-16:31).*** *In verses 3:5 through 16:31 of the Book of Judges, seven apostasies (fallings away from*
27 *God) are described, seven servitudes, and seven deliverances. Each of the seven cycles has five steps: sin,*
28 ***servitude, supplication, salvation, and silence. These also can be described by the words rebellion, retribution,***
29 ***repentance, restoration, and rest. The seven cycles connect together as a descending spiral of sin (2:19).*** *Israel*
30 *vacillates between obedience and apostasy as the people continually fail to learn from their mistakes. Apostasy*
31 *grows, but the rebellion is not continual. The times of rest and peace are longer than the times of bondage. The*
32 *monotony of Israel’s sins can be contrasted with the creativity of God’s methods of deliverance.*

33 ***Depravity (17:1-21:25).*** *Judges 17:1 through 21:25 illustrate (1) religious apostasy (17 and 18) and (2) social*
34 *and moral depravity (19-21) during the period of the judges. Chapters 19-21 contain one of the worst tales of*
35 *degradation in the Bible. Judges closes with a key to understanding the period: “everyone did what was right*
36 ***in his own eyes” (21:25) [a.k.a. “what FEELS good”].*** *The people are not doing what is wrong in their own*
37 *eyes, but what is “evil in the sight of the Lord” (2:11).*
38 ***[The Open Bible, New King James Version, Thomas Nelson Publishers, Copyright 1997, pp. 340-341]***

39 It is precisely the above type of corruption and “government by judges”, or “government by saints” in the case of the
40 Pharisees, that is the very reason why Jesus got angry at the Pharisees. The Bible further explains why Jesus got angry:

41 **Unjust Judgments Rebuked.**

42 *A Psalm of Asaph.*

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

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

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

49 ***Rescue the weak and needy;***
50 ***Rescue them from the hand of the wicked.***

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

4 *I said, “You are gods;*
5 *Indeed, all of you are sons of the Most High.*

6 *“Nevertheless you will die like men*
7 *And fall like any one of the princes.”*

8 *Arise, O God, judge the earth!*
9 *For to You belong all the nations.*
10 *[Psalm 82, Bible, Amplified Version]*

11 Other religions also have this kind of stratification as well, such as The Church of Latter Day Saints (Mormons), who have
12 THREE levels of reward depending on your works: Celestial, Telestial, and Terrestrial. This type of stratification and
13 enfranchisement of any religion is just as dangerous and malicious as that of the Pharisees.

14 To put the character of the Pharisees in modern context, today’s lawyers abuse word games to keep people from obeying the
15 law as written, instead preferring that they obey laws from a foreign jurisdiction so that the largess produced can pad the
16 pocket and enlarge the importance of lawyers. In short, they misinterpret, misrepresent, and misapply foreign law to people
17 who aren’t subject so as to commit identity theft, and then use the proceeds of the identity theft to pad their pockets. That
18 identity theft is described below:

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

19 The reason so few of the modern Pharisee lawyers are willing to confront, expose, and prosecute the massive identity theft is
20 because they don’t want to risk their lucrative livelihood by pissing off a just as corrupted judge and end up disbarred. See
21 the following authorities for proof that attorneys have a criminal conflict of interest and are destroyed if they speak up, and
22 why they don’t speak up about the corruption:

- 23 1. *Dare to Disagree*, Margaret Heffernan
24 http://www.ted.com/talks/margaret_heffernan_dare_to_disagree
- 25 2. *Petition for Admission to Practice*, Family Guardian Fellowship
26 <http://famguardian.org/Subjects/LawAndGovt/LegalEthics/PetForAdmToPractice-USDC.pdf>
- 27 3. *Why You Don’t Want to Hire an Attorney*, Family Guardian Fellowship
28 <http://famguardian.org/Subjects/LawAndGovt/LegalEthics/Corruption/WhyYouDontWantAnAtty/WhyYouDontWant>
29 [AnAttorney.htm](http://famguardian.org/Subjects/LawAndGovt/LegalEthics/Corruption/WhyYouDontWantAnAtty/WhyYouDontWant)

30 An entire sermon series has been developed which summarizes the sin of the Pharisees of “redefining the law of God” if you
31 are interested:

Redefining Religion, Newbreak.org
<http://newbreak.org/resources/messages/redefining-religion/character-redescribed>

32 Finally, if you would like to learn more about the subject of this section see:

Who Were the Pharisees and Saducees?, Form #05.047
<http://sedm.org/Forms/FormIndex.htm>

33 **3 Two methods of creating “obligations” clarify the definition of “law”⁴**

34 The legal definition of “law” can be easily discerned by examining HOW “obligations” are created. The California Civil
35 Code, Section 1427 defines what an obligation or duty is:

36 *Civil Code - CIV*

⁴ Source: *What is “law”?*, Form #05.048, Section 4; <https://sedm.org/Forms/FormIndex.htm>.

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.)

The California Civil Code and California Code of Civil Procedure then describe how obligations may lawfully be created. Section 22.2 of the California Civil Code (“CCC”) shows that the **common law** shall be the rule of decision in all the courts of this State. CCC section 1428 establishes that obligations are legal duties arising either from contract of the parties, or the operation of law (nothing else). CCCP section 1708 states that the obligations imposed by operation of law are only to abstain from injuring the person or property of another, or infringing upon any of his or her rights.

Civil Code - CIV
DEFINITIONS AND SOURCES OF LAW
(Heading added by Stats. 1951, Ch. 655, in conjunction with Sections 22, 22.1, and 22.2)

22.2. The common law of England, so far as it is not repugnant to or inconsistent with the Constitution of the United States, or the Constitution or laws of this State, is the rule of decision in all the courts of this State. (Added by Stats. 1951, Ch. 655.)

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.)

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.)

The phrase “operation of law” uses the word “law” and therefore implies REAL law. REAL law in turn consists of ONLY the common law and the Constitution, as we prove in this document.

Based on the above provisions of the California Civil Code, when anyone from the government seeks to enforce a “duty” or “obligation”, such as in tax correspondence, they have the burden of proof to demonstrate.

1. That you expressly consented to a contract with them. This would include:
 - 1.1. Written agreements.
 - 1.2. Trusts.
 - 1.3. Statutory franchises.

1 2. That “operation of law” is involved. In other words, that you injured a specific, identified flesh and blood person and
2 that such a person has standing to sue in a civil or common law action. THIS is what we refer to as “law” in this
3 document.

4 They must meet the above burden of proof with legally admissible evidence and may not satisfy that burden with either a
5 belief or a presumption. Pursuant to Federal Rule of Evidence 610, neither beliefs or opinions constitute legally admissible
6 evidence. Likewise, a presumption is not legally admissible evidence for the same reason. We cover why presumptions are
7 not evidence in:

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

8 In practice, they NEVER can meet the above burden of proof and consequently, you will always win when they send you a
9 tax collection notice if you know what you are doing and have read this document!

10 The first option above, contracts, is described in:

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

11 The first option, meaning contracts, is EXCLUDED from the definition of “law” based on the following.

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

14 [. . .]

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

22 Real “law” is what the above refers to as “a rule of civil conduct”. By that definition, it can only refer to the common law.
23 Why? Because domicile is a prerequisite to enforcing civil STATUTES and it is voluntary and requires consent in some
24 form, as we prove in the following document:

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

25 **4 How judges unconstitutionally “make law”⁵**

26 Judges are not “legislators” and cannot therefore “make law”. By “make law”, we mean:

27 1. To add things to statutory definitions that do not expressly appear. This violates the following Rules of Statutory
28 Construction and Interpretation:

29 *“**Expressio unius est exclusio alterius.** A maxim of statutory interpretation meaning that **the expression of one***
30 ***thing is the exclusion of another.** *Burgin v. Forbes*, 293 Ky. 456, 169 S.W.2d. 321, 325; *Newblock v. Bowles*,*
31 *170 Okl. 487, 40 P.2d. 1097, 1100. Mention of one thing implies exclusion of another. **When certain persons or***
32 ***things are specified in a law, contract, or will, an intention to exclude all others from its operation may be***
33 ***inferred.** Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects*
34 *of a certain provision, other exceptions or effects are excluded.”*
35 *[Black’s Law Dictionary, Sixth Edition, p. 581]*

⁵ Source: *What is “law”?*, Form #05.048, Section 12; <https://sedm.org/Forms/FormIndex.htm>.

1 **"When a statute includes an explicit definition, we must follow that definition, even if it varies from that term's**
2 **ordinary meaning.** *Meese v. Keene*, 481 U.S. 465, 484-485 (1987) ("It is axiomatic that the statutory definition
3 of the term excludes unstated meanings of that term"); *Colautti v. Franklin*, 439 U.S. at 392-393, n. 10 ("As a
4 rule, `a definition which declares what a term "means" . . . excludes any meaning that is not stated"); *Western*
5 *Union Telegraph Co. v. Lenroot*, 323 U.S. 490, 502 (1945); *Fox v. Standard Oil Co. of N.J.*, 294 U.S. 87, 95-96
6 (1935) (Cardozo, J.); see also 2A N. Singer, *Sutherland on Statutes and Statutory Construction* § 47.07, p. 152,
7 and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read "as a whole," post at 998 [530 U.S.
8 943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include the Attorney
9 General's restriction -- "the child up to the head." Its words, "substantial portion," indicate the contrary."
10 [*Stenberg v. Carhart*, 530 U.S. 914 (2000)]

- 11 2. To refuse to enforce or dismiss efforts to enforce either the constitution or a statute, and thus to repeal it for a specific
12 case.
- 13 3. To impute the "force of law" to that which has no force in the specific case at issue. This usually happens because:
- 14 3.1. Statutes are being enforced outside the territory they are limited to (extraterritorially) or against those not
15 domiciled on said territory as required by Federal Rule of Civil Procedure 17(b).
- 16 3.2. A civil status and public office such as "taxpayer" is imputed or enforced against a party who does not lawfully
17 occupy said office.⁶

18 Government actors are NOT allowed to create "jurisdiction" that doesn't lawfully exist. Jurisdiction should be
19 forcefully challenged in such case using the following:

Challenging Federal Jurisdiction Course, Form #12.010
<https://sedm.org/Forms/FormIndex.htm>

- 20 4. To impair the constitutional rights of a party protected by it, but to refuse to describe or even acknowledge WHEN or
21 HOW those rights were voluntarily surrendered. This effectively repeals the Constitution. We cover this in:

Separation Between Public and Private Course, Form #12.025
<https://sedm.org/Forms/FormIndex.htm>

- 22 5. To make presumptions about what the law requires that do not appear in the statutes. This imputes the "force of law"
23 to the mere will of another. All presumptions violate due process of law and are unconstitutional.

24 **"When we consider the nature and the theory of our institutions of government, the principles upon which**
25 **they are supposed 370*370 to rest, and review the history of their development, we are constrained to conclude**
26 **that they do not mean to leave room for the play and action of purely personal and arbitrary power.** Sovereignty
27 itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign
28 powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for
29 whom all government exists and acts. And the law is the definition and limitation of power. It is, indeed, quite
30 true, that there must always be lodged somewhere, and in some person or body, the authority of final decision;
31 and in many cases of mere administration the responsibility is purely political, no appeal lying except to the
32 ultimate tribunal of the public judgment, exercised either in the pressure of opinion or by means of the suffrage.
33 **But the fundamental rights to life, liberty, and the pursuit of happiness, considered as individual possessions,**
34 **are secured by those maxims of constitutional law which are the monuments showing the victorious progress**
35 **of the race in securing to men the blessings of civilization under the reign of just and equal laws, so that, in**
36 **the famous language of the Massachusetts Bill of Rights, the government of the commonwealth "may be a**
37 **government of laws and not of men."** For, the very idea that one man may be compelled to hold his life, or the
38 **means of living, or any material right essential to the enjoyment of life, at the mere will of another, seems to**
39 **be intolerable in any country where freedom prevails, as being the essence of slavery itself."**
40 [*Yick Wo v. Hopkins*, 118 U.S. 356 1886]

- 41 6. To disregard or not enforce the domicile prerequisite for the enforcement of the civil statute as required by Federal
42 Rule of Civil Procedure 17(b). This:
- 43 6.1. Causes the statute being enforced to be a purely private law or contract matter.
- 44 6.2. Makes the activity NON-GOVERNMENTAL in character and subject to the Clearfield Doctrine.
- 45 6.3. Results in criminal identity theft and compelled contracting, as described in *Government Identity Theft*, Form
46 #05.046.

