AntiShyster

I Want You!

Big Government's Growing Irrelevance

AntiShyster

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Big Government's Goin' Down

- I suspect the decentralizing forces of the internet are "melting, melting!" the power of central government.
- I am persuaded that there are two "kinds" of government and attempt to clarify that conviction by defining one government (the good one) as "Federal" while the other ("evil twin") as "National".
- I am absolutely convinced that there are several kinds of citizenship.

If you don't understand each variety of citizenship, you can't know the rights and disabilities that attach to each. Without that understanding, your mere agreement to being a "citizen" can be hazardous to your health.

The cause of this hazardous predicament is, finally, our own. We've trusted government to tend to our rights and citizenship for so long, that we've lost the vital understanding of our own legal capacity. This lack of knowledge causes Biblical people to perish and secular people to pay exorbitant taxes and be regularly jailed in administrative hearings rather than judicial trials.

In a world of public schools and mainstream media control, self-education may be the only road to freedom. This publication reports the educational progress of myself and other like-minded individuals. If the idea of citizenship interests you, you may find this edition of the AntiShyster fascinating.

"AntiShyster" defined:

Black's Law Dictionary defines "shyster" as "one who carries on any business, especially a legal business, in a dishonest way. An unscrupulous practitioner who disgraces his profession by doing mean work, and resorts to sharp practice to do it." Webster's Ninth New Collegiate Dictionary defines "shyster" as "one who is professionally unscrupulous esp. in the practice of law or politics." For the purposes of this publication, a "shyster" is a dishonest attorney or politician, i.e., one who lies. An "AntiShyster", therefore, is a person, an institution, or in this case, a news magazine that stands in sharp opposition to lies and to professional liars, especially in the arenas of law and politics.

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". . . it does not require a majority to prevail, but rather an irate, tireless minority keen to set brush fires in people's minds."
– Samuel Adams

Decentralization and Government Decline

by Alfred Adask

In March, the U.S. Postal Service delivered Census 2000 packages to U.S. residents. Each Census package explained that we should fill out the Census form, "to help your community get what it needs – today and in the future! . . . The amount of money that your neighborhood receives depends on your answers."

In other words, you won't get your "fair share" of good government *benefits* unless you dutifully fill out your forms.

Nevertheless, as of late May, over 40% of Americans had not returned their Census forms. This refusal to consent to census is similar to the fact that up to 20% of the American drivers may be ignoring the mandatory automobile insurance law, over half the country refuse to vote, and *forty million* Americans reportedly refuse to file their income tax.

Civil disobedience

Judging by growing resistance to Census 2000, auto insurance, voting and income tax, it appears that a massive number of Americans are implicitly telling National government to take its benefits and stick 'em.

I find this resistance encouraging. Perhaps the fish are getting wise to government bait.

However, the primary reason for this overt resistance is probably our apparently strong economy. So long as we believe ourselves to be collectively prosperous, we are naturally less dependent on government benefits and can afford to thumb our noses at Washington. Prosperous people make lousy serfs.

Tyranny loves poverty

Of course, if the economy were to falter, public appreciation for government – especially government benefits – would quickly rise. This relationship between poverty and public obedience illustrates that government power is inversely proportional to national prosperity.

For example, Hitler's rise to power in the 1930s was built on Germany's post-World War I economic depression. Likewise, Communism would've died stillborn except for Czarist Russia's civil war and grinding poverty. Here in the USA, President Roosevelt's "New Deal" precipitated revolutionary political changes in 1933 that could not have been dared, except for the Depression started in 1929. The power of totalitarian governments is always forged on the anvil of poverty.

The correlation between poverty and government power is so strong that some people believe that our Great Depression was caused intentionally to "soften up" the American people and make them sufficiently desperate to accept massive, unconstitutional government regulation in return for government handouts (benefits).

The trouble with depressions

While economic depressions might be intentionally started, they're not so easily controlled. The danger in depression (especially in an internet world where the public no longer depends on mainstream media for information) is that during a depression, another Hitler – or worse (from government's perspective), another Jefferson – might rise up from among the people and achieve enough power to cause the system some real trouble.

As a result, our National government faces a troubling choice. If prosperity continues, more serfs will walk off the reservation, stop filing 1040s, and drive without insurance. But if government causes an economic decline to restore the serfs' dependence and obedience, it risks precipitating enough economic chaos (both nationally and internationally) to allow complete outsiders to gain serious political power.

Being damned if they do – or don't – government is most likely to do nothing as it slides deeper into paralysis. But inaction increases the impression of impotence and heightens the serfs' contempt. If we're too prosperous to be dependent on government benefits, and government is too paralyzed to enforce its decrees, who needs 'em?

Thus, the public's growing indifference to government suggests that, for now, the bond and bondage between National government and the People is weakening.

Out of the mouths of moguls

In 1999, Donald Trump justified his possible run for the Presidency with an insightful question: "Do we really want to elect someone to the Presidency who's never made more than $200,000 a year?"

Multi-billionaire Trump was comparing himself to financial lightweights like Al Gore who've never earned over $200,000 a year.

$200,000 a year is chump change among moguls like Trump. I'd bet that Trump pays his secretary more than that. Today, almost any small businessman can earn $200,000 a year if he's a little talented. And Fortune 500 CEO's often earn hundreds of millions of dollars per year. These guys make more per *week*, than President Clinton makes all year. Some of 'em make more per *day*.

So, when you stop to think about it, why would anyone waste his life trying to win a public office that pays so poorly?

Of course, there are enormous perq's that go with high public office. Immunity, power, travel, excitement, graft, sex. But almost all of that (plus a much greater income opportunity) is also available to folks who dedicate themselves to climbing the corporate ladders.

Trump's question – "Do we really want to elect someone to the Presidency who's never made more than $200,000 a year?" – illuminates a fundamental truth about politics: Virtually all of our politicians are either incompetent or corrupt. With only a few exceptions, they're all lightweights.

But Trump's question raises an even greater implication: We're willing to elect low-paid "lightweights" to the White House because, frankly, the job's not that important.

Being President grows increasingly similar to being Queen of England. Your principle job description involves being a figurehead who won't get caught drunk or fornicating in public and, every so often, will deliver a amusing speech written by someone else. (Vice Presidents are also duty-bound to keep a straight face while attending funerals for Third World dictators.)

Other than that, national public office is increasingly a trivial pursuit.

Why?

Because government is becoming irrelevant.

Why?

In large measure, the internet.

Power to the people

It's a cliche' to say that personal computers and internet have empowered individuals to an unprecedented degree.

We know, we know. . . .

Yet, few understand that power is a relative concept. That is, when one entity's power increases, the other entity's power must (relatively) diminish.

For example, suppose a large man stands up in a crowded restaurant with an automatic rifle. Virtually everyone will instantly perceive his power within that restaurant to be absolute.

OK, now suppose that everyone else in that restaurant is armed with concealed .45 semi-automatics. Now, how powerful

is the single man with the single automatic rifle? Seeing as he's surrounded, Not very.

Because the other patrons are also armed, the relative power equation has shifted dramatically. The large man's automatic rifle and personal power have been almost trivialized by the other patrons' .45s. Can he still do harm? Yes. But if he doesn't sit down, shut up, and eat his dinner like a good boy, he'll be shot from all sides and probably die.

Historically, our government has behaved like the large man waving the only automatic rifle in our restaurant. The government had power and we didn't.

But today, thanks to personal computers and the internet, most of the surrounding "patrons" are also armed. If government dares wave its weapons in our restaurant, we'll gun it down with e-mail and widespread public exposure that government simply can't endure.

Decentralized structure

The internet was designed by the Pentagon during the Cold War as a communications network that could survive nuclear war. The key to this survival was the internet's *decentralized* structure. The internet is a "web," not a hierarchy. Because there is no *centralized* command structure, there is no single target to hit and destroy.

For example, if a man in San Diego wants to call New York over the internet, his call might be automatically routed through Houston, or Chicago or even Toronto and still reach New York.

If the link from San Diego to Chicago isn't working, the internet will automatically connect the call through Houston. If Houston's down, the call will go through Toronto. It might even go by way of Hong Kong and London and a score of other cities and switches that we've never heard of.

Because the internet was designed to be *decentralized* – and thus *indestructible* – it's also virtually uncontrollable by our own *centralized* government.

When government designed the internet in the 1960s, it was intended only for multi-million dollar mainframe computers of government, defense contractors and big universities. No one anticipated the invention of personal computers. No one dreamed that Joe Sixpack might ever get on the internet with a $1,000 laptop more powerful than the most expensive 1960s mainframe. If government had anticipated the PC revolution, I doubt that the internet would've been created. But they didn't anticipate the PC, and so technology has overwhelmed (or at least redefined) politics.

The critical point is that the internet is a *decentralized structure.* Because all power is relative, the implications of a decentralized communication structure go far beyond the internet itself.

All traditional governments are based on the concept of *centralized* power. Because the internet is a *decentralized* structure, it poses an unprecedented challenge to the whole concept of *centralized* government. Armed with the internet, ordinary individuals have become increasingly powerful while centralized authority has necessarily grown increasingly (relatively) powerless.

A new equality

Technology is advancing at the speed of internet, and the world is truly becoming "globalized" in way the New World Order never imagined or desired.

This modern "globalization" is not one of a single centralized command structure that struts and rules the world. Instead, thanks to the internet, Philippine kids can paralyze American computers with "I love you" e-mail while Austrian inventors market an new fusion technology and a high school girl from Skokie makes a killing on international currency speculation.

God made all men, but the internet made 'em equal. There is an unprecedented freedom (power) on the internet that allows virtually anyone to get rich quick, if they have talent, a good idea, a computer, modem and a little luck. And no one knows where the next genius millionaire will come from. He could be a Ph.D. from Harvard or a high school dropout from Watts.

This equal opportunity renders traditional ideas of wealth, class structure and power meaningless. Our government's urge to directly control us is fast becoming as obsolete as the Maginot Line France relied on to prevent German invasion in the 1930s. Nazi brains and innovative technology simply blitzkreiged around the Maginot Line's "fixed defense" and France fell in days.

The same thing is happening to our National government. Just as France relied on an ancient fixed-defense, our government relies on an archaic technology – *centralized* power – and is therefore being rendered obsolete by the political power shilft caused by the *decentralized* internet.

Centralized authority in a decentralized world

Right now, hooked up to the internet, I have as much potential power as an average Congressman. And so does everyone else who's on the 'net.

You and I may never exercise that power, but it's there for us if we have the talent and determination to use it.

Proof?

Matt Drudge. One little man and an internet connection released the Lewinsky story and thereby nearly impeached a *President.* No Congressman has ever exercised more awesome individual power.

Some people suppose that since Clinton was only the second President in two centuries to face impeachment, we shouldn't expect another impeachment for another century.

I'm more optimistic.

In the internet world where every individual is hugely empowered, anyone who finds the right information can emulate Matt Drudge and precipitate an impeachment. As a result, I expect to see at least two more impeachment trials in the next ten years. If another clown like Clinton gets into office, he may be hit by *several* impeachment trials during his term of office.

Point: by empowering individuals to an unprecedented degree, personal computers and the internet have effectively *disempowered* all forms of *centralized* authority – especially government.

These altered power and control relationships flow largely from the internet's *decentralized* structure. All internet users are equally empowered precisely because there is *no centralized control* over the internet.

Government is, by definition, *centralized* control (power). The internet is, by definition, *decentralized* control (individual power). The two can't coexist. Unless government gains direct control over the internet, modern centralized government may soon go the way of European monarchies.

The next President may pull manfully on the levers of power, but his exertions will be increasingly vain since those levers only work in a *centralized* systems of power. In the decentralized internet world, there may be no big government because there is no centralized power.

The new elite

On the internet, there's only talent. If you have talent, you can prosper mightily. If not, you fail.

Does government have talent? Are government employees and officials noted for their intellectual brilliance and creative imaginations?

No. They're not all knuckle-dragging lechers, but most are by nature and conditioning unequipped to cope with the internet's fierce competition and fast evolution.

In a sense, only *individuals* can be quick enough to exploit the internet's opportunities. Organizations are inherently too slow to cope. By the time you assemble an organization, the internet has probably evolved so much that whatever you wanted to do has already been done or is no longer needed. Market opportunities appear and disappear like ducks in a carnival shooting gallery. Shoot fast and shoot straight or your chance may be gone.

The time and resources required to build and maintain virtually all organizations (promotions, memos, health insurance programs, day care, etc.) are all bureaucratic friction that dissipate organization energy, slow it's response times, and render it uncompetitive on the internet.