47 The sole power to "make law" is vested with the Legislative Branch and that power may NOT be delegated to another branch
48 of government. If it is delegated, a violation of the Separation of Powers Doctrine has occurred . The Separation of Powers
49 Doctrine is the foundation of the Constitution. This violation of the doctrine is described in:

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

⁶ See: *Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008; <https://sedm.org/Forms/FormIndex.htm>.

1 The SOLE function of judges is to INTERPRET and APPLY “laws” written by the Legislative Branch (Congress) under the
2 strict rules of statutory construction. Those rules are described in:

Legal Deception, Propaganda, and Fraud, Form #05.014, Section 13
<https://sedm.org/Forms/FormIndex.htm>

3 The architect of our three branch government, Montesquieu, described the effect of allowing judges to “make law” as follows:

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

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

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

14 [. . .]

15 *In what a situation must the poor subject be in those republics! The same body of magistrates are possessed,*
16 *as executors of the laws, of the whole power they have given themselves in quality of legislators. They may*
17 *plunder the state by their general determinations; and as they have likewise the judiciary power in their hands,*
18 *every private citizen may be ruined by their particular decisions.”*
19 *[The Spirit of Laws, Charles de Montesquieu, Book XI, Section 6, 1758;*
20 *SOURCE: http://famguardian.org/Publications/SpiritOfLaws/sol_11.htm]*

21 A major theme of what the legal field calls “Originalism” is the idea that judges cannot “make law”. Below are a few videos
22 explaining this concept:

- 23 1. *Uncommon Knowledge with Justice Antonin Scalia*
24 <https://youtu.be/DaoLMW5AF4Y>
25 2. *Interview with U.S. Supreme Court Justice Antonin Scalia about his book Reading Law*, Exhibit #11.006
26 <https://sedm.org/Exhibits/ExhibitIndex.htm>

27 Unfortunately, proponents of Originalism such as now deceased U.S. Supreme Court Justice Scalia are not very good at
28 identifying EXACTLY HOW judges “make law”. Scalia vainly attempted this task with his book on the subject but failed
29 miserably as expected:

Reading Law: The Interpretation of Legal Texts, Antonin Scalia and Bryan A. Garner, ISBN: 978-0314275554
<https://www.amazon.com/Reading-Law-Interpretation-Legal-Texts/dp/031427555X>

30 A much more detailed analysis of how judges corruptly and even unconstitutionally “make law” is needed because you won’t
31 EVER hear the truth about this subject coming from those in power such as Justice Scalia, who would have to piss in his own
32 drinking water to do so. As we like to say:

33 *Never ask a barber whether you need a haircut.*

34 Also, expecting a lawyer, and especially YOUR OWN lawyer to describe these tactics would also take away most of his/her
35 power and render his or her services less useful or even irrelevant. Therefore, a disinterested, unprivileged, and unlicensed
36 NON-MEMBER of the legal profession guild must perform this analysis to produce an objective and complete result. That
37 is the focus of this section.

38 Some of the tactics used by judges to “make law” include the following, listed in order of the frequency the tactic is used or
39 abused. After each item, we list the places in our website where you can find further information about each illegal or
40 unconstitutional tactic.

1. Calling something voluntary “law” rather than merely “private law”, and thus deceiving you into believing that your consent at some point is not required to enforce. We clarified this subject earlier in section 2, where we talked about the difference between “operation of law” and “contracts”. The judge is essentially treating you like you are a CONTRACTOR by making the contract LOOK like real law. We also clarify this concept in our Disclaimer:

SEDM Disclaimer

Section 4: Meaning of Words

The term “law” is defined as follows:

“True Law is right reason in agreement with Nature, it is of universal application, unchanging and everlasting; it summons to duty by its commands and averts from wrongdoing by its prohibitions. And it does not lay its commands or prohibitions upon good men in vain, although neither have any effect upon the wicked. It is a sin to try to alter this law, nor is it allowable to try to repeal a part of it, and it is impossible to abolish it entirely. We cannot be freed from its obligations by Senate or People, and we need not look outside ourselves for an expounder or interpreter of it. And there will not be different laws at Rome or at Athens, or different laws now and in the future, but one eternal and unchangeable law will be valid for all times and all nations, and there will be one master and one rule, that is God, for He is the author of this law, its promulgator, and its enforcing judge.”
[Marcus Tullius Cicero, 106-43 B.C.]

“Power and law are not synonymous. In truth, they are frequently in opposition and irreconcilable. There is God’s Law from which all equitable laws of man emerge and by which men must live if they are not to die in oppression, chaos and despair. Divorced from God’s eternal and immutable Law, established before the founding of the suns, man’s power is evil no matter the noble words with which it is employed or the motives urged when enforcing it. Men of good will, mindful therefore of the Law laid down by God, will oppose governments whose rule is by men, and if they wish to survive as a nation they will destroy the [de facto] government which attempts to adjudicate by the whim of venal judges.”
[Marcus Tullius Cicero, 106-43 B.C.]

“Law” is defined to EXCLUDE any and all civil statutory codes, franchises, or privileges in relation to any and all governments and to include ONLY the COMMON law, the CONSTITUTION (if trespassing government actors ONLY are involved), and the CRIMINAL 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)]

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

[. . .]

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

11
12 "The words "privileges" and "immunities," like the greater part of the legal phraseology
13 of this country, have been carried over from the law of Great Britain, and recur constantly
14 either as such or in equivalent expressions from the time of Magna Charta. For all
15 practical purposes they are synonymous in meaning, and originally signified a peculiar
16 right or private law conceded to particular persons or places **whereby a certain**
17 **individual or class of individuals was exempted from the rigor of the common law.**
18 Privilege or immunity is conferred upon any person when he is invested with a legal claim
19 to the exercise of special or peculiar rights, authorizing him to enjoy some particular
20 advantage or exemption."

21 [The Privileges and Immunities of State Citizenship, Roger Howell, PhD, 1918, pp. 9-10;
22 SOURCE:
23 http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_im
24 [munities_of_state_c.pdf/](http://famguardian.org/Publications/ThePrivAndImmOfStateCit/The_privileges_and_im)]

25
26 FOOTNOTES:

27 See Magill v. Browne, Fed.Cas. No. 8952, 16 Fed.Cas. 408; 6 Words and Phrases, 5583,
28 5584; A J. Lien, "Privileges and Immunities of Citizens of the United States," in Columbia
29 University Studies in History, Economics, and Public Law, vol. 54, p. 31.

30
31 "What, then, is [\[civil\] legislation](#)? It is an [assumption \[presumption\]](#) by one man, or body
32 of men, of absolute, irresponsible dominion [because of abuse of [sovereign immunity](#) and
33 the [act of "CONSENT"](#) by calling yourself a "citizen"] over all other men whom they call
34 subject to their power. It is the assumption by one man, or body of men, of a right to subject
35 all other men to their will and their service. It is the assumption by one man, or body of
36 men, of a right to abolish outright all the natural rights, all the natural liberty of all other
37 men; to make all other men their slaves; to arbitrarily dictate to all other men what they
38 may, and may not, do; what they may, and may not, have; what they may, and may not, be.
39 It is, in short, the assumption of a right to banish the [principle of human rights](#), the [principle](#)
40 [of justice itself](#), from off the earth, and set up their own personal will [society of men and
41 not law], pleasure, and interest in its place. All this, and nothing less, is involved in the
42 very idea that there can be any such thing as [human \[CIVIL\] legislation](#) that is obligatory
43 upon those upon whom it is imposed [and ESPECIALLY those who never expressly
44 consented in writing]."

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

46 SOURCE:

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

48 The above methods of REMOVING the protections of the common law and the constitution from the
49 INALIENABLE rights [rights that CANNOT lawfully be given away, even WITH consent] that are protected by
50 them has been described by the U.S. Congress as the ESSENCE of [communism](#) itself! This is especially true when
51 you add games with legal words of art to remove even the STATUTORY limitations upon the conduct of the
52 government. See [Legal Deception, Propaganda, and Fraud, Form #05.014](#).

53 TITLE 50 > CHAPTER 23 > SUBCHAPTER IV > Sec. 841.

54 Sec. 841. - Findings and declarations of fact

55 The Congress finds and declares that the Communist Party of the United States [**consisting**
56 **of the IRS, DOJ, and a corrupted federal judiciary**], although purportedly a political
57 party, is in fact an instrumentality of a conspiracy to overthrow the [de jure] Government
58 of the United States [**and replace it with a de facto government ruled by the judiciary**].

1 It constitutes an authoritarian dictatorship [IRS, DOJ, and corrupted federal judiciary
2 in collusion] within a [constitutional] republic, demanding for itself the rights and
3 [FRANCHISE] privileges [including immunity from prosecution for their wrongdoing in
4 violation of Article 1, Section 9, Clause 8 of the Constitution] accorded to political parties,
5 but denying to all others the liberties [Bill of Rights] guaranteed by the Constitution [Form
6 #10.002]. Unlike political parties, which evolve their policies and programs through
7 public means, by the reconciliation of a wide variety of individual views, and submit those
8 policies and programs to the electorate at large for approval or disapproval, the policies
9 and programs of the Communist Party are secretly [by corrupt judges and the IRS in
10 complete disregard of, Form #05.014, the tax franchise "codes", Form #05.001]
11 prescribed for it by the foreign leaders of the world Communist movement [the IRS and
12 Federal Reserve]. Its members [the Congress, which was terrorized to do IRS bidding
13 by the framing of Congressman Trafficant] have no part in determining its goals, and
14 are not permitted to voice dissent to party objectives. Unlike members of political parties,
15 members of the Communist Party are recruited for indoctrination [in the public FOOL
16 system by homosexuals, liberals, and socialists] with respect to its objectives and methods,
17 and are organized, instructed, and disciplined [by the IRS and a corrupted judiciary] to
18 carry into action slavishly the assignments given them by their hierarchical chieftains.
19 Unlike political parties, the Communist Party [thanks to a corrupted federal
20 judiciary] acknowledges no constitutional or statutory limitations upon its conduct or
21 upon that of its members [ANARCHISTS!, Form #08.020]. The Communist Party is
22 relatively small numerically, and gives scant indication of capacity ever to attain its ends
23 by lawful political means. The peril inherent in its operation arises not from its
24 numbers, but from its failure to acknowledge any limitation as to the nature of its
25 activities, and its dedication to the proposition that the present constitutional
26 Government of the United States ultimately must be brought to ruin by any available
27 means, including resort to force and violence [or using income taxes]. Holding that
28 doctrine, its role as the agency of a hostile foreign power [the Federal Reserve and the
29 American Bar Association (ABA)] renders its existence a clear present and continuing
30 danger to the security of the United States. It is the means whereby individuals are
31 seduced [illegally KIDNAPPED via identity theft!, Form #05.046] into the service of
32 the world Communist movement [using FALSE information returns and other
33 PERJURIOUS government forms, Form #04.001], trained [by
34 FALSE government publications and statements that the government is not
35 accountable for the accuracy of, Form #05.007], and directed and controlled [using
36 FRANCHISES illegally enforced upon NONRESIDENTS, Form #05.030] in the
37 conspiratorial performance of their revolutionary services. Therefore, the
38 Communist Party should be outlawed

39 The above corruption of our Constitutional Republic by the unconstitutional abuse of franchises, the violation of
40 the rules of statutory construction, and interference with common law remedies was described by the U.S.
41 Supreme Court as follows:

42 "These are words of weighty import. They involve consequences of the most momentous
43 character. I take leave to say that if the principles thus announced should ever receive
44 the sanction of a majority of this court, a radical and mischievous change in our system
45 of government will be the result. We will, in that event, pass from the era of constitutional
46 liberty guarded and protected by a written constitution into an era of legislative
47 absolutism.

48 Although from the foundation of the Government this court has held steadily to the view
49 that the Government of the United States was one of enumerated powers, and that no one
50 of its branches, nor all of its branches combined, could constitutionally exercise powers
51 not granted, or which were not necessarily implied from those expressly granted, Martin
52 v. Hunter, 1 Wheat. 304, 326, 331, we are now informed that Congress possesses powers
53 outside of the Constitution, and may deal with new territory, 380*380 acquired by treaty
54 or conquest, in the same manner as other nations have been accustomed to act with
55 respect to territories acquired by them. In my opinion, Congress has no existence and
56 can exercise no authority outside of the Constitution. Still less is it true that Congress
57 can deal with new territories just as other nations have done or may do with their new
58 territories. This nation is under the control of a written constitution, the supreme law of
59 the land and the only source of the powers which our Government, or any branch or
60 officer of it, may exert at any time or at any place. Monarchical and despotic
61 governments, unrestrained by written constitutions, may do with newly acquired
62 territories what this Government may not do consistently with our fundamental law. To
63 say otherwise is to concede that Congress may, by action taken outside of the
64 Constitution, engraft upon our republican institutions a colonial system such as exists
65 under monarchical governments. Surely such a result was never contemplated by the
66 fathers of the Constitution. If that instrument had contained a word suggesting the
67 possibility of a result of that character it would never have been adopted by the People
68 of the United States. The idea that this country may acquire territories anywhere upon

the earth, by conquest or treaty, and hold them as mere colonies or provinces — the people inhabiting them to enjoy only such rights as Congress chooses to accord to them — is wholly inconsistent with the spirit and genius as well as with the words of the Constitution.

[Downes v. Bidwell, [182 U.S. 244](#) (1901), Justice Harlan, Dissenting]

Civil statutory codes, franchises, or privileges are referred to on this website as “private law”, but not “law”. The word “public” precedes all uses of “law” when dealing with acts of government and hence, refers only to COMMON law and CRIMINAL law that applies equally to everyone, regardless of [their consent](#). Involvement in any and all “[private law](#)” [franchises or privileges](#) offered by any government ALWAYS undermines and threatens sovereignty, autonomy, and [equality](#), turns government into an [unconstitutional civil religion](#), and [corrupts even the finest of people](#). This is explained in:



[Government Instituted Slavery Using Franchises, Form #05.030](#)

Any use of the word “law” by any government actor directed at us or any member, if not clarified with the words “private” or “public” in front of the word “law” shall constitute:

1. A criminal attempt and conspiracy to recruit us to be [a public officer called a “person”, “taxpayer”, “citizen”, “resident”, etc.](#)
2. A solicitation of [illegal bribes called “taxes”](#) to treat us “AS IF” we are a public officer.
3. A [criminal conspiracy to convert PRIVATE rights into PUBLIC rights](#) and to violate the Bill of Rights.

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. Limiting the conversion to geographical places where rights are NOT unalienable. This means the conversion occurred either abroad or on government territory not within the exclusive jurisdiction of a Constitutional state. Otherwise, the Declaration of Independence, which is organic law, would be violated.
5. Keeping the rules for converting PRIVATE to PUBLIC so simple, unambiguous, and clear that a child could understand them and always referring to these rules in every interaction between the government and those they are charged with protecting.
6. Ensuring that in every interaction (and ESPECIALLY ENFORCEMENT ACTION) between 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.
7. Enforcing the following [CONCLUSIVE PRESUMPTION](#) against [government jurisdiction](#) to enforce unless and until the above requirements are met:

“All rights and property are PRESUMED to be EXCLUSIVELY PRIVATE and beyond the control of government or the CIVIL statutory franchise codes 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 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.


3. 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."

For a detailed exposition on the mandatory separation between PUBLIC and PRIVATE as indicated above, please see the following course on our site:

 [Separation Between Public and Private Course, Form #12.025](#)

For a detailed exposition of the legal meaning of the word "law" and why the above restrictions on its definition are important, see:

 [What is "law"?, Form #05.048](#)

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

2. Refusing to recognize or enforce the limitations of the Constitution upon the conduct of public servants. This effectively repeals the Constitution for specific cases selected by judges who usually have a criminal financial conflict of interest in violation of 28 U.S.C. §§144, 455 and 18 U.S.C. §208. The Legislative Branch of the government in 50 U.S.C. §841 defined this sort of behavior as the essence of communism itself.

[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 I, 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 of, Form #05.014, 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 Trafficant] 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 for 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, Form #04.001], trained to do its bidding [by FALSE government publications and statements 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

The main method of REMOVING the protections of the constitution and the lawful circumstances when it can be invoked are described in:

[Unalienable Rights Course, Form #12.038](#)
<https://sedm.org/Forms/FormIndex.htm>

3. Quoting or enforcing civil statutes against PRIVATE litigants who are not representing a public office and therefore not SUBJECT to the civil statutes. This is criminal identity theft. See:
3.1. Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037
<https://sedm.org/Forms/FormIndex.htm>

1 3.2. Proof That There Is a “Straw Man”, Form #05.042

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

3 4. Treating litigants as public officers by enforcing civil statutes against them, but not treating them as public officers for
4 ALL purposes. This effectively repeals the statutes relating to public officer conduct for select purposes. Examples of
5 this phenomenon include:

6 4.1. Treating members of the private sector as withholding agents and therefore public officers, but refusing to
7 acknowledge they are public officers during litigation. This kind of “double-think” thus prevents the judge from
8 having to force the government litigant to satisfy the burden of proof that the withholding agent was lawfully
9 elected or appointed. Without such proof, due process is violated and the judge is acting in a political rather than
10 legal capacity.

11 4.2. Dismissing constitutional rights violations against private sector withholding agents as public officers who forced
12 PRIVATE people who were not public officers to become statutory “taxpayers” by virtue of compelling them to
13 submit withholding paperwork or misrepresent their status on the withholding documents. Thus, the constitution
14 is REPEALED when public officers are acting against a party situated on land protected by it and who is NOT a
15 public officer.

16 4.3. Depriving private parties who are NOT statutory “taxpayer” public officers of the right to submit evidence in to
17 the court record proving they are NOT public officers and yet enforcing civil statutes that only pertain to public
18 officers against them. This violates the Public Records exception of the Hearsay Rule found in Federal Rule of
19 Evidence 803(8). Thus, they are being treated as public officers for TAX LIABILITY purposes but receive none
20 of the “benefit” of being such public officers such as admissibility of ALL records conducted in the conduct of
21 the alleged but de facto “office” of “taxpayer”. The inability to claim the “benefit” of the public office franchise
22 thus results in them NOT being public officers. Contracts and franchises without consideration are not contracts.

23 5. Violating the “Choice of Law Rules” to apply statutes from a foreign jurisdiction to a nonresident. This has the effect
24 of imputing “the force of law” to that which is merely political speech. Any statute enforced against a nonresident
25 party situated in a legislatively foreign jurisdiction who has a foreign domicile causes the judge to act in a POLITICAL
26 rather than LEGAL capacity, which the Separation of Powers Doctrine forbids. For example, citing federal civil
27 statutes applicable only to those domiciled on federal territory within the exclusive jurisdiction of Congress to a state
28 domiciled party. This is identity theft. See:

29 5.1. Federal Jurisdiction, Form #05.018, Section 3

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

31 5.2. Flawed Tax Arguments to Avoid, Form #08.004, Section 3

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

33 6. Making unwarranted “presumptions” about the civil status of the litigants. This imputes the “force of law” to a specific
34 case in which statutes do not in fact have that force against the affected party. It essentially compels the party
35 victimized by them to contract with the government, where the civil status is tied to a franchise contract or agreement.
36 For instance, PRESUMING that the litigant is a statutory “taxpayer” and therefore “franchisee” because they quote or
37 invoke the Internal Revenue Code, even though they may be “nontaxpayers” who are not subject. It is the crime if
38 impersonating a public officer for a private American to quote or invoke any civil statutory remedy, and the judge is
39 complicit and a co-conspirator in that crime if he allows such Americans to do so. See:

40 6.1. Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction, Form #05.017

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

42 6.2. Government Instituted Slavery Using Franchises, Form #05.030

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

44 7. Quoting irrelevant case law from a foreign jurisdiction against a nonresident: This is identity theft. Like abuse of
45 Choice of Law rules, quoting irrelevant case law from a legislatively foreign jurisdiction that the party is not domiciled
46 within causes the judge to behave in a POLITICAL rather than LEGAL capacity and thus violate the Separation of
47 Powers Doctrine. Case law that is quoted MUST derive from litigants who are “similarly situated”. That means the
48 people who were the subject of the suit MUST have the SAME domicile and the SAME civil status, such as
49 “taxpayer”, “resident”, driver, etc. If you are a “nontaxpayer” and non-franchisee, its identity theft to quote case law
50 pertaining to statutory “taxpayers” against you. This creates the FALSE appearance that the cases cited have the “force
51 of law” against you. See:

Government Identity Theft, Form #05.046, Section 9

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

52 8. Abusing equivocation to confuse contexts: Abusing words that have multiple contexts as if both contexts are
53 equivalent. This ultimately causes a civil franchise status to be imputed to those that it does not apply to and thus
54 kidnaps their legal identity and compels them to be party to a franchise contract that they do not consent to and cannot
55 even lawfully consent to as a party with “inalienable rights”. This includes:

- 1 8.1. Confusing CONSTITUTIONAL and STATUTORY geographical terms. See:
2 8.1.1. *Citizenship Status v. Tax Status*, Form #10.011, Section 6
3 <https://sedm.org/Forms/FormIndex.htm>
4 8.1.2. *Non-Resident Non-Person Position*, Form #05.020, Section 4
5 <https://sedm.org/Forms/FormIndex.htm>
6 8.2. Confusing “United States” the legal person and corporation with “United States” the geography. See:
7 8.2.1. *Foundations of Freedom Course*, Form #12.021, Video 4: Willful Government Deception and Propaganda
8 <https://sedm.org/Forms/FormIndex.htm>
9 8.2.2. *Government Identity Theft*, Form #05.046, Section 8.6.3
10 <https://sedm.org/Forms/FormIndex.htm>
11 8.3. Confusing “State” in the Constitutional context with statutory term “this State”, meaning federal enclaves within
12 states of the Union. Nearly all statutory state franchises only apply within federal enclaves where state and
13 federal jurisdictions overlap. See:
14 8.3.1. *Corporatization and Privatization of the Government*, Form #05.024, Section 10.
15 <https://sedm.org/Forms/FormIndex.htm>
16 8.3.2. *State Income Tax*, Form #05.031, Section 8.
17 <https://sedm.org/Forms/FormIndex.htm>
18 8.3.3. *Sovereignty Forms and Instructions Online*, Form #10.004, Cites by Topic: “State”
19 <https://famguardian.org/TaxFreedom/CitesByTopic/State.htm>
20 8.4. Confusing CONSTITUTIONAL citizens with STATUTORY citizens. They are NOT equivalent and DO NOT
21 overlap. See:
22 8.4.1. *Why You Are a “national”, “state national”, and Constitutional but Not Statutory Citizen*, Form #05.006,
23 Sections 4 and 5
24 <https://sedm.org/Forms/FormIndex.htm>
25 8.4.2. *Why the Fourteenth Amendment is Not a Threat to Your Freedom*, Form #08.015
26 <https://sedm.org/Forms/FormIndex.htm>
27 8.4.3. *Government Identity Theft*, Form #05.046, Section 10
28 <https://sedm.org/Forms/FormIndex.htm>
29 9. Abusing the word “includes”: Expanding legal definitions to include things not expressly stated. See:
30 9.1. *Legal Deception, Propaganda, and Fraud*, Form #05.014, Section 15.2
31 <https://sedm.org/Forms/FormIndex.htm>
32 9.2. *Government Identity Theft*, Form #05.046, Section 8.4
33 <https://sedm.org/Forms/FormIndex.htm>
34 10. Accusing non-governmental litigants suing government actors of being “frivolous” or penalizing them for it without
35 providing legal evidence proving that the position that is CALLED “frivolous” is incorrect or untruthful. The result is
36 an unconstitutional “presumption” that violates due process of law. We cover this in:

Meaning of the Word “Frivolous”, Form #05.027
<https://sedm.org/Forms/FormIndex.htm>

37 In order to supervise judges in the proper execution of their duties as a vigilant American, you must therefore intimately
38 understand all the above tactics and file criminal complaints against the judge immediately into the court record every time
39 they are attempted. You can’t do this as an attorney without pissing off the judge and ILLEGALLY losing your license if
40 you are litigating against a government actor. You MUST therefore be a private American when you do it. The tactics for
41 dealing with the above abuses mostly appear in the following documents:

- 42 1. *Government Identity Theft*, Form #05.046
43 <https://sedm.org/Forms/FormIndex.htm>
44 2. *Tax Form Attachment*, Form #04.201
45 <https://sedm.org/Forms/FormIndex.htm>
46 3. *Rules of Presumption and Statutory Interpretation*, Litigation Tool #01.006
47 <https://sedm.org/Litigation/LitIndex.htm>
48 4. *Citizenship, Domicile, and Tax Status Options*, Form #10.003
49 <https://sedm.org/Forms/FormIndex.htm>
50 5. *Affidavit of Citizenship, Domicile, and Tax Status*, Form #02.001
51 <https://sedm.org/Forms/FormIndex.htm>
52 6. *Citizenship Status v. Tax Status*, Form #10.011
53 <https://sedm.org/Forms/FormIndex.htm>

1 7. Federal Pleading, Motion, and Petition Attachment, Litigation Tool #01.002
2 <https://sedm.org/Litigation/LitIndex.htm>

3 For an entertaining video on the subject of this section, we highly recommend the following video:

Courts Cannot Make Law, Michael Anthony Peroutka Townhall
<https://sedm.org/courts-cannot-make-law/>

4 **5 Too much law causes crime!**⁷

5 *"The more corrupt the state, the more numerous the laws."*
6 *[Tacitus, Roman historian 55-117 A.D.]*

7 Yes, that's right. I, being of sound mind and aging body, do solemnly acclaim and justly affirm that I am a criminal. And, if
8 I do my job correctly, by the time you finish reading this you will realize that not only are you a criminal also, but that it is
9 almost impossible NOT to be a criminal in modern society; and, what you should do about it.