The only people who can move fast enough to keep up on the internet are *individuals* who can make instant decisions unencumbered by organization protocols and the need for "permission" from a centralized authority for an individual to act.

Of course, large organizations will retain a lot of financial muscle in the internet world. But in the end, they'll only be able to buy the operations that've been built and made profitable by truly talented individuals.

This implies that massive organizations and bureaucracies are about to go the way of the dinosaur – precisely because their mass makes them too slow to survive.

Proof? Just twenty years ago, the world's computer industry was dominated by five massive corporations. Today, only IBM remains, and then only as an also-ran. Big Blue's days of glory are bye-bye. In just twenty years, the giant has become almost dwarflike.

Similar fates await most massive corporations, big governments, and even would-be global dictatorships. Whatever power or advantage their massive size once conferred, today, their mass condemns them to a short life-expectancy.

No NWO now

Internet decentralization is rendering all centralized, bureaucratic organizations obsolete. The New World Order (NWO) is no exception. Based on a pre-internet political model where centralized authority and control were possible, the NWO's organizational foundation is now drowning in the internet tide.

Perhaps the most remarkable argument against world government was presented in stratfor.com's Nov. 29, 1999 Global Intelligence Update. There, analysts explained the importance of "unsynchronized business cycles".

Each national economy operates on a "business cycle" wherein the people become prosperous, unemployment falls, prices rise, inflation sets in, interest rates rise, the economy cools into recession (and sometimes depression) and later bounces back toward recovery, prosperity, low unemployment, etc., and the whole cycle begins again. The duration and amplitude of invidivual business cycles vary, but inevitably what goes up must come down . . . and then go up again, too.

When two countries *simultaneously* experience inflation, unemployment, recession, and then prosperity, their business cycles are "synchronized". This "synchronization" is essential to the "centralized control" that defines a global dictatorship.

stratfor.com explains:

"The World Trade Organization is moribund only a few years after its creation. Its failure is rooted in the fundamental reality of today's global economy: *de-synchronization* of regions of roughly equal bulk. Ever since the Asian meltdown, the world's economic regions have been completely out of synch. . . . . That means that the creation of integrated economic policies is impossible. What helps one region hurts others. Thus, organizations like the WTO cannot function. Instead, regional institutions are emerging."

To illustrate the NWO's dependence on global economic synchronization, suppose the U.S. economy accelerates into inflation. Alan Greenspan and the Federal Reserve will raise interest rates. As interest rates rise, they draw domestic investment capital out of comparatively risky ventures into safer (now, more profitable) bonds.

But in the globalized world, rising American interest rates also attract *foreign* investment. Therefore, when our interest rates rise, capital is also sucked out of *foreign* economies causing them to also "cool down" right along with ours.

But suppose that the Japanese and American economies are not "synchronized". I.e., suppose that while the U.S. economy overheats into inflation, the Japanese economy is simultaneously cooling into recession or depression. To escape their recession and spur more economic activity, the Japanese will need *more* capital, *more* foreign investments and *lower* domestic interest rates – at exactly the same time the *higher* U.S. interest rates are sucking investment capital out of the world.

In order to cool our inflation,

our high interest rates will attract capital that might otherwise have been invested in Japan. Thus, our attempts to save ourselves may deepen Japan's recession into a depression. Of course, if we refuse to raise our interest rates in order to help Japan, inflation will harm and anger the American people.

What's a politician to do?

So long as two nations' business cycles remain "unsynchronized," one nation can't rise without the other falling. As a result, both nations will resent each other and the cooperation and coordination necessary to establish a centralized authority like the NWO will remain virtually impossible.

Whodunit?

For the NWO to triumph, all the nations of the world must synchronize onto the same business cycle.

But can global business cycles be forcefully synchronized? No.

Why? Again, my "usual suspect" is the Internet.

Prior to the internet, the flow of capital from one nation to another was controlled by the world's top bankers. It they decreed that Japan would have more money, then the Japanese economy would flourish. Conversely, if Japan offended the almighty bankers, they could restrict the flow of capital into Japan and precipitate recession and even political turmoil. This monetary control provided the foundation for political control over much of the world. (See "IMF Colonizes Korea," AntiShyster Vol. 8 No. 2.)

But since the internet caught on, massive amounts of money are moving at the speed of light between international stock markets and scores of other investment brokerages. This financial flow moves strictly according the whim and research of thousands and even millions of *individual* investors around the globe.

Collectively, these decentralized individual investors and entrepreneurs are moving more money than the world banks. As a result, the bankers' former centralized control over the international flow of capital has been reduced to a mere influence. The bankers are still important players but like IBM, they no longer dominate their industry.

Control equals wealth

With the loss of control comes danger. While bankers could once safely manipulate national economies by increasing or restricting the flow of capital, they don't dare do so in the internet world since they just might lose their fortunes.

For example, suppose Germany took a political position that stubbornly opposed the world bankers/ NWO's objectives. In the past, the bankers could threaten to restrict Germany's access to credit and plunge the German economy (and voters) into chaos. So German officials would politely accede to the bankers' demands.

But today, if world bankers try to depress the German economy by selling German stocks and bonds, the mass of individual investors of the globalized economy may quickly recognize the bargains in Germany and buy or invest in everything the bankers try to depress.

Result? The German economy might be largely unharmed, but the bankers will lose a fortune trying to artificially depress the political system.

Without exclusive, centralized control over the flow of capital, bankers can't manipulate the political system without risking huge financial losses. And bankers won't risk their fortunes, since once it's gone, so is their remaining influence and illusion of grandeur.

As money moves more

"democratically" over the internet, the old banking aristocracy is fading into history and with it, the foundation for centralized world government.

International competition

The ability to perceive real value (truth) and the ability to act quickly on that perception in open, unrestricted competition are all that matter on the internet. But these principles don't merely apply to corporations and industries. They also apply to nations.

Imagine a highly restrictive and despotic government. Will that nation risk allowing it's people access to the internet? No. But without internet access, can the people of that nation effectively compete – let alone prosper – in the modern economy? No. As a result, nations burdened with strong, centralized governments will slide quickly into poverty.

On the other hand, imagine a nation where the people are free to innovate and compete. Will that nation prosper? Probably. Other nations might, by luck, do better. But in the internet world, prosperity will be most likely in those nations that are most free and therefore most able to innovate.

Suppose Bill Clinton wants to impose some draconian Executive Orders to stifle domestic investments and cripple our economy. So what? Wee-wee on him. I can move my money over the internet in seconds to Hong Kong where I can make a better investment. And an hour later, if I spot a better deal in Luxembourg, I'll move my money there. And two hours after that, if the President of South Africa issues a decree that makes South Africa the most free, innovative nation on earth, I'll move my money there.

Every time I move my money, the nation that receives it will be enriched by my investment and the nation that loses it will be impoverished. Nations will therefore compete for my investment dollars (and yours) just like the Dallas Chamber of Commerce competes with Ft. Worth to host the National Firemans Association annual convention.

In that competitive environment, does any government dare to impose centralized power? If it does, capital will flow out of that nation within minutes (maybe milliseconds) and the public will be quickly impoverished and angry.

This isn't mere conjecture. Look at Russia. Their *centralized* government has resulted in an economy that is currently smaller than Portugal's. The average male's life expectancy has fallen to 57. Russia is a third world nation and unremarkable except for their nuclear missiles. The new Premier Putin reportedly wants to centralize more power into Moscow. If so, Putin is a fool and unlikely to last long since Russia won't be saved by increasingly centralization – it will be killed.

Point: because the flow of capital is no longer controlled by a centralized authority, the nations themselves will be forced to compete on the open (honest) market for investment capital. The basis of that international competition will be the degree of freedom and education afforded to each nation's citizens.

If so, this international competition will be determined largely on which government imposes the least restrictions, taxes and lies on its people. If Japan charges a 20% income tax, America will be forced to charge a 19% income tax to win the competition for investment dollars. But if England charges an 18% tax, the investment capital will go to the Limeys – until Indonesia guarantees a 15% income tax, Sierra Leone guarantees a 10% income tax, and finally Red China guarantees only a 3% income tax. And then somebody will offer no income tax, and so on.

It doesn't seem possible, but the logic of the internet implies that in a decentralized world, international competition will be based on which nation has the least government and most individual freedom. Big, centralized government is not merely archaic in the internet world, it is an unaffordable liability.

The internet's decentralized structure is fostering a time when everyone – even politicians – will be forced espouse Thomas Jefferson's observation, "That governs best which governs least."

Fantastic, hmm?

(And as you'll read in the next article, it's even kinda funny.)

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Vote In The Clowns

by Alfred Adask

Economist Milton Friedman recently warned us to, "keep an eye on the internet since it's making it harder and harder for government to collect taxes."

If Friedman's right, how can traditional government survive without taxes? Voluntary contributions?

More importantly, how can government intimidate the serfs without the threat of an aggressive IRS?

Amazingly, government is, so far, yielding to the technological forces of decentralization. The House recently passed a law that banned taxes on the internet for *five years*. The Senate is expected to follow. If they can't tax the internet for five years, by 2005 the internet will be so big, so deeply rooted in the world's economy, it may be almost impossible to impose new taxes at that time.

Faced with this technological challenge, what did Bill Clinton do? In early May, he made his first comedy video featuring him peddling his bike around in the halls of the White House and pounding on a candy dispenser to get free Snickers bars. His video was so funny, I gotta admit, I'm gonna miss this clown.

As comedian Drew Carey recently remarked, "Clinton's a sociopath" – Yes, but he's a *funny* sociopath. Sure, he's been caught or implicated in drug use, drug dealing, murder, treason, infidelity, hypocrisy, and looking us straight in the eye and telling shameless lies.

But on the other hand, Jay Leno has rightly praised Clinton for providing us with a "golden age" of latenight comedy. But now Leno laments, "What'll we do for laughs when Clinton's gone?"

Indeed.

When you get right down to it, no matter how demonic Clinton might seem, who has he really hurt besides those who were dumb enough to get close to him? His wife. Ron Brown. Vince Foster. Web Hubble. Al Gore. The Democrat party. Historians have voted his White House staff the prestigious "Most Likely To Do Time" award . . . .

What's Clinton really achieved in the last eight years besides keeping us amused? He pushed for health care, and it blew up in his face. He pushed for gun control, and precipitated more gun sales to more Americans than ever before.

He's discredited the Presidency so badly, that Hollywood has been called on to restore public confidence with a weekly "virtual White House" TV program called "West Wing". Now the peepul can sleep soundly knowing the country's in the capable hands of actor Martin Sheen.

And why does "West Wing" deliver a better presidential image than Clinton? Well, lookit the money. Remember Donald Trump's question: "Do you really want to elect someone to the Presidency who's never earned over $200,000?" The "West Wing's" *extras* are paid more than Clinton – so, of course, they deliver a more believable political illusion. Whadaya want in the (real) White House for $250,000 a year? Tom Cruise?

Whether Clinton is more dummy than demon is debatable, but it matter less each year as the powers of his office diminish.

Vote for the class clown

Over half of Americans eligible to vote don't bother. Government bemoans voter apathy, but maybe the nonvoters have a point. Maybe they sense that it's not the *voting* that's become irrelevant – it's the *politicians*.

Sure, your vote still counts; it's the *politicians* that don't matter.

Half the country believes that electing either the spoiled son of a former Senator or the spoiled son of a former President will make a measurable difference in how this country prospers.

Maybe so.

But the other *half* – the growing half – of America disagrees. They doubt that electing Bush or Gore will really make much difference. Why? Because in the decentralized internet world, the office of President is increasingly irrelevant. I think they're right.

Decisions, decisions!

So who should we vote for this November? Well, if the candidates are largely irrelevant in a substantive sense, which one is most likely to keep Leno, Letterman and the rest of us giggling?

Not Bush. The comedians have already worn out the jokes about G.W.'s intellect and education. And he's too smart to rise to the bait on the drug use questions. His wife seems pretty normal and his kids are OK, so where's the scandal potential? Where's the laughs?

But Gore – the man who publicly claimed to have invented the internet, discovered the Love Canal, and inspired the book "Love Story" – is not merely a liar, he's a fool.

Bill Clinton can look us in the eye, wave his finger, and declare "I have *not* had sexual relations with that woman!" And we believed him. Bill's a consummate liar. He's a pro. America respects that in her politicians.

But Gore? He's an incompetent liar. You just know this guy will tell some whoppers if he gets in the White House. Gore's the kind of compulsive liar who (in a weak moment) just might claim to have been the first man to set foot on the moon. Think of the jokes! Think of the delicious contempt he'll inspire!