10 My premise is simply that government, not only at the federal level but in particular at the state and local level, has grown so
11 gorged and bloated that it has become virtually impossible for any of us to remain "law-abiding citizens." In order to be law-
12 abiding, one must first know and understand the law.

13 *"All persons in the United States are chargeable with knowledge of the Statutes-at-Large....[I]t is well*
14 *established that anyone who deals with the government assumes the risk that the agent acting in the government's*
15 *behalf has exceeded the bounds of his authority,"*
16 *[Bollow v. Federal Reserve Bank of San Francisco, 650 F.2d. 1093 (9th Cir. 1981)]*

17 Now I ask you, in today's society how many people really know, let alone understand or even READ, "the law?" Moreover,
18 how many policemen really know or, more importantly, understand the law? Do the lawyers and judges, who are charged
19 with the protection of America's most sacred document, even understand the law? Judging from the number of appealed
20 judgments these days, it would appear that even these "protectors of justice" are unable to effectively untangle the thicket of
21 jurisprudence created by the endless loads of fertilizer produced by the various legislatures.

22 Just the number of laws one would have to read and familiarize themselves with in order to become adequately knowledgeable
23 makes the task near to impossible. It would literally be a full time and lifetime job to read and learn ALL laws and there
24 would be no time left to have a REAL life! Why, we would all have to go to law school just to get to a proper starting point
25 of understanding the law. Last year, in North Carolina alone, 519 new laws were passed by the General ASSEMBLY. Sixty
26 new laws took affect in the Old North State on January 1st of this year. Add these to the tens of thousands of laws already on
27 the books and you begin to see the enormity of the endeavor to properly understand justice and how its principles are to be
28 applied. And that is just in one state, folks. I wonder how many "new" laws have been instituted where you live this year?

29 Still skeptical? Take an afternoon and go to the nearest law library. Even the name "law library" should send a chill down
30 any thinking person's spine. I am not talking about a corner of your local public library where you'll find a shelf or two
31 stocked with reference books about a particular subject. No, I mean a whole library devoted to cataloging all the things you
32 and I are not allowed to do. Whole rooms filled wall-to-wall and floor-to-ceiling with a seemingly endless array of laws,
33 statutes, and regulations. Shelf next to shelf, volume upon volume, and page after page, creating a twisting, turning maze of
34 decisions, rulings and appeals. This is where you go when you seek comprehension of the chains that fetter your pursuit of
35 happiness. Have a seat and look around at what you must learn if you really want to be an honest, up-standing, law-abiding
36 citizen.

37 *"It poisons the blessing of liberty itself. It will be of little avail to the people, that the laws are made by men of*
38 *their own choice, if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be*
39 *understood; if they be repealed or revised before they are promulgated, or undergo such incessant changes*
40 *that no man, who knows what the law is to-day, can guess what it will be to-morrow. Law is defined to be a*
41 *rule of action; but how can that be a rule, which is little known, and less fixed?*

42 *"It has been frequently remarked, with great propriety, that a voluminous code of laws is one of the*
43 *inconveniences necessarily connected with the advantages of a free government. To avoid an arbitrary discretion*

⁷ Source: *What is "law"?*, Form #05.048, Section 11; <https://sedm.org/Forms/FormIndex.htm>.

1 in the courts, it is indispensable that they should be bound down by strict rules [of statutory construction and
2 interpretation] and precedents, which serve to define and point out their duty in every particular case that
3 comes before them; and it will readily be conceived from the variety of controversies which grow out of the folly
4 and wickedness of mankind, that the records of those precedents must unavoidably swell to a very considerable
5 bulk, and must demand long and laborious study to acquire a competent knowledge of them.”
6 [Federalist Paper No. 78, Alexander Hamilton]

7 Government has simply made it too easy to break the law for us not to be criminals. I mean, you are required to have a license
8 or permit to do practically everything. That means that you must go to a bureaucrat somewhere and ask their permission
9 before you proceed or you become a criminal. If you want to drive to work, you must first have a paper from the State that
10 says you are allowed to operate a statutory “motor vehicle”, meaning a vehicle used in interstate commerce to effect
11 transportation for hire. If you want to improve your home, you are required to go downtown and stand before your elected
12 rulers and beg their indulgence and literally pay them a bribe so that you can add that patio or finish your basement. If you
13 want to get a job to support your family, you cannot do so without a number supplied by the benevolent nannies that soil the
14 seats of CONgress. How long does this list have to be before you realize that if you have to ask permission to do everything,
15 not only will you eventually slip up and become a criminal, but you have also ceased to be free? With every new law enacted
16 another little piece of liberty dies.

17 The Thirteenth Amendment outlaws INVOLUNTARY servitude, meaning slavery. That means you own yourself.

18 *“Every man has a natural right to the fruits of his own labor, is generally admitted; and no other person can*
19 *rightfully deprive him of those fruits, and appropriate them against his will...”*
20 *[The Antelope, 23 U.S. 66, 10 Wheat 66, 6 L.Ed. 268 (1825)]*

21 If in fact you own your own body and all the fruits of your labor, then they are PRIVATE property that cannot be licensed or
22 regulated by the government without THEM getting YOUR permission. That is the legal definition of “ownership” itself.
23 The fact that they DON’T ask for such permission can only be explained by the fact that you must have volunteered. But
24 how?

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

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

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

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

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

39 *See also Equitable ownership; Exclusive ownership; Hold; Incident of ownership; Interest; Interval ownership;*
40 *Ostensible ownership; Owner; Possession; Title.*
41 *[Black’s Law Dictionary, Sixth Edition, p. 1106]*

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

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

49 *A right imparting to the owner a power of indefinite user, capable of being transmitted to universal successors*
50 *by way of descent, and imparting to the owner the power of disposition, from himself and his successors per*

1 universitatem, and from all other persons who have a spes successions under any existing concession or
2 disposition, in favor of such person or series of persons as he may choose, with the like capacities and powers as
3 he had himself, and under such conditions as the municipal or particular law allows to be annexed to the
4 dispositions of private persons. Aust. Jur. (Campbell's Ed.) § 1103.

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

9 The word is also commonly used to denote any external object over which, the right of property is exercised. In
10 this sense it is a very wide term, and includes every class of acquisitions which a man can own or have an interest
11 in. See *Scranton v. Wheeler*, 179 D.S. 141, 21 Sup.Ct. 48, 45 L.Ed. 126; *Lawrence v. Hennessey*, 165 Mo. 659,
12 65 S.W. 717; *Boston & L. R. Corp. v. Salem & L. R. Co.*, 2 Gray (Mass.), 35; *National Tel. News Co. v. Western*
13 *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.
14 155, 44 L.Ed. 219; *Stanton v. Lewis*, 26 Conn. 449; *Wilson v. Ward Lumber Co.* (C. C.) 67 Fed. 674.

15 —Absolute property. In respect to chattels personal property is said to be "absolute" where a man has, solely
16 and exclusively, the right and also the occupation of any movable chattels, so permanent, but may at some times
17 subsist and not at other times; such for example, as the property a man may have in wild animals which he has
18 caught and keeps, and which are his only so long as he retains possession of them. 2 Bl. Comm. 389.—Real
19 property. A general term for lands, tenements, and hereditaments; property which, on the death of the owner
20 intestate, passes to his heir. Real property is either corporeal or incorporeal. See Code N. Y. § 462 — Separate
21 property. The separate property of a married woman is that which she owns in her own right, which is liable
22 only for her own debts, and which she can encumber and dispose of at her own will.—Special property. Property
23 of a qualified, temporary, or limited nature; as distinguished from absolute, general, or unconditional property.
24 Such is the property of a bailee in the article bailed, of a sheriff in goods temporarily in his hands under a levy,
25 of the finder of lost goods while looking for the owner, of a person in wild animals which he has caught. *Stief v.*
26 *Hart*, 1 N.Y. 24; *Moulton v. Witherell*, 52 Me. 242; *Eisendrach v. Knauer*, 64 111. 402; *Phelps v. People*, 72 N.Y.
27 357.

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

29 Why, then, do you need "permission" from anyone, including a government, to use property and exclude all others from
30 using, controlling, or benefitting from the property, if you have absolute ownership over it? The answer is you don't, unless
31 you are physically present **AND** domiciled where there are no constitutional rights, which means either abroad or on federal
32 territory not within any constitutional state. See:

Unalienable Rights Course, Form #12.038

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

DIRECT LINK: <https://sedm.org/LibertyU/UnalienableRights.pdf>

33 Perhaps nothing exemplifies my point more so than a personal experience I had several years ago. I was invited by a friend
34 to accompany him on a fishing expedition to one of the local lakes owned by the county where we both reside. Being the
35 careful individual that I am, I researched the laws concerning wildlife management, as well as, the regulations adopted by the
36 county. I found that if I only fished using live bait, the law did not require that I obtain a fishing license as long as I remained
37 in the county of my residence. I was very pleased with myself that I had found a way to save a few bucks on what promised
38 to be an enjoyable outing.

39 However, the day was not to go unspoiled. Not long after we had launched our boat and found what we thought looked like
40 a promising spot, we were approached by a game warden. I remained unconcerned as we chatted and I proudly showed him
41 that I was only using live bait and therefore required no state sanction. He asked for proof of my residence, which I supplied
42 via business cards and a recent tax bill that I was going to pay on my way home. It was then that he informed me that I was
43 in violation of state law. I was beginning to protest that I was in full compliance of the wildlife management code when the
44 warden told me he was not referring to the wildlife code. It was then that I learned I was in violation of state law for appearing
45 in public and not possessing a picture ID. At that moment, the veil was lifted from my eyes as my day of personal
46 enlightenment dawned.

47 I realized that every time I set foot off of my own property, I became a criminal. I violate the law each and every time I take
48 a leisurely stroll around my neighborhood. In almost half a century on this earth, I have never been arrested, much less
49 convicted of a crime; and yet, all I have to do to become a criminal in the eyes of the State is leave home! Why? Because I
50 do not have a snapshot of myself, taken by a state-sanctioned bureaucrat, in my pocket when I go out in public. I must ask
51 you, am I really free? Are you really free? Are your papers in order? Are you a criminal? And even if you have such papers,
52 don't they really evidence a public office that you don't lawfully serve in ANYWAY, so why do you need them? See:

How Judges Unconstitutionally "Make Law"

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Litigation Tool 01.008, Rev. 8/8/2018

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EXHIBIT: _____

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

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

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

1 There are laws regulating everything from what color you can and cannot paint your house to what kind of sex in which two
2 consenting adults are allowed to engage. Why is it like this? Crime is big business, that's why. In fact, **crime is government's**
3 **biggest industry!**

4 Surprised to see me say that? It really isn't all that odd when you consider that the State derives revenue on both sides of the
5 law. Remember, all those licenses and permits you are required to obtain are accompanied by fees. While on the flip side,
6 every breach of the never-ending, self-perpetuating, always-growing bureaucracy carries a fine. You are forced to pay in
7 order to abide by the law so you can avoid having to pay for breaking the law.

8 Therefore, as the beast has grown, it has become the State's own self interest that drives legislators to constantly search for
9 new sources of revenue. That's why 519 laws were passed in my home state last year. That is why 500 new laws will probably
10 be passed this year, and again next year, and again the year after that. The only way a government can realize greater income
11 than it does today is either by accelerating tax increases; or, by creating new ways for us to become criminals and providing
12 the appropriately-priced bounties required to avoid becoming criminals. THAT, in FACT, is why they call every new "law"
13 they pass a "bill": They want more money from you! That is also why, when they want to "accuse" you of a crime, they call
14 it "charging you" with a crime: They want to "charge" you more money. Why not just call it "alleging" or "accusing" rather
15 than "charging"? It's not a coincidence! So you see, every new law not only nibbles away at your freedom while further
16 gorging an already bloated beast Bureaucracy, it also becomes a new source of revenue for the State.

17 So, we are left with the question, "What can be done about it?" Take my advice, do yourself a favor and educate yourself. Do
18 a little digging and find out all the different options made available to you, by your friends in government, for becoming a
19 criminal. Then perhaps we will see the emergence of what is needed to reverse the encroachment of the law: Remove your
20 domicile and politically and legally DISASSOCIATE with the state. Thomas Jefferson talked about why this is necessary
21 and even made it your DUTY to do so in his famous Declaration of Independence:

22 *"But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce*
23 *them under absolute Despotism, **it is their right, it is their duty, to throw off such Government, and to provide***
24 ***new Guards for their future security.**"*

25 *[Declaration of Independence, Thomas Jefferson, 1776]*

26 The procedure for LAWFULLY disassociating are found in:

Path to Freedom, Form #09.015, Section 2

DIRECT LINK: <https://sedm.org/Forms/09-Procs/PathToFreedom.pdf>

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

27 After you have legally and politically disassociated, you are absolved of:

- 28 1. Any and all attempts to enforce civil statutes against you.
- 29 2. The need to have a "residence".
- 30 3. The need to subsidize the state with income taxes or fines.
- 31 4. The need to carry FAKE permission from the state called an "ID" to leave your home as a public officer and do
32 business as such state civil officer.

33 Those who exercise their First Amendment right to civilly, legally, and politically disassociate from "the collective" called
34 "the state" are referred to in this capacity as any one of the following:

- 35 1. "non-resident non-persons"
- 36 2. "nonresidents".
- 37 3. "transient foreigners".
- 38 4. "stateless persons".
- 39 5. "in transitu".
- 40 6. "transient".
- 41 7. "sojourner".

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1 8. "civilly dead".

2 After you civilly disassociate, then maybe they will begin to treat you with respect as the "customer" that you really are who
3 has a right to NOT "do business" with them. That customer is called a STATUTORY "citizen" or "resident". For more
4 details on "non-resident non-persons", see:

- 5 1. *Why Domicile and Becoming a "Taxpayer" Require Your Consent*, Form #05.002
6 DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/Domicile.pdf>
7 FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>
8 2. *Non-Resident Non-Person Position*, Form #05.020
9 DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/NonresidentNonPersonPosition.pdf>
10 FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>

11 Finally, remember that the solution to this conundrum is NOT to run for political office and become further enfranchised in
12 order to reform the system. This would only further expand the power of the state over you beyond the franchises you
13 ALREADY ILLEGALLY participate in. See:

Government Instituted Slavery Using Franchises, Form #05.030
FORMS PAGE: <https://sedm.org/Forms/FormIndex.htm>
DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

14 **6 What Justice is NOT or what is "injustice"**⁸

15 On the opening page of our website, we define INJUSTICE in item 12 as follows:

16 **SEDM Website Opening Page**

17 *Welcome to our religious fellowship and ministry. We are a [First Amendment](#), not-for-profit, unincorporated,
18 unregistered, non-privileged, non-denominational religious fellowship and ministry. Our [Mission](#) is to honor, to
19 love, and to obey our Lord and God by teaching, reading, learning, and obeying [His Holy Law and Word](#), putting
20 Him first, and loving our neighbor by keeping the government as our servant and His steward for truth and
21 justice. As described in [Heb. 4:12](#) and like Jesus in [Rev. 1:16](#), we seek to use the [word and law of God](#) as a sharp
22 sword to expose and cut off [corruption](#) wherever it is found, and ESPECIALLY in government. [His word and law](#)
23 is also our armor and shield as we combat the corruption as described in [Eph. 6:11-20](#) and [Psalm 91](#). See the
24 following for authorities on why we, and [especially Christians](#), must learn law:*

25 [Authorities on why we must PERSONALLY learn, follow, and enforce man's law and God's](#)
26 [law](#)

27 *Our goal is to inspire, empower, motivate, and educate mainly those born or naturalized in the [USA \(and NOT](#)
28 ["U.S."\)](#) and who are Members in how to love, honor, obey, glorify, and lift up our Sovereign Lord above every
29 king, ruler, government, and [Earthly law](#) at a personal and very practical level and in every area of our lives.
30 This is the essence of our religious worship and the essence, according to the Bible, of how we love our God. Our
31 ministry accomplishes the above goals by emphasizing:*

- 32 1. [Legal education](#) focused on both [God's law](#) and [man's law](#).
33 2. [Religious liberty, faith and worship](#).
34 3. [Law enforcement and legal activism](#).
35 4. [Self government](#): Internal rather than external government.
36 5. [Personal responsibility](#), good citizenship, [human sovereignty \(as an agent of the only sovereign, who is God\)](#).
37 6. Nonviolent, lawful exercise of non-partisan [activism](#) in pursuit of [ONLY religious goals](#).
38 7. A return of a lawful, limited, accountable, and Constitutional government which is God's servant, rather than
39 His enemy or His competitor for the allegiance, obedience, affections and worship of the Sovereign People,
40 "We the People"
41 8. Exposing, publicizing, and opposing [socialism, corruption, and violations of the Constitution](#) and the law by
42 government employees and officials.
43 9. [Exercising our First Amendment right of self-government exclusively under the civil laws of our God](#).
44 10. Protecting and expanding the [separation of powers doctrine](#), and especially the [separation of church, which](#)
45 [is believers](#), from state, which is the unbelieving people and governments around them.
46 11. [Emphasizing and restoring the role of PRIVATE property](#) in the freedom of each individual and [its use as a](#)
47 [defense against government oppression or corruption](#).

⁸ Source: *What is "Justice"?*, Form #05.050, Section 17; <https://sedm.org/Forms/FormIndex.htm>.

- 1 12. The pursuit of legal “justice”, which means absolutely owned private property, and equality of
2 TREATMENT and OPPORTUNITY under [REAL LAW \(Form #05.048\)](#). The following would be
3 INJUSTICE, not JUSTICE:
4 12.1 Outlawing or refusing to recognize or enforce [absolutely owned private property \(Form #12.025\)](#).
5 12.2 Imposing equality of OUTCOME by law, such as by abusing taxing powers to redistribute wealth. See
6 [Form #11.302](#).
7 12.3 Any attempt by government to use judicial process or administrative enforcement to enforce any civil
8 obligation derived from any source OTHER than express written consent or to an injury against the
9 equal rights of others demonstrated with court admissible evidence. See [Form #05.003](#).
10 12.4 Implementing or enforcing any [civil franchise \(Form #05.030\)](#). This enforces superior powers on the
11 part of the government as a form of inequality and results in religious idolatry. This includes making
12 justice into a civil public privilege or turning CONSTITUTIONAL PRIVATE citizens into
13 STATUTORY PUBLIC citizens engaged in a public office and a franchise ([Form #05.006](#)).

14 Not only would the above be INJUSTICE, it would outlaw HAPPINESS, because the right to absolutely own
15 private property is equated with “the pursuit of happiness” in the Declaration of Independence, according
16 to the U.S. Supreme Court. See [Form #05.050](#) for the definition of “justice”. [Click here](#) to view a video on
17 why all franchises produce selfishness, unhappiness, inequality, and ingratitude.

18 All of our worship, educational materials, and classes focus on the above goals. This is a fulfillment of the
19 commandments of the Lord governing the relationship of believers to the world available below:

20 [Commandments About Relationship of Believers to the World](#)

21 [[SEDM Website, Opening Page; SOURCE: http://sedm.org](#)]

22 For more on the main source of INJUSTICE, read the following referenced in item 12 above:

<p>23 Government Instituted Slavery Using Franchises, Form #05.030 FORMS PAGE: https://sedm.org/Forms/FormIndex.htm DIRECT LINK: https://sedm.org/Forms/05-MemLaw/Franchises.pdf</p>

23 **7 The Criminality and Injustice of Turning Justice into a Statutory Franchise or Privilege⁹**

24 “The practice of law, sir, is a privilege, especially in Federal Court. You’re close to losing that privilege in this
25 court, Mr. Stillely.”
26 [[Great IRS Hoax, Form #11.302, Section 4.4.12 and 6.11.1. From the trial of Dr. Phil Roberts](#)]

27 This section will prove that it is not only unconstitutional but illegal and even criminal to turn “justice” into a statutory
28 franchise or privilege. In any legal system of justice, the most important methods of ensuring the integrity and fairness of the
29 process is:

- 30 1. Equality between the government and all litigants. See Form #05.033.
- 31 2. Impartial judges and juries free of conflict of interest.

32 These elements are the foundation of “due process”, in fact, as we exhaustively explain in Form #05.045. Many legal,
33 philosophical, and logical problems result from turning justice into a for-profit business because of the conflict of interest
34 that it creates that can destroy due process. The main method of turning justice into a for-profit business is government
35 franchises, so we must examine how franchises can cause “justice” to not only become “injustice”, but to produce crime as
36 well.

37 The main method of turning a PRIVATE right into a PUBLIC privilege is by imposing the ability to take it away from the
38 party without their express consent free of coercion of any kind. Ownership, after all, is the right to EXCLUDE any and ALL
39 others, including governments, from using or benefitting from the use of the property. Anyone in the legal profession or the
40 government who insists that they have the ability to deny you the service or property you seek without denying it to everyone
41 else equally is, in effect, STEALING the property and violating the constitutional requirement for equal protection and equal
42 treatment. This kind of discrimination produces and encourages extortion and/or usury because if the thing needed is
43 especially important and even essential to your survival or well-being, there is a limitless number of things they could demand
44 from you in exchange for the right to restore the thing you seek or need. The thing the government demands in return to

⁹ Source: [What is “Justice”?](#), Form #05.050, Section 13; <https://sedm.org/Forms/FormIndex.htm>.

1 restore the thing they are threatening to take away is called a “benefit” in franchise parlance. The British Magna Carta
2 recognizes the denial of justice and turning it into a profitable franchise as follows:

3 *“To no-one will we sell or deny of delay right or justice.”*

4 [*Magna Carta, National Archives; SOURCE: [https://www.archives.gov/exhibits/featured-documents/magna-](https://www.archives.gov/exhibits/featured-documents/magna-carta/translation.html)*
5 *[carta/translation.html](https://www.archives.gov/exhibits/featured-documents/magna-carta/translation.html)*]

6 We discuss franchises at length in the following memorandum of law:

Government Instituted Slavery Using Franchises, Form #05.030

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

7 As we point out in the above document over and over, all government franchises involve commercial loans of government
8 property with conditions or strings attached. The “strings” attached require you to surrender some type of valuable property
9 in order to procure the government property you seek. Under the Uniform Commercial Code (U.C.C.), government franchises
10 turn the government into the “Merchant” (U.C.C. §2-104(1)) offering property and you become the “Buyer” (U.C.C. §2-
11 103(1)(a)) seeking and “bidding” to exchange their otherwise private property for the property sought. Under such
12 circumstances, the Merchant always prescribes the terms of the sale and has the right to refuse sale if the Buyer either does
13 not accept the terms or wants to modify them.