Don't misunderstand. I'm not saying Gore can be as a big a buffoon as Clinton, but the kid's got potential. Just imagine stuffy Al Gore in the White House, manfully pulling the levers of power – and not realizing that in our decentralized world, the levers are no longer connected! That's more than comedy, that's pathos, that's classic . . . that's . . . en-ter-taaain-ment!

And don't forget – if we elect Gore, we'll probably get Hilary (the First Lady Lesbian), too! And if Hilary's back in Washington, Bill won't be far behind. Think about it. The same cast, the same plot . . . it'll be like a sequel to a hit movie. Instead of "Bill and Al's Bodacious Adventure!" we'll have "Al and Bill's Bodacious Adventure!" Or maybe we'll freshen up the title and call it "Bozo's on the Potomac," or maybe "The Three Stooges Do Government," or maybe . . . ahh, we'll think of something.

But whatever we call the next administration, electing incompetents and fools to the White House is no longer as dangerous as it once was. In the decentralized world of electronic communication, the centralized power of all public officials is diminishing and the character of the office holder is increasingly irrelevant.

Of course, I'm exaggerating to make a point. The government and office of President still wield massive, potentially lethal power. In truth, it does matter who we elect. But as centralized power wanes, so does the importance of public office and officeholders.

As the internet endows individuals with unprecedented power, it "individualizes" and decentralizes all power. As a result, traditional (centralized power) organizations and governments are becoming increasingly impaired, irrelevant and almost obsolete. ■

It's Happening - Goodbye Income Tax!

by Devvy Kidd

I received the following article from Bill Utterback of the Constitution Society. This article offers more evidence – not just theory – of government decline.

To understand the article, you should first know that Bill Benson and M.J. "Red" Beckman co-authored *The Law that Never Was* – an extraordinary, two-volume collection of documents from all of the states which allegedly ratified the 16th (income tax) Amendment in 1913. Benson and Beckman went to extraordinary pains to document the fact that the 16th Amendment was never properly ratified. Published in 1985, their remarkable work has never been refuted – it can't be – but it has been ignored. When their evidence is presented to the Supreme Court, the court routinely dismisses the issue as a "political question".

While the evidence was ignored, the authors were not. About three years ago, after a long battle with the IRS, the government finally seized and bulldozed Red Beckman's home.

Nevertheless, after fifteen years of governmental attempts to ignore the truth, we're beginning to see some movement. This movement must give Mr. Benson and Mr. Beckman an enormous sense of satisfication and pride. They have accomplished more with their two volume book than most men achieve in a lifetime. Similarly, the growing awareness of truth must shame and scare government considerably. Conversely, the admission of truth is cause for celebration among all constitutionalists.

Last November (during Bob Schulz' IRS Symposium in Washington, DC.), Bill Benson, author of *The Law That Never Was*, gave a very serious speech. During his speech, Mr. Benson specifically described the offer of a bribe he received via telephone (with a third party, a reverend, listening to this conversation) back in 1986 (one year after he and Mr. Beckman published their book) by an attorney named Warren Richardson. Bill Benson turned him down flat.

Who is Warren Richardson? Back in 1986 he represented himself as an attorney for the unconstitutionally seated "Senator" Orrin Hatch. When I say that Orrin Hatch is unconstitutionally seated, I say that based on the fact that, just like the 16th Amendment, the 17th Amendment was also not legally ratified. Therefore, Orrin Hatch is serving in office under a law that flat out does not exist.

I ask this question over and over because I want it to become firmly etched in people's minds: Are we a nation of laws or a nation of lies? We can't be both and claim that the United States of America is a great country. Greatness is not built on lies and deceit.

Fast forward to May 5, 2000 and what does Bill Benson get in the mail? Why a letter from none other than Warren Richardson, J.D. Attorney at Law. The letter appears below.

What makes this letter so remarkable, besides the fact that it is authored by Warren Richardson — is his statement on page two, paragraph three:

"In my professional opinion your two books demonstrate, at least to me, that the 16th Amendment was not property ratified even though the Secretary of State made the public announcement that it had been properly ratified."

Hold on to your hat, folks.

Here's a guy who tried to bribe the recipient of this letter (Bill) 14 years ago to stop publication and distribution of Bill's *Law That Never Was*, a guy who at that time stated he was a lawyer who represented "Senator" Orrin Hatch and offered a bribe. Now, out of the clear and six months after Bill's speech at the National Press Club, this guy sends Bill a letter acknowledging that Bill's work proves an amendment to the U.S. Constitution was never ratified. Holy smokes.

Richardson back peddles a bit in the next paragraph by saying that he's just a little old lawyer and not a constitutional scholar, but ladies and gentlemen, this is truly an amazing thing. My question is why would this big, powerful, lobbyist attorney suddenly after 14 years send Bill this letter which includes a request that it not be "published?"

If you read the piece on what happened at Bob's symposium last month, you know that both Bob and former IRS agent Joe Banister met in the White House with Clinton's senior economic advisor and senior staffers from Senator Lott's and Senator Hastert's offices.

Something is cooking back in DC. All three people at those meetings last month (White House, Senate & House) committed to sending reps to the final symposium coming up on June 29th at the National Press Club in Washington.

Stay tuned, things seem to be churning back in old foggy bottom.

Here's the text of the letter:

WARREN S. RICHARDSON, J.D.
Attorney at Law
May 5, 2000

Mr. William J. Benson
Constitutional Scholar
1128 East 160th Place
South Holland, IL 60473

Dear Mr. Benson:

You may address me simply as Warren and I'll call you Bill. My first comment is to applaud you for the tremendous amount of work you have done in bringing to light the enormous volume of factual data — over 17,000 pages of certified government documents from each of the 48 states (the number in 1913) as well as from the National Archives in Washington, D.C. In fact, the whole project, which includes your two books, is truly monumental.

In case you wish to know a little about my background, let me give you a brief overview. I was honored to serve my nation in World War II as a Naval Aviator. Since my college career at the University of Rochester had been interrupted by the war, I went back to the U. of R. and obtained my A.B. degree in history. That was followed by a B.S. in accounting. By then I was married and we moved to the Washington, D.C. area so that my wife could continue her college work while I attended law school. Upon receiving my law degree, I was honored to be chosen for the first class of Honor Law Graduates at the Justice Department. (This program was started in 1953 while Eisenhower was president.) Because of my law and accounting background, I moved to the legal department at the General Accounting Office. After 5 years as a government attorney, I left for the private sector, where I have been ever since. Two years of that time was spent in a law firm and the rest has been working in the lobbying profession.

Before going to the subject of your books—the 16th Amendment to the Constitution of the United States of America was not properly ratified—I wish to lay some groundwork. In 1895 the United States Supreme Court ruled a direct income tax to be unconstitutional in the case of *Pollock v. Farmer's Loan and Trust Company* (158 U.S. 601). Since our forefathers who established our form of government (a republic, not a democracy) by splitting the federal power into three equal branches (legislative, judicial, and administrative), it was clearly within the court's discretion to render their verdict in the *Pollock* case.

The Supreme Court's decision in that case can only be changed by one of two method:

1. The Supreme Court, assuming it has valid reasoning, could reverse the Pollock case; or,
2. An Amendment to the Constitution authorizing a direct income tax could be passed by a vote of two-thirds of both houses of Congress and then ratified by the legislatures of three-fourths of the States.

Following the procedure of item 2, above, the Secretary of

State has the duty of announcing to the public, the President, and the Congress that a proposed amendment has been accepted or rejected.

The people who wished to overturn the *Pollock* case chose the second alternative.

In my professional opinion your two books demonstrate, at least to me, that the 16th Amendment was not properly ratified even though the Secretary of State made the public announcement that it had been properly ratified. When only four states of the required 38 ratified it properly, how could it be considered valid? In view of the facts, how could it become a valid part of our Constitution? Since the *Pollock* case has not been reversed by the Supreme Court, what was the legal framework upon which the current income tax law is based?

Although I am a lawyer, it is important to note that I am not a constitutional scholar; therefore I do not speak as one. As noted above, it is my opinion that, based on your overwhelming evidence, the 16th Amendment was not properly ratified. Furthermore, I believe that it is imperative to have legal scholars in constitutional law study this matter deeply and render their opinions on whether the 16th Amendment was properly ratified. Provided they come to the same conclusion we do (that it was not properly ratified), what would be the logical next move? That last question is a real tough one because of the politics involved. Assume that the Supreme Court rules upon a case properly brought before it that the tax system of the U.S. is not legal. Can you even visualize the reaction of the Members of Congress?

Bill, you have done a magnificent job in providing the factual data about whether the 16th Amendment was properly ratified. I am hopeful that we can find the scholars who will go to the next step and suggest what should be done now.

Thanks for your hard work. You have done a great service to your country.

/Warren S. Richardson/

Sworn and subscribed to before me this 5th day of May, 2000

Mary M. Challstrom Notary Public My Commission Expires 6/12/00

P.S.: Since a personal letter cannot be distributed, or even shown, to anyone other the recipient without permission of the author, I hereby authorize you to show it (not publish it) to other people at your discretion.

According to notes from Bill Utterback of the Constitution Society (website below) :

(1) The statement in the P.S. is not correct as a matter of law. A personal letter belongs to the recipient, together with any copyright, unless a copyright notice appears in the document.

(2) A summary of Benson's book *The Law That Never Was* can be found at http://www.constitution.org/ica_ltnw.htm

Nothing written is safe from publication in the internet age. Anything that can be published, will be, and the first documents to be published will be those that some official marked "Do Not Publish".

Attorney Richardson virtually guaranteed publication by allegedly asking his letter not be published. Is that an accident? An oversight? Or is it possible that Attorney Richardson's letter is being intentionally released to publicize and perhaps ease an approaching and enormous change (end?) in our tax structure?

Whatever the answer, it's just more evidence of an approaching government meltdown. ■

Mmm, mmm good!

Primordial Soup

by Dan Meador

The essence of all relationships with God is man's *unlimited* liability. That is, if you don't satisfy certain requirements and duties imposed by God, when you die, you may wind up spending eternity in Hell. *That's* "unlimited" liability. On the other hand, if you do satisfy those basic requirements and duties, you may be rewarded with eternal life.

The essence of all relationships to modern government is *limited* liability. You need not "trust in God" for your providence so long as government is here to feed, cloth, and provide for you in your old age. In So-So Security We Trust.

Likewise, you can drive as fast or drunk as you like, because mandatory auto insurance gives you *limited* liability for any adverse consequences of your negligence. For example, if you run a school bus off the road and kill a bunch of kids, all that might happen is your insurance premium will increase. Although God might hold you liable, our judicial system might not. With limited liability, there's always a change to "beat the rap".

And if you're a woman and you want to murder your own children – no sweat. The majority of the clowns on the Supreme Court said it's OK, and you'll encounter no personal liability. It is even woman's civil right to murder (partial birth abortion) their own children so long as the infants still have their heads stuck up their mother's vagina. Just scoop their brains out and toss 'em in the trash.

It is government's promise of limited liability that seduces us away from God. God's unlimited liability is hard. Government's limited liability, on the other hand, seems easy, tempting.

But few recognize that government's promise of limited liability necessarily means *continuous* liability. For example, government promises to provide for your in your old age. That's limited personal liability in the sense that you don't need to save for your old age. Sounds good. But you'll have to pay *continuously* into social security throughout your productive years.

Similarly, the limited liability you enjoy through mandatory auto insurance is shrouded in the *continuous* liability you must accept during all the years you drive. Have you had an accident? No matter, you'd better have that mandatory insurance or you just might wind up in jail. *Limited liability* in the event of an accident translates into *continuous liability* even if you make no mistakes.

Although women can kill their kids without incurring personal liability, the mother may still be tormented by guilt. If there is a God, she may even wind up screaming in Hell. Thus, in return for the government's limited liability for aborting her kids, she may later accept a continuous liability of personal shame or even damnation.

From a classical perspective, all freedom is inextricably joined to personal responsibility (liability). To the extent government reduces (limits) our personal liabilities, it necessarily also reduces our freedoms. Likewise, to the extent we seek limited liability, we must also "voluntarily" forfeit our freedom.

But to secure limited liability, you must give up more than parts of your secular freedoms. Government promises of limited liability don't work unless the American people are first "indoctrinated" to ignore or deny the existence of God. In the final analysis, we can worship and rely on God, or rely on (and worship) government. We can't do both. More precisely, to believe in government is to doubt God; to believe in God is to doubt modern government. You can't serve two masters.

God and modern government are spiritual adversaries.

Government's power is in large measure predicated on the people's disbelief in God.