14 In the case of “justice”, the government property sought are “judicial services”, “court services”, “police protection”, and
15 “jails”. The cost of delivering all of these forms of property must be paid for in a way that does not jeopardize or undermine
16 the chief characteristics of justice itself. There are lots of ways that justice can be undermined or denied in the process of
17 raising revenue to pay for administering it. The following list identifies a few these ways, but the list is in fact ENDLESS:

- 18 1. Denying justice as a service to specific classes or groups of people based on some arbitrary criteria such as ethnicity,
19 sexual orientation, gender, religious beliefs, etc.
- 20 2. Charging so much for the service that the people at the bottom of the economic ladder can’t afford it. Thus, the poor
21 are discriminated against and can easily be abused by the rich without legal consequence.
- 22 3. Prosecuting people for failing to pay taxes that pay for police protection, while not prosecuting officers who fail to
23 render the protection paid for. See:

Why Domicile and Becoming a “Taxpayer” Require Your Consent, Form #05.002, Section 8

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

- 24 4. Appointing and paying a court-appointed and court-selected attorney who is licensed and therefore beholden to the
25 court at the expense of the best interests of the client. See:

Petition for Admission to Practice, Family Guardian Fellowship

<https://famguardian.org/Subjects/LawAndGovt/LegalEthics/PetForAdmToPractice-USDC.pdf>

- 26 5. The judge orders the court reporter to withhold the court transcript and then orders the text changed to remove
27 something that he said that would undermine the government, get him in trouble. That way, you as the litigant
28 discriminated upon or treated illegally by the judge do not have proof that he is doing it. This is criminal obstruction of
29 justice and also criminally tampers with the court reporter as a witness.
- 30 6. Allowing judges to serve over both CONSTITUTIONAL issues and FRANCHISE issues and to decide which of the
31 two types of law to apply. That choice is called “choice of law” and it is discussed in Form #05.018, Section 3. Judges
32 whose pay and benefit derives from franchises will always try to switch the choice of law from CONSTITUTIONAL
33 to STATUTORY FRANCHISE as a way to increase their own revenues or lower the taxes they pay for those
34 franchises. For instance, allowing a state criminal judge whose revenues or commissions derive from traffic tickets to
35 preside over a case involving unlicensed driving against someone who is PRIVATE and not a franchisee and who has
36 CONSTITUTIONAL rights but wants not STATUTORY PRIVILEGES. This causes the judge to PRETEND that the
37 party is subject to the statute when they are not in order to unlawfully enlarge government revenue and his own pay
38 and benefits.
- 39 7. Instituting a commission program to reward police officers for writing tickets that produce revenue. This is an illegal
40 abuse of the police power for civil or revenue purposes. See:

Sovereignty for Police Officers Course, Form #12.022

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

- 41 8. Censoring the court record by:
42 8.1. Telling you what to say in a pleading.
43 8.2. Denying the filing of specific types of pleadings.

- 1 8.3. Rejecting the pleading because it is too long.
- 2 9. Hearing a case where one of the litigants before the court is a friend of the judge or has a commercial relationship with
- 3 him/her. Judges are required to recuse themselves in such a case.
- 4 10. Sanctioning people OTHER than licensed attorneys for any of their activities in the court other than contempt relating
- 5 to disobeying court orders. Court rules pertain only to officers of the court, including those relating to sanctions.
- 6 Private humans are not officers of the court. See Federal Rules of Civil Procedure.
- 7 11. Causing a surrender of any right, and especially constitutional right, against the government or a specific government
- 8 actor in exchange for the ability to file suit. Examples might include:
- 9 11.1. Waiving the right of trial by jury in exchange for the PRIVILEGE of being able to file a suit. Traffic court, Tax
- 10 Court, and Family Court don't have a jury or a jury box and you aren't even allowed to request one. You are
- 11 presumed to have waived those rights when you signed up for the franchise, even though those rights are
- 12 UNALIENABLE, according to the Declaration of Independence.
- 13 11.2. Making the rules of court arbitrary or not publishing them. This deprives litigants of the constitutional
- 14 requirement for "reasonable notice" of what is expected of them and allows court officers to arbitrarily
- 15 discriminate. See Form #05.022.
- 16 12. Instituting a conflict of interest, usually financial, among those judging the case, acting as witnesses, or serving as
- 17 jurists. This would include:
- 18 12.1. Allowing judges or jurors to serve on trials involving taxes where they are either taxpayers or tax consumers.
- 19 12.2. Allowing judges to preside over trials involving companies they invested in.
- 20 12.3. Subsidizing judges with financial incentives for a specific outcome of the case, such as commissions for
- 21 convictions.
- 22 12.4. Subsidizing court witnesses to testify in a way that produces a specific outcome of the case. For instance, paying
- 23 witnesses a money award if their testimony produces a conviction.
- 24 12.5. Tampering with or bribing jurists by telling them, for instance, that they will or will not be audited by the IRS for
- 25 testifying in a certain way.
- 26 12.6. Telling juries hearing tax cases that their tax bill will go up if they don't convict the defendant and thereby
- 27 FORCE him or her to "pay their fair share".
- 28 12.7. Recruiting witnesses against you who are in jail and who are told they will be released if they testify in a certain
- 29 way.
- 30 12.8. Telling a party among a group of people being convicted that they will get immunity and not be prosecuted if they
- 31 testify against their cohorts.
- 32 13. Destroying all constitutional rights and replacing them with privileges by:
- 33 13.1. Forcing you to invoke the statutory law in order to get a remedy INSTEAD of the Constitution. See Form
- 34 #05.037.
- 35 13.2. Dismissing or penalizing cases that invoke the Constitution as a remedy INSTEAD of the statutes. See Form
- 36 #05.010.
- 37 13.3. Refusing to hear cases of people present on land but not domiciled on that land. See Form #05.002.
- 38 14. Censoring people from filing future actions in court. This happens all the time with people who use arguments in court
- 39 that the courts don't want to deal with and which expose and prosecute government corruption.
- 40 15. Making the ruling unpublished in cases against the government where the government loses. Thus, you and other
- 41 litigants may not use the win as an authority to win in future cases. This prejudices all cases in favor of the
- 42 government and usually involves criminal obstruction of justice by the judge who made his ruling unpublished. See:
- 43 <http://Nonpublication.com>
- 44 16. Making presumptions about the litigant or his status without evidence on the record of the proceeding which prejudice
- 45 the litigant and favor the government. For instance, PRESUMING that they are a statutory "U.S. citizen" instead of a
- 46 non-resident state national, thus making them liable for every act of Congress instead of immune from acts of
- 47 Congress. See:
- 48 16.1. *Why You are a "national", "state national", and Constitutional but not Statutory Citizen*, Form #05.006
- 49 1.8. <https://sedm.org/Forms/FormIndex.htm>
- 50 16.2. *Presumption: Chief Weapon for Unlawfully Enlarging Federal Jurisdiction*, Form #05.017
- 51 1.9. <https://sedm.org/Forms/FormIndex.htm>
- 52 16.3. *Non-Resident Non-Person Position*, Form #05.020
- 53 1.10. <https://sedm.org/Forms/FormIndex.htm>

53 All of the above examples involve interfering with justice or the ability to litigate of specific litigants to advantage usually

54 the government at the expense of the litigant. The biblical term for the above tactics is "usury", and the Bible forbids it. The

55 types of activities turn "justice" into a franchise and are often litigated in franchise courts:

1 “franchise court. Hist. A privately held court that (usu.) exists by virtue of a royal grant [privilege], with
2 jurisdiction over a variety of matters, depending on the grant and whatever powers the court acquires over time.
3 In 1274, Edward I abolished many of these feudal courts by forcing the nobility to demonstrate by what authority
4 (quo warranto) they held court. If a lord could not produce a charter reflecting the franchise, the court was
5 abolished. - Also termed courts of the franchise.

6 Dispensing justice was profitable. Much revenue could come from the fees and dues, fines and amercements. This
7 explains the growth of the second class of feudal courts, the Franchise Courts. They too were private courts held
8 by feudal lords. Sometimes their claim to jurisdiction was based on old pre-Conquest grants ... But many of them
9 were, in reality, only wrongful usurpations of private jurisdiction by powerful lords. These were put down after
10 the famous Quo Warranto enquiry in the reign of Edward I.” W.J.V. Windeyer, Lectures on Legal History 56-57
11 (2d ed. 1949).”
12 [Black’s Law Dictionary, Seventh Edition, p. 668]

13 Notice the above language: “**private courts held by feudal lords**”. Judges who enforce their own franchises within the
14 courtroom by imputing a franchise status against those protected by the Constitution but who are not lawfully allowed to
15 alienate their rights or give them away are acting in a private capacity to benefit themselves personally. That private capacity
16 is associated with a de facto government in which greed is the only uniting factor. Contrast this with love for our neighbor,
17 which is the foundation of a de jure government. When judges act in such a private, de facto capacity, the follow results:

- 18 1. The judge is the “feudal lord” and you become his/her personal serf.
- 19 2. Rights become privileges, and the transformation usually occurs at the point of a gun held by a corrupt officer of the
20 government intent on enlarging his/her pay check or retirement check. And he/she is a CRIMINAL for proceeding
21 with such a financial conflict of interest:

22 [TITLE 18 > PART 1 > CHAPTER 11 > § 208](#)
23 [§ 208. Acts affecting a personal financial interest](#)

24 (a) Except as permitted by subsection (b) hereof, **whoever, being an officer or employee of the executive branch**
25 **of the United States Government, or of any independent agency of the United States,** a Federal Reserve bank
26 director, officer, or employee, or an officer or employee of the District of Columbia, including a special
27 Government employee, **participates personally and substantially as a Government officer or employee, through**
28 **decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a**
29 **judicial or other proceeding, application, request for a ruling or other determination, contract, claim,**
30 **controversy, charge, accusation, arrest, or other particular matter in which, to his knowledge, he, his spouse,**
31 **minor child, general partner, organization in which he is serving as officer, director, trustee, general partner**
32 **or employee, or any person or organization with whom he is negotiating or has any arrangement concerning**
33 **prospective employment, has a financial [or personal/private] interest—**

34 Shall be subject to the penalties set forth in section [216](#) of this title.

- 35 3. Equality and equal protection are replaced with the following consequences under a franchise:
 - 36 3.1. Privilege.
 - 37 3.2. Partiality.
 - 38 3.3. Bribes.
 - 39 3.4. Servitude and slavery.
- 40 4. The franchise statutes are the “bible” of a pagan state-sponsored religion. The bible isn’t “law” for non-believers, and
41 franchise statutes aren’t “law” for those who are not consensually occupying a public office in the government as a
42 public officer representing statutory public offices such as “citizen”, “resident”, “taxpayer”, “driver”, etc. See:

Socialism: The New American Civil Religion , Form #05.016 http://sedm.org/Forms/FormIndex.htm
--
- 43 5. You join the religion by “worshipping”, and therefore obeying what are actually voluntary franchises. The essence of
44 “worship”, in fact, is obedience to the dictates of a superior being. Franchises make your public servants into superior
45 beings and replace a republic with a dulocracy. “Worship” and obedience becomes legal evidence of consent to the
46 franchise.

47 **“And the Lord said to Samuel, “Heed the voice of the people in all that they say to you; for they have rejected**
48 **Me [God], that I should not reign over them. According to all the works which they have done since the day that**
49 **I brought them up out of Egypt, even to this day—with which they have forsaken Me and served [as PUBLIC**
50 **OFFICERS/FRANCHISEES] other gods [Rulers or Kings, in this case]—so they are doing to you also**
51 **[government becoming idolatry].”**
52 [1 Sam 8:4-20, Bible, NKJV]

1 6. “Presumption” serves as a substitute for religious “faith” and is employed to create an unequal relationship between
2 you and your public servants. It turns the citizen/public servant relationship with the employer/employee relationship,
3 where you are the employee of your public servant. See:

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

4 7. “Taxes” serve as a substitute for “tithes” to the state-sponsored church of socialism that worships civil rulers, men and
5 creations of men instead of the true and living God.

6 8. The judge’s bench becomes:

7 8.1. An altar for human sacrifices, where YOU and your property are the sacrifice. All pagan religions are based on
8 sacrifice of one kind or another.

9 8.2. What the Bible calls a “throne of iniquity”:

10 *“**Shall the throne of iniquity, which devises evil by law, have fellowship with You?** They gather
11 together against the life of the righteous, and condemn innocent blood. But the Lord has been my defense, and
12 my God the rock of my refuge. He has brought on them their own iniquity, and shall cut them off in their own
13 wickedness; **the Lord our God shall cut them off.**”*
14 *[Psalm 94:20-23, Bible, NKJV]*

15 9. All property belongs to this pagan god and you are just a custodian over it as a public officer. You have EQUITABLE
16 title but not LEGAL title to the property you FALSELY BELIEVE belongs to you. The Bible franchise works the
17 same way, because the Bible says the Heavens and the Earth belong the LORD and NOT to believers. Believers are
18 “trustees” over God’s property under the Bible trust indenture. Believers are the “trustees”:

19 *“Indeed heaven and the highest heavens belong to the LORD your God, also the earth with all that is in it.”*
20 *[Deut. 10:15, Bible, NKJV]*

21 *“The ultimate ownership of all property is in the State; individual so-called “ownership” is only by virtue of
22 Government, i.e., law, amounting to mere user; and use must be in accordance with law and subordinate to the
23 necessities of the State.”*
24 *[Senate Document #43, Senate Resolution No. 62, p. 9, paragraph 2, 1933*
25 *SOURCE: <http://www.famguardian.org/Subjects/MoneyBanking/History/SenateDoc43.pdf>]*
26

27 10. The court building is a “church” where you “worship”, meaning obey, the pagan idol of government.