By most measures, America's belief in God is growing. Whether that belief is growing in depth or merely breadth remains to be seen, but growth is undeniable. Rising spirituality does not bode well for continued government power and is another force for government decline.

Nevertheless, government has, so far, been able to stave off the "religious right" with Supreme Court rulings that support atheism and secular government power. The court, being very logical, refutes spiritual claims for lack of supporting evidence.

But as you'll read, even scientists are beginning to find evidence that supports the existence of God. Our existing government can not survive such evidence. To maintain any government that promises limited liability in a universe where God mandates unlimited liability endangers our eternal souls. If tangible, persuasive evidence can be presented to the American people that God is real, our "democracy" must fall.

Rising religion is just one more leaf in the breeze of government's decline.

This morning as I was going through the normal routine of flipping between financial, news, and weather channels, I happened to flip over to TBN, the Christian channel. What I saw and heard mesmerized me for most of half an hour. My only regret is that I didn't catch the first of the program.

Four men were discussing creation versus evolution as the origin of life. At least two, and possible all four, were scientists involved in high tech biological research in areas such as DNA, genetic structure, and the like. All four were academic types, not pulpit thumpers as such.

As a charismatic Christian, I'm naturally prejudiced, but for much of the world, testimony based on personal experience doesn't carry much weight.

Unfortunately, many professing Christians have thrown their hands up when it comes to the creation verses evolution debate. The position goes something on the order of, "Maybe God used evolution for creation," the underlying rationale being that God's time isn't necessarily the same as ours. There may be a scriptural gap that doesn't account for missing millions of years, they concede.

I've resisted this notion based on the law of entropy, one of the laws of thermal dynamics. It goes like this: All systems tend to degenerate, and eventually fail, unless infused with new energy from some outside source.

Evolution theory hypothesizes origins based on the notion that by chance, simple elements combined to become complex systems over millions of years. But the theory doesn't wash. It doesn't explain the simplest organic life forms evolving from primordial soup comprised of basic mineral elements.

In my estimation, evolution theory flies in the face of everything that gives us the most amazing technological age we live in. If the laws of thermal dynamics, the laws of gravity, etc., weren't reliable, we wouldn't have telephones, televisions and computers. In order to have any kind of reliable operating system, be it mechanical, organic or otherwise, it must be based on cohesive underlying principles, what we can otherwise describe as laws.

I was managing editor of a rural market center newspaper in 1981-82 when creation scientists were battling in Federal courts to have creation theory taught in

public schools simultaneous with evolution theory. When the case got to the circuit court, creation science advocates were rejected, not because creation science doesn't have as legitimate a claim as evolution science, but because evolution theory is more politically popular. In other words, judicial rejection, which has excluded creation science from public schools for the last two decades, has nothing whatsoever to do with scientific viability. The exclusion is strictly political.

In the mid-eighties, DNA was isolated, and since then genetic codes have been broken. Today science is delving into organic life building blocks.

That's where scientists involved in this morning's panel discussion came in.

By examining basic proteins and other elements of DNA, they have concluded that *evolution is out of the question*. One said that the probability of even one component of the DNA structure occurring by chance is approximately one in ten to the 176th power — that's a one with 176 zeroes strung out behind it. The chance is so remote that it doesn't register on the probability scale. For two or more of the essential biological events to happen in the same place at the same time is remote enough to be impossible.

In laboratory settings, scientists spend months preparing specimens and specimen fields, then when all is ready, they must do whatever they're going to do in a hurry because the deterioration process is so rapid.

The basic DNA structure can survive *only within the protective, self-repairing environment of whole cells*. Consequently, evolution outside simultaneous creation of, or pre-existence of the nuclear cell, is unfathomable.

Internal cellular function is on the order of holistic mechanical and communications systems. One element communicates with another, and one is responsive to another.

The panel members presented a simple analogy to explain what lies behind cellular functions: Where there is communication, there must be a communicator; where there is a message, there must be a messenger. In sum, a conscious, creative being had to design and set the system in motion.

Because I missed the early part of the program, I don't know what the scientists base their conclusion on, but they said the timeframe for existence of life on planet earth is several thousand, not several million years. This and other evidence tends to affirm the God of the Christian and Jewish Bible. I'm not certain what other evidence they support the conclusion with, but what I heard reinforces the conclusion that life, if not the entire universe, is the produce of a conscious, creative, and evidently purposeful God.

After listening to the scientists, I was reminded of the early eighties decision by Fifth Circuit Court of Appeals on teaching creation science in school. At the time I wasn't very well versed in law, but even then I wondered how or why a ruling of that magnitude could be based on political considerations rather than truth.

How could a panel of judges exclude one claim when it was at least as strong as the prevailing claim? Can man, regardless of his political station, by edict or otherwise, alter or amend what American founders described as the Law of Nature and of Nature's God?

Naturally religious

In the 1920s, Otto Rank, once a student and associate of Sigmund Freud, concluded that man is by nature religious. He is

religious before he is political, social, economic, and possibly even psychological.

By religious, Rank didn't mean man is Christian, Jew, or any other specific religion. What he meant was that we each develop a belief system that provides the foundation for all other life activity. Basic belief systems evolve through experience, observation, and custom. Some small portion of our individual belief systems are affected and come by way of reason.

As Sir Isaac Newton knew, man's natural thought process is analogous.

The discipline of formal logic, or what we normally refer to when we use the term "reason," is a learned thought process. Analogy is a comparative process where we draw on experience when we determine that one thing is like something else. A child learns about heat from floor furnace gratings and campfires, not textbooks filled with scientific explanations.

Thus, a vast majority of the population isn't very well versed in metaphysics and other formal disciplines. Where abstract systems such as theology, scientific principle and the like are concerned, most people rely on tradition and authority.

Therein is where creation science suffered judicial condemnation.

The faith of our bureaucrats

America's institutional religion is Secular Humanism. And lest anyone wonder, the U.S. Supreme Court has acknowledged that Secular Humanism is in fact a religion.

The three main components of Secular Humanism are evolution (Charles Darwin), dialectical materialism (Karl Marx), and a variation that evolved from Freud's pioneer work with the human psyche, behavioral psychology. [All deny the existence of God.]

Secular Humanism places man in a precarious position where he is subject to blind natural forces that have no particular purpose, nations and cultures are driven by carnal and material wants and needs, and there is no moral purpose for man or the universe. At best, we are an ethical species, with the basis of ethical behavior being arbitrary and varying from culture to culture and time to time (situation ethics). There is no higher authority than man.

Either/Or

But if creation scientists are correct, Secular Humanism is incorrect. Creation and evolution theories are mutually exclusive. They can't peacefully coexist in the same classroom. Life had to be created by a purposeful Creator, or it had to accidentally evolve from primordial soup.

I was amused by one of the creation scientist's observations: There would be a better chance for life to evolve from a can of Campbell's soup than from whatever primordial soup there was on our evolving planet. Commercial canned soup is vastly richer in essential life elements than whatever primordial stew there might have been was.

Why is evolution institutionally if not politically preferred? The answer is simple and self-evident: If God created man, man is accountable to God, and we are collectively accountable to each other.

If God created man, truth is absolute, not relative or arbitrary. If God created man, man cannot avoid His self-executing moral law. We are not at liberty to pursue the self-serving ends of lust and unbridled greed without consequence.

You can email Dan Meador at dmeador@poncacity.net. He publishes a fine newsletter that should be helpful to anyone troubled by the IRS.

Counting the Serfs

by Alfred Adask

Anyone who's read the *Anti-Shyster* for long knows that:

1) whenever I see the terms "benefit" or "beneficiary," I infer the presence of a trust; and

2) I see great danger attached to the classification of "beneficiary".

I distrust government trusts because, by legal definition, beneficiaries have equitable interests, but *no legal rights* (see the "Trust Fever" series that started in Volume 7 No. 1.)

This disability flows from the fact that beneficiaries, by law, can't have *legal* title to trust property. Instead, beneficiaries are only allowed to have the inferior *equitable* title, while the superior legal title is held by trustees.

A beneficiary's "rights" are always similar to those of a teenage boy driving his dad's car. Yes, the boy may get to drive his dad's car *as if* it were his own, and he may even come to think of it as "his" car. But if he makes dad mad, daddy can take the car away anytime he likes without any judicial hearing. Why? Because daddy has superior title to the car and the boy has a mere equitable privilege to use the car.

There isn't a parent in the world that doesn't use the "benefit" of the family car, watching TV, or staying out on dates until midnight, to control their children's behavior.

Government power over beneficiaries is identical to a parent's power over a child. Because government holds legal title to trust property (your car, for example) and you (the beneficiary) only hold equitable title, government can seize your car (just like your daddy could) anytime you git uppity.

Determining legal rights

The principal characteristic of all trusts is the separation of the whole or perfect title to property into the subcomponent legal and equitable titles. The danger in this separation of titles is implied in Bouvier's Law Dictionary (1856) where he observes that all rights flow from *title*. I infer that since beneficiaries can't have *legal title* to trust property, they also can't have the *legal rights* that are derived from that legal title.

The next step down on the ladder into servitude involves courts of *law* – their only purpose is to determine *legal* rights. That's all they can do. But if you appear in court in the capacity of a beneficiary, you necessarily have no legal title to trust property, no legal rights to that property and thus no standing to appear in a court of *law*.

Instead, your case will be administered in a court of *equity* wherein the judge is not bound by law but is expected to rule based strictly on his own conscience (that's rule by man, not rule by law). If the judge doesn't like the color of your eyes, you can be in deep trouble.

Research indicates that this "beneficial" condition is virtually identical to that of serfs in the European feudal system of the middle ages. I doubt that the similarity between the legal rights of feudal serfs and modern U.S. beneficiaries is coincidental.

Whether you know it or not, to the extent you apply for or accept any benefits, you assume the legal character of a "beneficiary". As a beneficiary, you surrender (or at least compromise) your God-given birthright to "unalienable Rights" for a bowl of government pottage. Worse, you're helping to restore a feudal system of bondage (lords/trustees ruling over serfs/beneficiaries) that was exactly what the American Revolution fought to escape.

"free Persons" or beneficiaries?

In Article 1, Section 2, the Federal Constitution mandates that government conduct an "Enumeration" every ten years. As the name implies, this "Enumeration" determines the *number* of "free Persons . . . excluding Indians not taxed, and three fifths of all other Persons."

Webster's 1828 Dictionary defines "free" (in part) as,

1. Being at liberty; not being under necessity or restraint, physical or moral; . . . 2. In *government*, not enslaved; not in a state of vassalage or *dependence*; subjection to *fixed* laws, made by consent, and to a regular administration of such laws; not subject to the arbitrary will of a sovereign or lord; as a free state, nation or people. [Emph. add.]

If "free Persons" are only subject to "*fixed* laws" and "not subject to the *arbitrary will* of a sovereign," it's obvious that no one appearing in a court of equity in the capacity of a beneficiary can be defined as a "free Person". After all, by definition, beneficiaries are necessarily subject to the "arbitrary will" of judges who rule in courts of *equity* according to unpredictable, personal conscience rather than *fixed* law.

If so, the constitutional mandate to enumerate "free persons" every decade can't apply to government beneficiaries who, by definition, are not "free Persons".

Census 2000 documents imply that the census is intended to count beneficiaries. For example, the Census 2000 form declares that you should, "Complete the Census and help your community *get what it needs* – today and in the future!" [emph. add.] The cover letter attached to the Census form also explains the reasons for the Census:

"Your answers are important. First, the number of representatives each state has in Congress depends on the number of people living in the state.

"The second reason may be more important to you and your community. The amount of *government money* your neighborhood *receives* depends on your answers. That money gets used for schools, employment services, housing assistance, roads, services for children and the elderly, and many other local needs." [Emph. add.]

The first purpose for filling out both the Census 2000 and the Enumeration mandated in the Constitution appear nearly identical: To determine how many "Representatives" (or "representatives") shall be apportioned to each "State" (or "state").

However, while the second purpose for the Enumeration is to apportion "direct Taxes" among the States, the second purpose for Census 2000 is to ". . . . help your community *get what it needs*" and apportion "The amount of *government money* your neighborhood *receives* . . . ."

See the difference? The Enumeration's second purpose was mandated to determine how much "direct Taxes" *we paid*. The second purpose for Census 2000 was to determine how much "government money your neighborhood *receives*".

The Enumeration apportioned our responsibility for *paying taxes*. Census 2000 apportions our entitlement to *receive benefits*. Since the second express purpose for Census 2000 is to determine how to distribute *benefits*, it appears that Census 2000 may be counting "beneficiaries" rather than enumerating "free Persons".