28 *“Now, Mr. Speaker, **this Capitol is the civic temple of the people**, and we are here by direction of the people to
29 reduce the tariff tax and enact a law in the interest of all the people. This was the expressed will of the people at
30 the polls, and you promised to carry out that will, but **you have not kept faith with the American people.**”*
31 *[44 Cong.Rec. 4420, July 12, 1909; Congressman Heflin talking about the enactment of the Sixteenth
32 Amendment]*

33 11. The licensed attorneys are the “deacons” of the state sponsored civil religion who conduct the “worship services”
34 directed at the judge at his satanic altar/bench. They are even ordained by the “chief priests” of the state supreme
35 court, who are the chief priests of the civil religion.

36 12. Pleadings are “prayers” to this pagan deity. Even the U.S. Supreme Court still calls pleadings “prayers”, and this is no
37 accident.

38 13. Like everything that SATAN does, the design of this state-sponsored satanic church of socialism that worships men
39 instead of God is a cheap IMITATION of God’s design for de jure government found throughout the Holy Bible.

40 NOW do you understand why in Britain, judges are called “your worship”? Because they are like gods:

41 *“worship 1. **chiefly Brit: a person of importance—used as a title for various officials (as magistrates and**
42 **some mayors)** 2: reverence offered a divine being or supernatural power; also: an act of expressing such
43 reverence 3: a form of religious practice with its creed and ritual 4: extravagant respect or admiration for or
44 devotion to an object of esteem <~ the dollar>.”*
45 *[Webster’s Ninth New Collegiate Dictionary, 1983, ISBN 0-87779-510-X, p. 1361]*

46

47 *Psalm 82 (Amplified Bible)*
48 *A Psalm of Asaph.*

GOD STANDS in the assembly [of the representatives] of God; in the midst of the magistrates or judges He gives judgment [as] among the gods.

How long will you [magistrates or judges] judge unjustly and show partiality to the wicked? Selah [pause, and calmly think of that]!

Do justice to the weak (poor) and fatherless; maintain the rights of the afflicted and needy.

Deliver the poor and needy; rescue them out of the hand of the wicked.

[The magistrates and judges] know not, neither will they understand; they walk on in the darkness [of complacent satisfaction]; all the foundations of the earth [the fundamental principles upon which rests the administration of justice] are shaking.

I said, You are gods [since you judge on My behalf, as My representatives]; indeed, all of you are children of the Most High.

But you shall die as men and fall as one of the princes.

Arise, O God, judge the earth! For to You belong all the nations.
[Psalm 82, Amplified Bible]

The above is not only unethical, but it has also been declared unconstitutional by the U.S. Supreme Court:

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

The above ruling recognizes what is called "The Unconstitutional Conditions Doctrine" of the U.S. Supreme Court. That doctrine is further explored in:

Government Instituted Slavery Using Franchises, Form #05.030, Section 28.2: Unconstitutional Conditions Doctrine
<https://sedm.org/Forms/FormIndex.htm>

If you would like to know more about legal ethics and how it can be used to prevent and prosecute the enfranchisement of "justice" itself, see:

Law and Government Page, Section 14, Family Guardian Fellowship
<https://famguardian.org/Subjects/LawAndGovt/LawAndGovt.htm>

8 Summary of Criteria for determining whether an enactment is "law" or merely a private law franchise¹⁰

Based on the previous discussion, below is a list that readers can use to determine whether an enactment being enforced against them is "law" or merely a private law franchise created by a corrupt covetous judge. If you find any of the characteristics below apply to the statute being enforced, then it is voluntary and private law and you can use it to circumvent enforcement:

Table 1: Characteristics that make an enactment private law

#	Characteristic	Reason	Example(s)
1	The government exempts itself from enforcement	Equal protection and equal treatment requirement. Statutes that don't apply equally to all are called "class legislation" and franchises are the main method to implement class legislation. See Form #05.030.	Can assert sovereign immunity to exempt self or has done so in the past.

¹⁰ Source: *What is "law"?*, Form #05.048, Section 14; <https://sedm.org/Forms/FormIndex.htm>.

#	Characteristic	Reason	Example(s)
2	The enactment only pertains to a specific class or group of people such as “taxpayers”, “public officers”, “citizens”, “residents”	Equal protection and equal treatment requirement. Statutes that don’t apply equally to all are called “class legislation” and franchises are the main method to implement class legislation. See Form #05.030.	The Internal Revenue Code only pertains to “taxpayers” per 26 U.S.C. §7701(a)(14) and not everyone is a statutory “taxpayer”. Vehicle Code only pertains to “drivers” and you have to volunteer to become a “driver” to be subject to it.
3	Enforcement authority depends on civil domicile	Equal protection and equal treatment requirement. Domicile is voluntary and cannot be compelled. See Form #05.002.	Court cases involving the enactment are dismissed against nonresident parties who are physically present in the territory protected by the court.
4	The enactment generates revenues that the government redistributes to other private parties	Taxing powers cannot authorize wealth redistribution. Taxing authority requires tax revenues to be paid ONLY to the government and not private citizens or ordinary people. See <i>Loan Association v. Topeka</i> , 87 U.S. (20 Wall.) 655 (1874).	Social Security, Medicare, and the Income Tax all transfer wealth between people.
5	The enactment punishes an activity for which there is no injured party.	Law cannot punish innocence as a crime. Innocence means no injured party.	Seat belt tickets under the Vehicle Code. IRS penalties.
6	The statute abuses the police force to collect revenue.	Policemen cannot engage in civil enforcement, including penalty enforcement. All penalties are civil/penal. Revenue Collection or profiting from crime gives the police a criminal financial conflict of interest. See Form #12.022.	Speeding tickets.
7	Parties have unequal rights or privileges against each other under the terms of the enactment.	Equal protection and equal treatment requirement.	Government can collect “taxes” but citizens cannot collect fees for their services to the government that they also call “taxes” by the same enforcement mechanisms such as liens, levies, penalties, etc. They are put in jail if they attempt imitating the government’s revenue collection techniques even if they follow the government’s same procedures.
8	The enactment compels a surrender of some constitutionally protected right	Constitutional rights are unalienable, which means you ARE NOT ALLOWED by law to give them up, even with your consent. This is called the Unconstitutional Condition Doctrine by the U.S. Supreme Court. See Form #05.030.	State Department or Department of Motor Vehicles (DMV) compel you to obtain a Social Security Number to get a USA Passport or Driver License respectively. DMV penalizes those not engaged in the use of the public roadways for hire to obtain a driver license. See Form #10.012 and Form #06.010 respectively
9	The enactment interferes with the right to contract of two parties by inserting the government into the middle of the contract or assigning a civil status to one or more of the parties that carries obligations.	Governments are established to protect your right to contract or not contract. If you can’t remove the government from the contract or from involvement with EITHER or BOTH parties, then you don’t have a right to contract.	Federal Investment in Real Property Transfer Act (FIRPTA) rules that turn the Buyer against the Seller for real estate sales. See Form #05.028. Financial institutes that compel you to choose a civil status under the tax code such as “U.S. person” or “foreign person” in order to open a PRIVATE account as a PRIVATE human. See Form #09.001.
10	The statute claims the right to compel you to do anything.	The Thirteenth Amendment prohibits involuntary servitude. Therefore, they must procure your consent and you must be physically located in a place NOT protected by the Constitution so that you were able to alienate an otherwise INALIENABLE right. See Form #12.038.	IRS fraudulently claims the authority to compel you to file a tax return or puts you in jail. See Form #05.009. The only place they can do this is on federal territory not protected by the Constitution.

1 On a bigger scale, remember that according to the Declaration of Independence all JUST powers derive from the CONSENT
2 of the governed.

3 “We hold these truths to be self-evident, that **all men are created equal, that they are endowed by their Creator**
4 **with certain unalienable Rights**, that among these are Life, Liberty and the pursuit of Happiness.--That to secure
5 these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,
6 -“
7 [Declaration of Independence]

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

10 This means that:

11 1. You must FIRST consent to be CIVILLY governed by choosing a CIVIL domicile. See:

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

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

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

- 1 2. Even those consenting to be civilly governed by choosing a civil domicile cannot alienate constitutionally protected
2 rights that are unalienable. Hence, the waiver of constitutional rights cannot result from choice of civil domicile.¹¹
3 3. If the government claims that you alienated a constitutional right, then they have the burden of proving that:
4 3.1. You were physically present where constitutional rights DO NOT apply, because all such rights attach to LAND,
5 and not the status of the people ON the land.¹²
6 3.2. You were either abroad or on federal territory not protected by the constitution at the time you consented.
7 4. Every instance where consent is procured, it must be done LAWFULLY. The presence of duress renders any attempt
8 to procure consent INVALID. For details on what constitutes lawfully procured consent, see:

Requirement for Consent, Form #05.003

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

DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/Consent.pdf>

- 9 5. If you indicate the existence of duress every time they try to enforce in your administrative record, then they have no
10 enforcement authority and are usually committing crime as a consequence. See:

Affidavit of Duress: Illegal Tax Enforcement by De Facto Officers, Form #02.005

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

DIRECT LINK: <https://sedm.org/Forms/02-Affidavits/AffOfDuress-Tax.pdf>

- 11 6. In the presence of duress, they are acting outside the lawful delegated authority, and as such:
12 6.1. They are Buyers of your private property and your time.
13 6.2. As the Merchant SELLING your private property to them, you can place any condition and any price upon the
14 sale.
15 6.3. To regulate THEIR conduct during the STEALING or procurement of your private property, all you have to do is
16 produce legal evidence that they were noticed of the terms and conditions, and they instantly become enforceable
17 under the U.C.C. against them as the BUYER.¹³
18 6.4. To give them notice of the obligations attaching to the use or possession of your private property, you can use the
19 following as an example:

Injury Defense Franchise and Agreement, Form #06.027

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

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

- 20 7. If they claim that you can't impose duties upon them by the method in the previous step, then under the concept of
21 equal protection and equal treatment, then THEY can't offer or enforce their franchises EITHER. This mechanism is
22 the SAME mechanism they use to recruit franchisees to begin with! Fight fire with fire! See:

Government Instituted Slavery Using Franchises, Form #05.030

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

DIRECT LINK: <https://sedm.org/Forms/05-MemLaw/Franchises.pdf>

23 The presence of duress, penalties, or coercion renders any consent invalid and conveys no rights to the government. Likewise,
24 any attempt to procure consent to alienate any inalienable right is unlawful and conveys no rights to the government. See:

- 25 1. *Unalienable Rights Course*, Form #12.038
26 <http://sedm.org/Forms/FormIndex.htm>
27 2. *Enumeration of Inalienable Rights*, Form #10.002
28 <http://sedm.org/Forms/FormIndex.htm>

29 It constitutes criminal financial conflict of interest for the government to do anything for profit, or to profit financially from
30 crime. Any attempt to do so turns the government into a thief and a Robinhood and transforms the PUBLIC trust into a
31 SHAM trust. The following video powerfully explains why:

¹¹ See: *Requirement for Consent*, Form #05.003, Section 7: Things you CANNOT Lawfully Consent To; <https://sedm.org/Forms/05-MemLaw/Consent.pdf>.

¹² "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)]

¹³ See: *Path to Freedom*, Form #09.015, Section 5.6: Merchant or Buyer?; <https://sedm.org/Forms/09-Procs/PathToFreedom.pdf>.