The wizard of is

Whatever Census 2000 counts, those who resist being counted are subject to $100 government fines. As a result, some census "non-filers" started researching relevant law to devise strategies to defend their noncompliance.

For example, an email authored by "ipsofacto" explains:

"I tried to fulfill my legal obligation 'under penalty of law' to answer the questions on the Census 2000 long form, but I found that I could not answer the page 3 through page 38 questions.

"Unfortunately, the preparatory questions like, 'What is this person's name?' or, 'What is this person's telephone number?' All used the word 'is'.

"Because the Census 2000 package did not include a definition of terms, I couldn't determine what the meaning of 'is' is.

"Thanks to President Clinton, Americans now know that the answer to any question containing the word 'is,' depends on what the meaning of 'is' is!

"Therefore, I circled each use of the word 'is' on my Census form and explained, 'All of these questions depend on what the meaning of 'is' is. There is no definition included so I am unable to answer!"

Finally! All That OMB Number Study May Pay Off!

Other individuals researched Census 2000 more seriously.

For example, an email from

Terry Stough explained the relationship between the Office of Budget and Management (OMB) and the Census "long" form.

The OMB mandates that every valid government form have an approved OMB Form Number printed on the form itself. A form without a correct OMB number is *invalid* and there's no legal mandate to fill it out.

For example, constitutionalists discovered that the IRS 1040 has no proper OMB number. The implications of this discovery remain unclear, but whatever the 1040 form is, it's apparently not a valid government form. You may still use the 1040 voluntarily, but you can't be mandated to do so.

Mr. Stough applied the same OMB laws used to discredit the IRS 1040 to analyze the Census 2000 long form.

He reports:

Guess what? Just as the 1040 is not approved by the OMB for the purposes claimed, it appears that the "long" Census form D-2(UL) is also "unapproved"!

The "long" census form which I received in Alabama, is entitled "United States Census 2000". This long form's name is "Form D-2(UL)". (The short form's name is "D-1".)

The appropriate OMB form number is identified on both the "D-1" short and "D-2(UL)" long forms as, "OMB No. 0607-0856: Approval expires 12/31/2000".

So I went to the official OMB website (www. whitehouse.gov/library/omb/OMBINVC.HTM #Department of Commerce) and looked up OMB Number "0607-0856". Here's the exact information published on this official website for this OMB number:

OMB NO: 0607-0856 EXPIRATION DATE: 12/31/2000
RESPS: 106,200,000
HOURS: 26,761,200
COSTS(000):$0
United States Census 2000
FORMS: D-1 D-1(E) D-1(E)SUPP D-1(HF) D-1(UL) D-1A(UL) D-2 D-2(E) D-2(E)SUPP D-2(HF)

The Form Name, "United States Census 2000" and the expiration date are identical to that published on the D-2(UL) "long" form.

However, although this OMB number lists several forms which include "D-2" as part of their names, the form precisely named "D-2(UL)" is not listed. Therefore, it appears that OMB No. 0607-0856 is NOT a valid OMB number for Census 2000 long form "D-2(UL)".

Only two other OMB form numbers include variations on the D-2 "base". They are entitled "Census 2000 – American Samoa" and "Census 2000 – Puerto Rico" – both of which are foreign countries held as territorial possessions (not states) of the National government.

OMB number 0607-0860 is entitled "Census 2000: American Samoa, the Commonwealth of the Northern Mariana Islands". It references eight forms, including D-2(E)AS, D-2(E)CNMI, D-2(E)G, D-2(E)VI, D-2(E)SUPP-AS, and D-2(E)SUPP-CNMI.

These forms apparently apply to the Commonwealth of the Northern Mariana Islands (CNMI), Virgin Islands (VI), and American Samoa (AS). Although these forms include the "D-2" base, none include the "(UL)" extension used on the "long form" sent to most American residents.

OMB number 0607-0858 is entitled "Census 2000 — Puerto Rico". This OMB number refers to nine forms, only two of which — D-2(UL)(PR) and D-2(UL)(PR)(S) — include the "D-2(UL)" designation seen on "long" forms sent to residents on the U.S. mainland. But these Puerto Rico forms also include the extensions "(PR)" and "(PR)(S)" which probably designate "Puerto Rico" and "Puerto Rico Short" forms.

After diligent search, I've still found no precise OMB reference to Form "D-2(UL)" on the official OMB website.

This failure to precisely reference form "D-2(UL)" is more than curious since, according to page 2 of that Census 2000 form, "Respondents are not required to respond to any information collection unless it displays a valid approval number from the Office of Management and Budget."

Since there seems to be no *valid* OMB form number for the D-2(UL) long form, there seems to be no lawful requirement for anyone to fill out the D-2(UL) form.

Defective, dependent and delinquent classes

The Census 2000 package for both the D-1 (short) and D2(UL) ("long") forms includes a form letter from Kenneth Prewitt, Director of the Bureau of Census which reads in part:

"Your privacy is protected by law (Title 13 of the United States Code), which also requires that you answer these questions."

According to research by Dave Champion, the only section of Title 13 that authorizes the Census forms' intrusive questions is Sec. 101:

Title 13 - Census
Chapter 3 – Collection and Publication of Statistics
Subchapter V -
Sec. 101. Defective, dependent, and delinquent classes; crime
-Statute-

(a) The Secretary may collect decennially statistics relating -

(1) to the defective, dependent, and delinquent classes; and

(2) to crime, including judicial statistics pertaining thereto.

(b) The statistics authorized by subsection (a) of this section shall include information upon the following questions, namely: age, sex, color, nativity, parentage, literacy by race, color, nativity, and parentage, and such other questions relating to such subjects as the Secretary deems proper.

(c) In addition to the decennial collections authorized by subsections (a) and (b) of this section, the Secretary may compile and publish annually statistics relating to crime and to the defective, dependent, and delinquent classes.

Mr. Champion notes that the terms "defective," "dependent, " and "delinquent" are not defined in Title 13. Since his "privacy is protected by law (Title 13 of the United States Code), which also requires that you answer these questions," Mr. Champion concludes he is not required by law to answer the Census questions *unless* he is a "defective, dependent or delinquent" – or a criminal.

Judging himself not to be defective, dependent, delinquent or criminal, Mr. Champion declined to fill out his form.

But perhaps Mr. Champion missed a larger point. Maybe the issue is not precisely whether you are *personally* "defective," "dependent," or "delinquent".

I.e., if your feet are flat, you're balding or over 30 years old, you are arguably "defective". Insofar as you probably couldn't survive if the water or electric utilities failed for a few weeks, you must be "dependent". And if you discharge your debts with Federal Reserve Notes (debt instruments) rather than paying them in lawful money (gold and silver), you're technically "delinquent" in paying your bills.

Obviously, on a personal level, all of us are somehow "defective, dependent, and delinquent". But if so, then the Title 13 designation "defective, dependent and delinquent" makes no sense since it applies to *everyone*. It's the equivalent to passing a law concerning everyone that has a pulse, breathes air, and requires food to survive. That description fits *all* living persons and therefore can't distinguish one person from another.

So, would government pass a meaningless law? No. Title 13, Section 101 does not refer to "defective, dependent, and delinquent" *individuals* – but to "defective, dependent, and delinquent *classes*." Judging by Title 13 Sect. 101, Census 2000 is intended to survey members of those dysfunctional "*classes*".

If so, it follows that by completing and sending in your Census form, you implicitly admit (self-assess) that you are either a criminal or member of the "defective, dependent, and delinquent classes".

I don't believe I belong in either of those classifications. But even if I did, my 5th Amendment right against self-incrimination should justify my refusal to make such admissions on the government's "official" Census form. Therefore, I see no enforceable requirement for me to fill out my Census 2000 form.

By their addresses ye shall know them

How could we tell if someone were a member of a "defective, dependant, and delinquent class"?

According to the Census form, "This is the official form for all the people *at this address* . . . ." [Emph. add.] Thus, the factor which determines whether you should (or shouldn't) fill out the Census form is not your name, citizenship, gender, race or age – it's your *address*. Thus, if any Census form is incorrect for *your particular address*, you at least need a different form.

More importantly, this implies that the *address* itself may signify whether a person is presumed to be a member of the "de-

fective, dependent, and delinquent classes".

I've seen one Census 2000 package addressed:

TO RESIDENT AT
2203 WOODCREEK # B
CARROLLTON, TX 75006-1911

There are several interesting elements in this address. For example, the address in written in all upper case letters, refers to a state called "TX" and includes a ZIP code. All of these elements have been investigated by other constitutionalists who've reached various conclusions concerning their meaning.

But I'll ignore those elements and merely focus on the fact that the Census is sent exclusively to "RESIDENT[s]".

If Title 13 Section 101 truly means that Census 2000 is only intended for criminals or members of the "defective, dependent, and delinquent classes," then – since all Census 2000 packages are presumably addressed to "RESIDENT" – it seems likely that all "RESIDENT[s]" are presumed to be members of those dysfunctional classes.

Black's Law Dictionary (7th ed.) defines "resident" as "A person who has a residence in a particular place."

Black's defines "residence" in part as,

"1. the act or fact of *living* in a place for some time. 2. The place where one actually *lives* . . . bodily presence . . .; [Emph. add.]

You might think that since residence involves "living" and "bodily presence," the term "resident" must signify natural, breathing persons (not dead or artificial entities). After all, the meaning of "living" is so obvious, only a fool would waste time looking up its definition.

Well, fool that I am, I looked up "living" in *Black's 7th* and found a surprise.

"**living**, n. One's source of monetary support or resources; esp. one's employment."

Who'd guess government would define "living" to primarily signify anything other than the aspirational condition of natural, biological beings?

Black's 7th third definition of "residence" is:

3. The place where a corporation or other enterprise does business or is *registered* to do business. [Emph. add.]

Again, "residence" and "resident" seem more closely tied to commerce than a biological activity. There's even a faint implication that having an address might constitute a "registration" to do business.

Does it follow that anyone who has an address used to receive mail is presumably involved in interstate commerce and therefore subject to government regulation?

If that speculation seems unlikely, go read your Census 2000 form. You'll see that the "Bureau of the Census" is part of the "U.S. Department of *Commerce*".

Compare that to another of Black's 7th's definitions:

"**federal census.** A census of a state or territory, or portion of either, taken by the *Census Bureau of the United States*. . . ." [Emph. add.]

Note that Census 2000 is conducted by the "Bureau of the Census" of the Department of Commerce – not the "Census Bureau of the United States." Does this imply that Census 2000 is not a "*federal* census"? If not, what is it? A "*national*" census? (See "Federal vs. National", this issue.)

Pity the poor government

It's possible that all of the previous discrepancies concerning Census 2000 are innocent and insignificant.

- Maybe the OMB number on the D-2(UL) long form is correct and a clerical error caused the form to be unlisted on the OMB official website.
- Perhaps the Census is not intended only for beneficiaries, members of the "defective, dependent and delinquent classes" and criminals.
- Maybe residency is irrelevant and "living" really does mean "living".
- Perhaps the "Census Bureau of the United States" and the Department of Commerce "Bureau of the Census" are one in the same.

Could be.

But if so, government is phenomenally incompetent. After all, why would any efficient government allow so many idiotic discrepancies and the misunderstandings they're sure to create?

On the other hand, perhaps the discrepancies surrounding Census 2000 aren't a series of

unfortunate accidents. If so, government must be up to something devious and contrary to the American people's best interests.

Whatever the explanation, it's almost sad that government has become so inept that it can't synchronize its detonators in Oklahoma, the President can't safely enjoy a little sex in the "Oral Office," and the Department of Commerce can't even conduct a simple Census without stirring resentment, distrust and resistance.

Janet Reno exemplifies government nicely. After Waco and the recent furor over Elian Gonzales, do you think she's not in shock? Is it any wonder that she shakes constantly?

What can she (and government) do that won't incur the ire of Americans and the contempt of the international community?

Hold a bake sale? Sell cookies door to door?

Not likely, since at least 40 million Americans wouldn't eat government cookies for fear of secret "additives".

Unable to do anything well, government increasingly does nothing.

The autumn leaves

In March, government bombarded America with merry commercials about why we should fill out our Census forms. But by the end of May, reports indicated over 40 million Americans had not yet complied.

Despite this mass resistance to Census 2000, government's been surprisingly silent. I suspect the noncompliance rate is so high that government is not only humiliated – it's too high for government to attempt widespread enforcement. (What'll they do? Issue $100 "census tickets" to 40 million "residents"? I don't think so.)

Census noncompliance is just one more leaf in a breeze that suggests government's power is diminishing in a way that may be permanent.

I don't expect (or even desire) that government will disappear. Government will always be here because there is legitimate work for government to do. Basic services. National defense. Fire. Police, etc.

But big, centralized government is facing a unprecedented challenge brought on by electronic technology and an entirely new kind of "de-centralized" world. Barring future catastrophe, I don't see government powers expanding much further or being sustained much longer.

Instead, I believe the internet's fundamental structure will continue to shift the balance of power from centralized government to "decentralized" individuals. As that shift accelerates, government power will continue to decline until everyone – even government – admits there's nothing behind the curtain but a little old man, and no need to pay him much attention. ■

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"natural born Citizens"

by Alfred Adask

The idea of citizenship is taken for granted by virtually all Americans. Ask anyone if he's a "citizen," and he'll say, "Sure."

However, the idea of citizenship is more complex than most suppose. The reason for the complexity is that, while most of us believe there is a single citizenship for all Americans, there several different "kinds" of citizenship – each of which conveys differing rights and obligations.

Title to unalienable Rights

Modern American citizenship began on July 4th, 1776 A.D., when the thirteen colonies declared themselves to free and independent States in "The unanimous Declaration of the thirteen united States of America". (Note the *correct* capitalization. This instrument is also incorrectly known as the "Declaration of Independence". Referencing this instrument without proper name or proper capitalization may be self-defeating.)

This 1776 Declaration did not create a "federal" or "national" *government*. It did not create thirteen State governments. Instead, it simultaneously created thirteen sovereign *States* (associations of *people*) that had much in common, but were nevertheless banded into thirteen *separate* political associations.

Each of those sovereign States (people) later created their own State governments and defined the requirements for their own State Citizenship. Thus, it was possible that total rights and duties afforded to a Citizen of New York might differ significantly from the total of rights and duties afforded to Citizens of Virginia. However, all State Citizens of all of these sovereign States enjoyed the same minimum level of "unalienable Rights" granted by God and recognized in "The unanimous Declaration of the thirteen united States".

That recognition of "unalienable Rights" is crucial since it determined the *character* of the the original thirteen States (people). If you were a member of one of those States, you were declared endowed with "unalienable Rights" which could not be taken or compromised by any earthly government.

Likewise, if you were a member of one of the subsequent States (like Texas) to join the original Union on an "equal footing," you were also recognized as endowed with God-given "unalienable Rights" since that endowment was recognized as part of the "character" of those States (associations of natural people).

However, if you were a member of a different kind of state, like the corporate STATE OF TEXAS, your claim to unalienable Rights might be compromised of even invalidated.

God-given "unalienable Rights" are the constitutionalist movement's "Holy Grail". If you can achieve a political status wherein government must recognize your "unalienable Rights," you regain the status of master and force government to work as your federal servant rather than national ruler.

I suspect that "The unanimous Declaration of the thirteen united States of America" constitutes "legal title" to your God-given "unalienable Rights". That is, to claim your "unalienable Rights," you must expressly base your claims on that instrument and perhaps even include a certified facsimile of that Declaration in your case file.

Increasing confusion

There are so many competing forms of citizenship that's it's hard to understand which is most likely to secure your "unalienable Rights". It's even harder to understand how to properly claim the best form of citizenship while avoiding the disabilities of the others.

For example, constitutionalists have long advocated the ad-

vantages of being a "State Citizen" and/or "Citizen of the United States" (Art. 1 Sects. 1 & 2 Federal Constitution). These debates have been confused by the presence of the more recent 14th Amendment's "citizen of the United States" and later "U.S. citizen" and (corporate) "state citizens".

I propose to temporarily increase this confusion by adding another form of citizenship to the debate: "natural born Citizen".

Article 1 Section 2 of the Federal Constitution mandates that every Representative to Congress must be a "Citizen of the United States" for at least seven years and a current "Inhabitant of that State in which he shall be chosen."

Likewise, Article 1 Section 3 mandates that every Senator must be a "Citizen of the United States" for nine years, and a current "Inhabitant of that State for which he shall be chosen."

Thus, originally, both Representatives and Senators had to be "Citizens of the United States". But what, exactly is a "Citizen of the United States"?

At the time the Federal Constitution was adopted in 1788, each of the thirteen States were sovereign associations of people. There was no single "national" political entity and there was no single "national" citizenship. Therefore, I believe the term "Citizen of the United States" (as used in the body of the Constitution) meant a "State Citizen" of any one of the *several* sovereign States.

For example, State Citizens of Virginia and State Citizens of Delaware would both be "Citizens of [one of] the [several] United States" and therefore eligible to run for office as Representative, Senator or President from the State they currently inhabited.

Generally speaking, only the Citizen of Virginia could run for office as a Virginia Representative or Senator. Likewise, only a Citizen of Delaware could run for office as Delaware Representative or Senator. By virtue of their *State* Citizenship, both Virginia and Delaware Citizens (as well as Citizens of the other eleven States) were classed as "Citizens of the United States".

However, even though a Citizen of Delaware is a "Citizen of the United States," could he run for office as a Virginia Representative or Senator? Probably not. Article 1, Sections 2 and 3 make it clear that candidates must not only be Citizens, they must also be inhabitants of the State in which they are chosen.

Although Citizens of some States might have more or less rights within their particular State, all State Citizens enjoyed the same minimum level of rights as coequal "Citizens of the United States".

What single, common instrument declares the single source of "unalienable Rights" available equally to all Citizens of all States? Answer: "The unanimous Declaration of the thirteen united States of America" (aka, "Declaration of Independence").

Thus, I suspect that all "Citizens of the United States" would be entitled to "unalienable Rights". (Of course, the new-and-improved 14th Amendment "citizens of the United States" would only be entitled to civil rights – a weak illusion of "rights" that essentially subjects the "citizen" to arbitrary government control.)

A third Citizenship?

While a noisy debate continues over "Citizens of the United States" versus "citizens of the United States", few of us have noticed that Section 1 of Article 2 (Executive Branch) of the Federal Constitution references another form of citizenship when it mandates that:

"No person except a *natural born Citizen*, or a Citizen of the United States . . . shall be eligible to the Office of President . . . ." [emph. add.]

Note that "Citizens of the United States" can run for three offices: President, Senator and Representative. But a "natural born Citizen" can only run for President.

Article 2 Section 1 clearly implies a "natural born Citizen" is not a "Citizen of the United States". If the terms were synonymous, why mention both?

As previously explained, I believe "Citizen of the United States" is synonymous for State Citizens. If so, if follows that since a "natural born Citizen" not a "Citizen of the United States," he must not be a *State* Citizen.

If not a State Citizen, where could a "natural born Citizen" live and still be eligible to run for the presidency?

How 'bout a *territory*? Although a person living in the Northwest Territory (which predated the Constitution) would not have been eligible to be a

Representative or Senator from any of the thirteen sovereign States, perhaps he could still run for the presidency. If so, I postulate that "natural born Citizens" are Americans who live in (inhabit) territories outside of de jure States but are nevertheless entitled to "unalienable Rights".

If natural born Citizens were unattached to any sovereign State, their citizenship – and claim to "unalienable Rights" – would not depend on State Citizenship. This independence from States might be an advantage in a world where the legitimacy and even existence of sovereign States is complex or even doubtful.

I.e., does the State "Texas" still exist? Or has it been supplanted or permanently replaced by the corporate STATE OF TEXAS? I'm not sure.

But even if the State "Texas" still exists, trying to prove your claim to be State Citizen in Texas (and thus, a "Citizen of the United States" entitled to "unalienable Rights") rather than a citizen of the corporate STATE OF TEXAS (and 14th Amendment "citizen of the United States" and/or "U.S. citizen") is a complex and bewildering process. If you don't do it just right, your claim to being a State Citizen may still be interpreted as an admission of citizenship in a corporate state.

It's only natural

But suppose that, instead of claiming to be a State Citizen, you claimed to be a "natural born Citizen" of the sort found in Art. 2 Sect. 1 of the Federal Constitution. Since the natural born Citizen is found on *territory* rather than in States, questions of your state/State citizenship/Citizenship might be irrelevant.

Since the corporate states (like STATE OF TEXAS) are artificial and not comprised of people, they may be territorial. If so, that's consistent with the territorial natur of "natural born Citizens".

I wouldn't bet on it, but it even appears possible to be associated with the corporate STATE OF TEXAS and *still* claim to be a "natural born Citizen" entitled to "unalienable Rights". If so, some fascinating possibilities follow.

For example, possessing a drivers license issued by a corporate state, is usually deemed prima facie evidence that you're a 14th Amendment "U.S. citizen" rather than a State Citizen or Citizen of the United States. As a result, those with drivers licenses seem to forfeit their claim to "unalienable Rights".

But what if, in addition to having a drivers license (issued by a *territorial* authority), you also carried evidence that you are a natural born Citizen (someone living in a *territory*)? Perhaps you could still claim your unalienable Rights despite your affiliation with a corporate territorial state.

But even if the corporate STATE OF TEXAS is not a "territory," how can government deny your claim to being a natural born Citizen? The body of the Federal Constitution recognizes just two forms of "capital-C" citizenship: "Citizens of the United States" and "natural born Citizens". The first Citizens are apparently derived from de jure States; the second Citizens seem derived from territories. The Constitution has not been amended to revoke or alter those forms of citizenship.

Thus, if I claimed to be a natural born Citizen entitled to "unalienable Rights," government would theoretically have to disprove my claim by proving that I'm not living and working in a *territory*.

OK. But if the corporate STATE OF TEXAS is *territorial*, and I claim to be a "natural born Citizen" (presumably also *territorial*), then the only way to refute my claim might be to admit I have a non-territorial citizenship like "Citizen of the United States" and/or State Citizen of Texas. In either case, they might still have to concede that I'm entitled to "unalienable Rights".

I'd call that a big win.

See my point? How can a territorial government assert that I'm a citizen of a territorial/corporate state and still deny that I'm a territorial "natural born Citizen"?

This strategy sounds fairly clever, but it doesn't create a perfect dilemma for government. Assuming the strategy's two underlying territorial premises are valid, the strategy would still have to be implemented very precisely to succeed.

Still, if you enjoy the simple pleasures like watching a judge's blood pressure rise when you goose 'em with a new patriot strategy – Hey – why not?

Make a Federal case of it?

So far as I know, "natural born Citizen[s]" are only mentioned in the Federal Constitution. If so, it follows that natural born Citizens may have no political relationship to States, and thus no State (or state) court could determine the validity of a "natural born Citizen" claim. If so, *Federal* adjudication might be available (perhaps *mandated*) for cases where litigants based their defense on a claim of being a natural born Citizen.

Most local municipalities don't want to litigate their traffic tickets in Federal court. The cost alone is prohibitive. Therefore, municipalities might be reluctant to ticket defendants who claimed to be "natural born Citizens" endowed with unalienable Rights if such cases seemed likely to move into Federal court.

D.C. citizenship?

But there's one more fly in our constitutional ointment: Washington D.C.. The Federal Constitution recognizes *three* geographic jurisdictions: de jure States, national Territories and the seat of government called Washington D.C..

Some constitutionalists believe that having a Social Security Card and/or paying income tax etc. are prima facie evidence that you are a "citizen" of Washington D.C.. ("U.S. citizen"?)

If so, government might refute my claim to being a natural born Citizen with presumptions (trickery) to indicate I'm some sort of "citizen-subject" of Washington D.C..

But if I *expressly* denied such citizenship or association with Washington D.C., the government might have to *expressly* prove in court (in *public*) that I am in fact a citizen-subject of Washington D.C..

While government routinely convicts the masses with unstated presumptions, they won't usually risk expressly exposing those presumptions in court (public). Can you imagine a prosecutor telling a jury that reason a defendant in Texas had to pay income tax was because he's really a citizen of distant Washington D.C.? The jurors would know instantly that if that's why the defendant has to pay income tax, that's why they have to pay, too. Government can't afford to publicly expose the presumptions on which they base most regulation.

I don't contend that claims to being natural born Citizens are bulletproof, but they may create political exposure problems that most prosecutors don't wish to face. Thus, claiming to be a natural born Citizen might at least win some cases by default.

Stake your claim

How could you document your status as natural born Citizen (and thereby claim your unalienable Rights)? The question demands more research, but for now, I'd guess that a good start might be proper legal notice published in your local, county and state-wide newspapers and affidavits filed into the offices of your county clerk and perhaps state's Secretary of State.

For example, suppose I published legal notice in the local newspapers that, "Alfred Norman Adask is a natural born Citizen as per Article 2 Section 1 of the Federal Constitution adopted in 1788 A.D.."