9 Summary and Conclusions

The following itemized list is intended to succinctly summarize when and how judges make law:

1. The first duty of a judge is to produce “justice” as legally defined. Justice is defined as the RIGHT TO BE LEFT ALONE, and ESPECIALLY by the government. This is an important thing to remember when you are the target of illegal government enforcement:

*“The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man’s spiritual nature, of his feelings and of his intellect. They knew that only a part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. **They conferred, as against the Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized men.**”*

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

*“With all [our] blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow citizens--**a wise and frugal Government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.**”*

[Thomas Jefferson: 1st Inaugural, 1801. ME 3:320]

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

For more on the definition of “justice”, see:

What is “Justice”?, Form #05.050
<https://sedm.org/Forms/FormIndex.htm>

2. If a judge protects the GOVERNMENT’S right to be left alone by dismissing your case against a government actor whose illegal enforcement actions VIOLATE your right to be left alone, he or she is:

2.1. Working an INJUSTICE.

2.2. Depriving you of equal protection and equal treatment. See:

Requirement for Equal Protection and Equal Treatment, Form #05.033
<https://sedm.org/Forms/FormIndex.htm>

2.3. In effect, practicing both hate speech and hate crime, by discriminating against you and making the government into a pagan idol that you have to bow down and worship. See:

Government Establishment of Religion, Form #05.038
<https://sedm.org/Forms/FormIndex.htm>

3. Under the Separation of Powers Doctrine, Legislative powers are reserved to the Legislative Branch of the Government.
4. The power to legislate CANNOT be delegated by the Legislative Branch to another branch of government, such as the Executive or Judicial Branches.
5. When legislative powers are shared with judges or delegated to judges, here is the result:

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

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

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

[. . .]

1 *In what a situation must the poor subject be in those republics! The same body of magistrates are possessed,*
2 *as executors of the laws, of the whole power they have given themselves in quality of legislators. They may*
3 *plunder the state by their general determinations; and as they have likewise the judiciary power in their hands,*
4 *every private citizen may be ruined by their particular decisions.”*
5 *[The Spirit of Laws, Charles de Montesquieu, Book XI, Section 6, 1758;*
6 *SOURCE: http://famguardian.org/Publications/SpiritOfLaws/sol_11.htm]*

7 6. The following activities by judges are legislative functions that violate the Separation of Powers:

8 6.1. Add things to statutory definitions that do not expressly appear. This violates the following Rules of Statutory
9 Construction and Interpretation:

10 *“Expressio unius est exclusio alterius. A maxim of statutory interpretation meaning that **the expression of one***
11 ***thing is the exclusion of another.** Burgin v. Forbes, 293 Ky. 456, 169 S.W.2d. 321, 325; Newblock v. Bowles,*
12 *170 Okl. 487, 40 P.2d. 1097, 1100. Mention of one thing implies exclusion of another. **When certain persons or***
13 ***things are specified in a law, contract, or will, an intention to exclude all others from its operation may be***
14 ***inferred.** Under this maxim, if statute specifies one exception to a general rule or assumes to specify the effects*
15 *of a certain provision, other exceptions or effects are excluded.”*
16 *[Black’s Law Dictionary, Sixth Edition, p. 581]*

17 *“When a statute includes an explicit definition, we must follow that definition, even if it varies from that term’s*
18 ***ordinary meaning.** Meese v. Keene, 481 U.S. 465, 484-485 (1987) (“It is axiomatic that the statutory definition*
19 *of the term excludes unstated meanings of that term”); Colautti v. Franklin, 439 U.S. at 392-393, n. 10 (“As a*
20 *rule, `a definition which declares what a term “means”. . . excludes any meaning that is not stated”); Western*
21 *Union Telegraph Co. v. Lenroot, 323 U.S. 490, 502 (1945); Fox v. Standard Oil Co. of N.J., 294 U.S. 87, 95-96*
22 *(1935) (Cardozo, J.); see also 2A N. Singer, Sutherland on Statutes and Statutory Construction § 47.07, p. 152,*
23 *and n. 10 (5th ed. 1992) (collecting cases). That is to say, the statute, read “as a whole,” post at 998 [530 U.S.*
24 *943] (THOMAS, J., dissenting), leads the reader to a definition. That definition does not include the Attorney*
25 *General’s restriction -- “the child up to the head.” Its words, “substantial portion,” indicate the contrary.”*
26 *[Stenberg v. Carhart, 530 U.S. 914 (2000)]*

27 6.2. Refuse to enforce or dismiss efforts to enforce either the constitution or a statute, and thus to repeal it for a
28 specific case.

29 6.3. Impute the “force of law” to that which has no force in the specific case at issue. This usually happens because:

30 6.3.1. Statutes are being enforced outside the territory they are limited to (extraterritorially) or against those not
31 domiciled on said territory as required by Federal Rule of Civil Procedure 17(b).

32 6.3.2. A civil status and public office such as “taxpayer” is imputed or enforced against a party who does not
33 lawfully occupy said office and especially who does not consent.¹⁴

34 Government actors are NOT allowed to create “jurisdiction” that doesn’t lawfully exist. Jurisdiction should be
35 forcefully challenged in such case using the following:

Challenging Federal Jurisdiction Course, Form #12.010
<https://sedm.org/Forms/FormIndex.htm>

36 6.4. Impair the constitutional rights of a party protected by the constitution, but to refuse to describe or even
37 acknowledge WHEN or HOW those rights were voluntarily surrendered. This effectively repeals the
38 Constitution. We cover this in:

Separation Between Public and Private Course, Form #12.025
<https://sedm.org/Forms/FormIndex.htm>

39 6.5. Make presumptions about what the law requires that do not appear in the statutes. All presumptions violate due
40 process of law and are unconstitutional.

41 *“When we consider the nature and the theory of our institutions of government, the principles upon which*
42 *they are supposed 370*370 to rest, and review the history of their development, we are constrained to conclude*
43 *that they do not mean to leave room for the play and action of purely personal and arbitrary power. Sovereignty*
44 *itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign*
45 *powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for*
46 *whom all government exists and acts. And the law is the definition and limitation of power. It is, indeed, quite*
47 *true, that there must always be lodged somewhere, and in some person or body, the authority of final decision;*
48 *and in many cases of mere administration the responsibility is purely political, no appeal lying except to the*
49 *ultimate tribunal of the public judgment, exercised either in the pressure of opinion or by means of the suffrage.*
50 ***But the fundamental rights to life, liberty, and the pursuit of happiness, considered as individual possessions,***
51 ***are secured by those maxims of constitutional law which are the monuments showing the victorious progress***
52 ***of the race in securing to men the blessings of civilization under the reign of just and equal laws, so that, in***
53 ***the famous language of the Massachusetts Bill of Rights, the government of the commonwealth “may be a***

¹⁴ See: *Your Exclusive Right to Declare or Establish Your Civil Status*, Form #13.008; <https://sedm.org/Forms/FormIndex.htm>.

1 government of laws and not of men." For, the very idea that one man may be compelled to hold his life, or the
2 means of living, or any material right essential to the enjoyment of life, at the mere will of another, seems to
3 be intolerable in any country where freedom prevails, as being the essence of slavery itself."
4 [Yick Wo v. Hopkins, 118 U.S. 356 1886]

5 6.6. Disregard or not enforce the domicile prerequisite for the enforcement of the civil statute as required by Federal
6 Rule of Civil Procedure 17(b). This:

7 6.6.1. Causes the statute being enforced to be a purely private law or contract matter.

8 6.6.2. Makes the activity NON-GOVERNMENTAL in character and subject to the Clearfield Doctrine.

9 6.6.3. Results in criminal identity theft and compelled contracting, as described in Government Identity Theft,
10 Form #05.046.

11 7. It is unconstitutional to enforce civil statutes against other than public officers on official business. When this is done,
12 a judge is unconstitutionally imputing "the force of law" to that which is NOT PUBLIC law, but PRIVATE law. He is
13 also engaging in criminal identity theft as described in Form #05.046. See:

14 7.1. Why Statutory Civil Law is Law for Government and Not Private Persons, Form #05.037

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

16 7.2. Proof That There Is a "Straw Man", Form #05.042

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

18 8. When a judge "makes law", he is:

19 8.1. Acting in a purely political capacity.

20 8.2. Entertaining "political questions".

21 8.3. Violating the Separation of Powers Doctrine.

22 8.4. Infringing on your Constitutional rights.

23 Judges are not allowed to act as such politicians:¹⁵

24 "But, fortunately for our freedom from political excitements in judicial duties, this court [the U.S. Supreme
25 Court] can never with propriety be called on officially to be the umpire in questions merely political. The
26 adjustment of these questions belongs to the people and their political representatives, either in the State or
27 general government. These questions relate to matters not to be settled on strict legal principles. They are
28 adjusted rather by inclination, or prejudice or compromise, often.

29 [. . .]

30 Another evil, alarming and little foreseen, involved in regarding these as questions for the final arbitrament
31 of judges would be that, in such an event, all political privileges and rights would, in a dispute among the
32 people, depend on our decision finally. We would possess the power to decide against, as well as for, them, and,
33 under a prejudiced or arbitrary judiciary, the public liberties and popular privileges might thus be much
34 perverted, if not entirely prostrated. But, allowing the people to make constitutions and unmake them, allowing
35 their representatives to make laws and unmake them, and without our interference as to their principles or policy
36 in doing it, yet, when constitutions and laws are made and put in force by others, then the courts, as empowered
37 by the State or the Union, commence their functions and may decide on the rights which conflicting parties can
38 legally set up under them, rather than about their formation itself. Our power begins after theirs [the Sovereign
39 People] ends. Constitutions and laws precede the judiciary, and we act only under and after them, and as to
40 disputed rights beneath them, rather than disputed points in making them. We speak what is the law, jus dicere,
41 we speak or construe what is the constitution, after both are made, but we make, or revise, or control neither.
42 The disputed rights beneath constitutions already made are to be governed by precedents, by sound legal
43 principles, by positive legislation [e.g. "positive law"], clear contracts, moral duties, and fixed rules; they are
44 per se questions of law, and are well suited to the education and habits of the bench. But the other disputed
45 points in making constitutions, depending often, as before shown, on policy, inclination, popular resolves and
46 popular will and arising not in respect to private rights, not what is meum and tuum, but in relation to politics,
47 they belong to politics, and they are settled by political tribunals, and are too dear to a people bred in the school
48 of Sydney and Russel for them ever to intrust their final decision, when disputed, to a class of men who are so far
49 removed from them as the judiciary, a class also who might decide them erroneously, as well as right, and if in
50 the former way, the consequences might not be able to be averted except by a revolution, while a wrong decision
51 by a political forum can often be peacefully corrected by new elections or instructions in a single month; and
52 if the people, in the distribution of powers under the constitution, should ever think of making judges supreme
53 arbiters in political controversies when not selected by nor, frequently, amenable to them nor at liberty to follow
54 such various considerations in their judgments as [48 U.S. 53] belong to mere political questions, they will
55 dethrone themselves and lose one of their own invaluable birthrights; building up in this way -- slowly, but
56 surely -- a new sovereign power in the republic, in most respects irresponsible and unchangeable for life, and
57 one more dangerous, in theory at least, than the worst elective oligarchy in the worst of times. Again, instead
58 of controlling the people in political affairs, the judiciary in our system was designed rather to control
59 individuals, on the one hand, when encroaching, or to defend them, on the other, under the Constitution and

¹⁵ See: Political Jurisdiction, Form #05.004; <https://sedm.org/Forms/FormIndex.htm>.

1 *the laws, when they are encroached upon.* And if the judiciary at times seems to fill the important station of a
2 check in the government, it is rather a check on the legislature, who may attempt to pass laws contrary to the
3 Constitution, or on the executive, who may violate both the laws and Constitution, than on the people themselves
4 in their primary capacity as makers and amenders of constitutions."
5 [Luther v. Borden, 48 U.S. 1 (1849)]

- 6 9. Those litigating especially against the government who are victimized by judges unconstitutionally “making law”
7 should:
8 9.1. File a criminal complaint against the judge in the court record.
9 9.2. File a judicial complaint with the Chief Justice of the court in which the judge serves under the local rules
10 applicable to that court.
11 9.3. Challenge the bond of the judge for judicial misconduct.
12 9.4. Approach the Grand Jury and get the judge indicated for criminal identity theft using Form #05.046.

13 **10 Resources for Further Research**

- 14 1. *The Law*, Frederic Bastiat
15 <https://famguardian.org/Publications/TheLaw/TheLaw.htm>
16 2. *Why All Man-Made Law is Religious in Nature* (OFFSITE LINK) -Family Guardian Fellowship
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31 was writing it on the day he died. His son published it posthumously in 2007, six years after his death in 2001 and 4
32 years after SEDM was established in 2003. We found this book in 2017, and we find it AMAZING and even prophetic
33 that the conclusions of this book follow EXACTLY the theme and mission of this ministry, which we forged 2 years
34 after Rushdoony’s death and four years before the book was first published.
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