And suppose I filed a notarized affidavit with similar text with the county clerk and perhaps the state and national secretaries of state. What would happen if police asked me for identification and I produced official documents proving I had published legal notice of my status as a "natural born Citizen"? I might still to arrested, but I wonder if I might not also be soon released and the underlying case made to "disappear".

A "natural born Citizen" defense might work even better if (after I'd published proper legal notice and filed notarized affidavits with the County Clerk) I also sent administrative notices of my claim to the local mayor, city councilmen, and police chief.

Notice to principal is notice to agent. If it can be shown that the police chief (or governor) knew or had reason to know I'm a natural born Citizen entitled to unalienable Rights, it should be arguable that his agent (the police officer) had notice, too. Thus, a police officer's ignorance of my citizenship might not provide him with his usual good faith immunity protection against suit for false arrest.

One last observation. If you look in *Black's* 7th, you won't find "natural born Citizen" but you will find the *hyphenated* term "natural-born citizen". Don't confuse the two. The Federal Constitution refers only to the *non*-hyphenated "natural born Citizen". Therefore, that's the term you'll probably want to use. If you used the hyphenated term ("natural-born citizen"), your claim to unalienable Rights might be ineffective.

Starlight, starbright . . . ?

This article's speculation on "natural born Citizens" is based more on wishful thinking than research.

Nevertheless, "natural born Citizen" is definitely another class of citizenship recognized in the Federal Constitution. Whether this form of citizenship still exists or has meaningful current application will require further investigation.

I hope some of you will investigate further. If you learn anything more about "natural born Citizens" – pro or con – please forward the information to the AntiShyster.

Federal v. National

by Alfred Adask

The most perplexing question facing constitutionalists involves the hypothesis that we somehow have *two* "layers" of government. That is, there appears to be a "corporate" government that has usurped the powers of the constitutional government established under the Federal Constitution.

Although government "duality" has been dogma among constitutionalist for at least a decade, average Americans dismiss the idea as incredible. Nonetheless, there is growing acceptance of the idea that government speaks with "forked" (constitutional/ corporate) tongue.

For example, in the June 4, 2000 Fox News TV program, Ralph Nader (candidate for the presidency) explained that he was critical of Al Gore's subservience to corporate America. Nader said he was concerned by the "takeover of our political government by *corporate government*." Nader's notion of a "political" (I'd say "constitutional") government being overwhelmed by a "corporate government" exactly parallels the dual-government hypothesis espoused by constitutionalists.

Nader also warned, "There's a permanent government in Washington that continues to rule regardless of whether a Republican or Democrat is elected to the Presidency."

Mr. Nader's "permanent government" is the administrative bureaucracy and corporate interests it represents. Again, Nader's criticism parallels that of constitutionalists.

More importantly, Nader's comments weren't challenged by the other four panelists on the national TV news program. Apparently, the panelists found the idea of a dual government dominated by corporations to be unremarkable.

Point: The fundamental concerns and values espoused by "patriots" for most of a generation are seeping into mainstream thought.

Prima facie evidence

Although the mechanisms responsible for establishing and implementing the second "corporate" government remain to be precisely identified, we know absolutely that "this" de facto government is not "the" de jure government of the Federal Constitution.

We know that a second "kind" of government is operating because we routinely observe government-sanctioned denials of the "unalienable Rights" which are supposed to be guaranteed by the Federal Constitution.

For example, if you are prosecuted by the IRS, you do not enjoy the constitutional protections against unreasonable search and seizure or self-incrimination found in the Bill of Rights. Likewise, your common law presumption of innocence is not merely lost, it's reversed – *you* are presumed guilty (not innocent) and compelled to attempt a logical impossibility – proving the *negative* statement that your are "*not* guilty".

How they're doin' it to us remains to be precisely understood. The *fact* that they're doin' it to us is undeniable.

The new word order

We know that government uses subtle and deceptive terms to conceal the distinctions between what appear to be two "forms" of government. For example, "District Courts *of the United States*" are the Article III, *judicial* courts where virtually all federal litigants assume their cases are heard.

However, virtually all "federal" cases are heard in "*United States* District Courts" which are administrative (rather than judicial) and operate under the 1st (legislative) or 4th (territorial) Articles of the Constitution – but not under the 3rd (judicial) Article.

Note the subtle difference in terms: "District Courts *of the United States*" and "*United States*

District Courts". Not one man in 100 would dream that those two terms identified different courts, with different jurisdictions and different duties to recognize (or ignore) a litigant's unalienable Rights.

A similar distinction exists between the "Supreme Court *of the United States*" and "*United States* Supreme Court". The two terms are not synonymous. Each term identifies an entirely different court.

Before and after

Generally speaking, when you see a document (Constitution *of the United States*) or institution (District Court *of the United States*) that includes the trailing phrase "*of the United States*," you are looking at an artefact of the original "federal" government that exists directly under the Constitution and *under* We the People (see the diagram at the end of this article).

However, when you see a document (*"United States* Constitution") or institution (*United States* Supreme Court) where "United States" is the *first* element of the title, you are usually looking at an artefact of the *National* government. This National government is ruled directly by Congress and all "U.S. citizens" (note the "U.S." in *front* of the term "citizens") are *subject* thereto.

citizens of the United States

There's one seeming exception to the rule that "U.S. first" signals the National Government. That exception is found in the 14th Amendment's designation for those subject to Congress: "citizens *of the United States*". This classification appears to apply within the *National*, not Federal government structure.

This subtle exception to the "U.S. first" rule was perhaps intended to fool the newly emancipated Negroes into believing their diminished capacity status as 14th Amendment "citizens of the United States" was identical to that of White "Citizens of the United States" specified in the body of the Federal Constitution.[1]

Federal v. National

Just as there are two court systems, constitutionalists believe that there are also two "governments". Within the patriot community, those governments are variously identified as "constitutional" (good) and "corporate/ territorial/ martial" (bad).

Although these alternative governments are easily "sensed," they have not yet been precisely defined. In fact, I'm not sure precise definition is possible since the second (bad) government appears to be derived from – and therefore part of – the first (good) constitutional government.

I believe the most appropriate designations for the two alternative forms of government are "Federal" and "National". The "Federal" corresponds to the "constitutional" designation used by patriots. The "National" corresponds to the "corporate/ territorial/ martial" designations.

Further, it's possible that there aren't two "governments" so much as two governmental "capacities". That is, perhaps Congress has both the original (1788) *Federal* capacity to regulate state *governments* and the relatively new (post-1865) *National* capacity to rule "citizens of the United States".

But even if these two "governments" can't be absolutely separated, they can still be distinguished as opposite ends of a single government "spectrum". There may be a "gray area" in the middle of the spectrum where elements of both government polarities may seem confused. Nevertheless, the obvious contrasts between the extremes of this spectrum should help clarify a host of patriot and constitutionalist observations and theories.

I suspect that what started with the 13th Amendment as a limited National "capacity" in 1865 has grown until today, that "capacity" has evolved into a "de facto" National government.

Whatever the full explanation, I'm presenting this "Federal vs. National" hypothesis to encourage dialogue and further investigation.

Political subdivisions

Although the division may not be legally precise, there *are* two "governments" in Washington (and at the state level): one constitutional, the other frequently described as "corporate".

In order to evaluate the possibility of a "dual" government, it's necessary to first understand how government is divided.

Black's Law Dictionary (7th ed.; 1999) defines "census," as

"The official counting of people to compile social and economic data for the *political subdivision* to which the people belong. . . ." [Emph. add.]

The meaning of "political subdivisions" seems obvious – it's the "states," right? However, the term may be more subtle than most people imagine.

A "subdivision" of anything is necessarily a subcomponent of a larger, greater, and usually pre-existing whole. As a crude illustration, the United States (which is comparatively small and new) could theoretically be a political subdivision of the Earth (which is larger and older). However, the older, larger Earth could not be a political subdivision of the small, newer United States.

It's a chicken/ egg phenomenon that generally boils down to "which came first". Thus, a little understanding of history helps explain which political entity came first and subsequently created its various political subdivisions.

Creator-creation principle

There is one master principle that applies to all political subdivisions: the creation is always subject to its creator.

Just as man is obligated to serve his Creator, so a government "of the people, by the people and for the people" must always be subject to the people who created that government. If the people created Congress, Congress must serve the people. But – if Congress were to create an agency like the FBI, that agency would be bound to directly serve *Congress* (it's creator) – rather than the *people* that created Congress.

The creator-creation principle lies close to the heart of our problem with "dual" governments. Patriots know that we were created by God – and that we, in turn, created our Federal, State – and National – governments. Therefore, we demand that our government serve us as all creations must serve their creators.

But as you'll see, we have foolishly allowed a third kind of *citizenship* to be created by the 14th Amendment that is directly subject to Congress rather than God. By allowing ourselves to appear or be presumed to be "citizens" created by and subject to Congress (as opposed to Citizens subject to God and superior to government) we have unwittingly traded our role as creator-sovereigns for citizen-subjects.

Creative history

- On July 4th, 1776 A.D., We the People – acting as sovereigns – created the thirteen (united) States of America. That creation was achieved with "The unanimous Declaration of the thirteen united States of America". (That instrument is also *incorrectly* known as the, "Declaration of Independence".)

Later, those newly created sovereign States (associations of *people*) wrote State Constitutions and thereby created their own State *governments* within their various States.

This creation lineage illustrates a subtle but important distinction: The Declaration did not create State *governments*; it only created Sovereign "States" – associations comprised of natural *people*.

Later, these sovereign States (people) created their own State governments which (as creations) had to serve – not rule – the people/creators. As a result, State governments created by States (people) were truly "public servants".

- On Nov. 17th, 1777, a Congress of those thirteen sovereign States adopted the "Articles of Confederation" – our first federal constitution. These "Articles" established a weak federal government to act as agent for the thirteen sovereign States in their collective war against Great Britain.[2]

After the Revolutionary War, the federal government created by the Articles of Confederation was found to be too weak to effectively settle disputes between the thirteen sovereign States. Therefore, in 1787, a new "Constitution for the United States of America" was proposed by a convention of *people* (not State *governments*).

- In 1788, that Constitution was made operative when it was ratified by a convention of the ninth State (New Hampshire).

Again, note that the Constitution was ratified by a convention of the State's *people* – not by some official act of that State's *government*. This is an important point since the "creation" (the Constitution and resulting government) is always subject to and must serve its "creator" (the natural, God-created *people*).

The chart at the end of this article illustrate the history and evolution and variety of our political subdivisions.

The Feds are our friends?

The *Federal* Government is the one created by the Constitution adopted in 1788. Although some of us despise all things, "Federal," so far as I can see, that's the good one.

If you look up "federal" in *Black's Law Dictionary* (7th), you'll find:

"Of or relating to a system of associated *governments* with a vertical *division* of governments into national and regional components having different responsibilities; esp., of or relating to the *national* government of the United States." [emph. add.]

This definition is somewhat confusing since "federal" is "*of or relating to"* national government. Still, while the two terms may be *related* and somewhat similar, they are "divided" and not synonymous.

Hypothetically speaking

I suspect that while the "Federal" government was created by and subject to "We the People" (see the following two-page diagram), the *National* Government was created incrementally by the 13th, 14th, 15th and various later Amendments which, for the first time, granted Congress "national" power to "enforce" these amendments "by appropriate legislation" *within* the formerly sovereign States. These amendments ended the "*division*" of "national and regional compontes" mentioned in Black's definition of *Federal* government. Relatively speaking, the National Government is the bad one – the "evil twin," so to speak.

The difference between the Federal and National governments is implied by the terms themselves. If you reconsider Black's 7th definition of "Federal" you'll see that refers to a "system of associated *governments*". The implications are fascinating. The Federal government in Washington D.C. didn't regulate the States (people), it regulated the State *governments*.

"National," on the other hand, refers to a single government of the entire "nation" – i.e., of all the *people* who comprise the "nation" under a single jurisdiction.

See the difference? The "Federal" government in Washington D.C. was intended to regulate State *governments* (not State Citizens), to settle inter-State disputes, and represent all of the States as a single entity in foreign relations. But the Federal government could not pass laws and regulations or impose penalties *directly* upon the individual Citizens of the several States. Under the federal system, only State governments dealt directly with the People.

This arrangement of State governments associated with the Federal government directly protected the People from abuse by the Federal government (in Washington D.C.). The State governments had more than ample power to stop any Federal assault on individual liberties and "States' rights".

Likewise, this interlocking but divided governmental structure also protected the People from abuse by their own State governments. If your State's government violated your constitutionally-guaranteed unalienable Rights, you could petition your Congressman and/or the Federal courts for redress. (That's what "constitutionally-guaranteed rights" means: the Federal government guarantees to protect your "unalienable Rights" against violation by State governments.)

Thus, the Feds protected the People from State governments, State governments protected the People from the Feds, and both levels of government were designed to serve the People rather than rule

them. The federal system was an extraordinarily ingenious.

Post-Civil War revolution

But after the Civil War, a new "national" governmental capacity was created when the 13th Amendment was ratified. Congress, for the first time, was granted power to enforce the 13th Amendment *directly* upon People *within* the States.

Do you see the difference? Prior to the 13th Amendment, the Federal Government only regulated *State governments*. After the 13th Amendment, the government took on a "national capacity" that allowed direct regulation of the *nation*; i.e., of *all* the *People* in *all* of the States.

This national legislative capacity marked the beginning of the end for "States' Rights" and the foundation for all the onerous rules, regulations, and administrative agencies that currently emanate from our "National" Government in Washington D.C..

Mis-directions

In the *federal* system of government, We the People are sovereign and the government is our servant. But under the *national* system of government (aka, "legislative democracy"), the Congress becomes sovereign, and We the People are reduced to *subjects*. In the federal system you are expected to be free and independent. Under National Government you are expected to live as a dependent in regulated bondage to that government.

While a National Government might still offer some protection against abuse by corporate state governments, it left little recourse to protect the People from abuse by the *National* government, itself.

The *federal* system is where most of us think we live. The *national* system is where most of us probably are.

Corporate government

The 13th, 14th, 15th, 16th, 19th, 23rd, 24th, and 26th Amendments all granted *national* powers of enforcement to *Congress* – but not to the existing Executive and Judicial branches of the Federal government.

I believe these Amendments created a "national" governmental capacity for Congress that has evolved into a virtual National Government. That National government is probably operating *exclusively under Congress* (not directly the People). If so, this "second" National government could not use the existing enforcement apparatus that was created by the People under the Executive and Judicial branches of the *Federal* government.

Why? Because *Federal* bureaucracies may be exclusively empowered to regulate State *governments* – but not State Citizens.

Therefore, Congress might have to create its own National bureaucracy to enforce its National regulations. As a result, there'd be two "bureaucracies": Federal (operating under the Executive Branch) and National (operating under Congress).

How could Congress create a bureaucracy directly under itself? How 'bout by *incorporating* agencies (like the IRS or FBI) or chartering trusts (like the Federal Reserve System or the National Highway Trust)?

Thus, the Federal government would operate and control the constitutional Post Office but Congress would have to create its own *corporation* (U.S. Postal Service) to handle postal affairs for the *National* government and "national" (14th Amendment) citizens.

The possibility that *corporate* bureaucracies are agencies of *National* (not Federal) government raises some intriguing questions:

- If the U.S. Postal Service and similar corporations are

agencies of the National government, then is it possible that Congress/ National government is the *principal*? If so, is Congress somehow *liable* for its agents' and agencies' errors?

- Is it remotely possible that my Congressman (Senator?) is the local *registered agent* for the national government's corporate agencies?
- If so, does notice to principal (legislative democracy/ Congress/ National government) constitute legal notice to agent (corporate bureaucracies)? That is, should I send my administrative notices to my Congressman (National government's registered agent?) rather than some onerous corporate agency?

Hypothetical answers?

The proposed distinction between Federal and National governments might explain several legal "anomalies" that have perplexed the constitutionalist community for some time. For example:

- A Federal/ National distinction could explain why some agencies (like the IRS and FBI) are missing from government's list of bureaucracies and seem to have "magically appeared" without being enacted into law by Congress. Perhaps these lists record legitimate *Federal* bureaucracies (which were enacted) while the mysterious un-enacted agencies (IRS, FBI, etc.) were *incorporated* under of the *National* government as *corporate* bureaucracies. This might also explain what some people regard as the "corporate" government.
- The distinction between Federal and National governments might explain why some of the laws passed by Congress are recorded in the "positive" titles of the United States Code, while other (like Title 26 dealing with income tax) are not. Perhaps the "positive" Titles list those laws passed by Congress acting in its Federal capacity while the "non-positive" Titles list those regulations passed by Congress acting in its National capacity.
- The distinction between Federal and National governments might also explain the OMB anomalies we've seen where government forms — which are mandated by law to include valid OMB numbers — don't.

For example, the Census 2000 D-2(UL) form and the IRS 1040 form reportedly lack valid OMB numbers. Could it be that forms used by the *Federal* government require valid OMB numbers while the "bootleg" forms of *National*/ corporate government do not?

The 14th's great deception

Government has used "benefits," voter's registration, Social Security and other devices to lure and deceive the People into "voluntarily" (but unwittingly) trading their *sovereign* status and God-given "unalienable rights" as "Citizens" for the servitude of 14th Amendment "citizens".

Prior to the 14th Amendment, our unalienable Rights had been granted by God, declared in the Declaration of July 4th, 1776, and guaranteed by the Federal government created by the Federal Constitution (made operative in 1788). After the 14th Amendment, Americans slowly accepted the *subject* status of "citizens of the United States" and the temporary privileges (benefits) called "civil rights" under the National government.

But note that the Federal government has not disappeared. It's been supplanted by the National government, but not replaced.

However, our real problem is not that we have two "governments," but that we have several forms of citizenship. We the People have unwittingly abandoned our sovereign status as "natural born Citizens" and "Citizens of the United States" (recognized by the Federal Constitution in 1788) and accepted the

subject status of "citizens of the United States" created by the 14th Amendment in 1868. By doing so we *voluntarily* became subjects of the National government's jurisdiction.

The fault, Horatio, is not in our governments, but in ourselves. If you'll study the following chart, perhaps you'll agree.

[1]It's only conjecture, but since the vast majority of Negroes were probably illiterate in 1870, they'd be unable distinguish between "citizen" and "Citizen" since the words *sound* the same. Thus, if an emancipated but illiterate Negro appeared in court and a judge asked if he were a "citizen," the Negro (thinking the judge had asked if he were a "Citizen") would surely swear Yes. In theory, the judge could rule accordingly and deny the Negro citizen-subject any claim to a Citizen's unalienable Rights.

I don't know if any Negroes were ever actually exploited with such deception, but it's easy to imagine the possibility. Through the use of 14th Amendment citizenship, government could simultaneously "free the slaves" and still treat the emancipated in court like a "bunch of niggers".

Over the years, it's likely that judges and government learned to trick poor, illiterate Whites with the same question:

"Do you swear you're a citizen, Mr. Whiteboy?"

Yessir, yer honor!

"OK [you dumb white trash], then I find you guilty as charged!"

By *assuming* the judge said "Citizen" when he really said "citizen," the illiterate White unwittingly accepted the status of *subject* and thereby agreed to be railroaded by the court.

Historians promote a noble cause for the Civil War (freeing the slaves) and no doubt, for some, that was true. But it's also true that the Civil War was fought for ignoble reasons that are today "politically incorrect" and even forgotten.

For example, I've never believed the North was primarily motivated to suffer the horrific Civil War just to free a bunch of Southern slaves. That may've been an excuse or even a real (but secondary) reason. But no nation in history has ever inflicted the kind of carnage upon itself that took place in the Civil War for the sake another race, let alone a race of slaves.

I suspect an additional reason for emancipation was not to free the slaves but to confine them to the South. When you think about it, it's obvious that if it weren't for slavery, Negroes would never have reached the USA in significant numbers. Africans didn't have the resources to cross the Atlantic on their own. However, as slaves (property) they moved in massive numbers to the New World.

Why? Because slave owners paid for their transportation.

Similarly, Negroes in the deep South could never move to New York in substantial numbers *except as slaves*. I.e., so long as Negroes were *property*, it was inevitable that some New York farmer or factory owner could buy some slaves and pay the costs of transporting them up from Georgia.

But if the slaves were freed, they could not be owned, they'd have no value as property, and therefore no northern businessmen would pay to import them from the South. Thus, freeing the slaves was not necessarily an act of humanity and invitation but rather an attempt to prevent immigration and confine Negroes to the South.

The public might not have recognized the relationship between slavery and Negro immigration when the 13th Amendment "freed the slaves". But I'll bet astute northern politicians understood clearly that by freeing the slaves, they'd slow or prevent the influx of Negroes from South to North.

If so, it follows that at least some of the politicians of the several northern States which prohibited slavery before the Civil War may have been motivated less by abhorrence for slavery than abhorrence for Negroes.

[2]The "Articles of Confederation" also created the "*perpetual* Union" styled "The United States of America."

According to *Bouvier's Law Dictionary* (1856), a "**union**" is an "*unincorporated* association" of natural persons. It's virtually certain that the perpetual Union ("The United States of America") created by the Articles of Confederation identifies virtually all of the *natural* people inhabiting all the several united States. Thus, "The United States of America" is not precisely a collection of several independent States, but rather an single unincorporated association of all the people who comprise the several States. In other words, even though a man living in Newark might be a Citizen of New Jersey and a man living in Buffalo might be a Citizen of New York, both would be members of perpetual Union styled "The United States of America".

LEGEND for hypothetical Federal/National government relationships

God-made, Sovereign People/ Citizens

Documents & Instruments of Creation

Federal & State Governments

National Gov't & Corporate Bureaucracies

14th Amend. citizens subjects

Creator to Creation relationship

(Creator) > > > > > > > (Creation)

Ruler to Subject relationship

(Ruler/ Agent) – – – – – > (Subject)

#1. God This is "Nature's God", "Creator" of "all men," and source of all "unalienable rights" referred to in the July 4, 1776 "unanimous Declaration" (#3, below). His 1st Commandment is, "Thou shalt have no other gods before me." This commandment might be interpretted to mean no other gods "between" you and God. That is, God's People must be directly subject to Him and his Law only.

#2. People Created by God in the womb (not at birth; Isaiah 43:1) and directly subject to God and His law. They are identified by Capitalized names like "Alfred Adask"

#3. "The unanimous Declaration of the thirteen united States" July 4, 1776 A.D. (aka incorrectly as the "Declaration of Independence"). Created by the **People** (not government), this instrument was more than a radical political document that severed our former ties and obligations to Great Britain's Monarchy. It was a also revolutionary spiritual document since it declared that "all men are created equal". This equality included Kings and thereby simultaneously 1) rendered all men legally equal to "sovereigns" and therefore capable of owning property; and 2) destroyed the "Divine Right of Kings" premise on which European monarchies and Western civilization had rested for over 1,000 years. This instrument also declares God is the source of our "unalienable Rights". As such, this is a spiritual document, a statement of faith and arguably a church charter.

#4. Thirteen Sovereign States These "States" are associations of **People**, not State governments. The **People** who comprise these "States" retain their "unalienable rights" and would later create their own thirteen State governments to serve the sovereign **People**.

#5. Thirteen governments of the States In 1788, these State governments were modefied by the Constitution to become "federal" State governments. In 1913, with the passage of the 17th Amendment (popular election of Senators), these State goverenments were so radically altered that they ceased to exist as "federal" State governments. They were later supplanted by "National" corporate state governments.

 # 6. Articles of Confederation (1777 A.D.)

#7(A). Weak "FEDERAL" government over the pre-existing Thirteen Sovereign State governments. This weak federal government was discontinued when it was replaced in 1788 by stronger "Federal" government under the Constitution.

#7(B). Union styled "**The United States of America**". This "*perpetual* Union" was composed of the sovereign States/**People** – not State governments – and was continued and made "more perfect" under the subsequent Constitution (# 8).

(Continued on the next page)

(Continued from the previous page)

#7(B). Union styled "**The United States of America**". This "*perpetual* Union" was composed of the sovereign States/ **People** – not State governments – and was continued and made "more perfect" under the subsequent Constitution (# 8).

 # 8. Constitution for the United States of America (1788 A.D.)
Created and ratified by conventions of the **People** of the Union, not existing State governments to serve the **People** (creators) and regulate State governments. (State governments were also created by the **People** to serve – not rule – the **People**.)

 # 9A. Three Branches of FEDERAL Government: The Federal Goverenment exercised strong, but limited autority over the "federation" of the several State governments. However, the Federal Government had virtually no direct jurisdiction over the sovereign States/**People** (State Citizens, natural born Citizens & Citizens of the United States).

Legislative **Executive** **Judicial**

 # 9(B) "Federal" State governments. While the **People** remained sovereign, these "Republican form" State governments are not, since they are largely subject to the Federal government. These State governments would later be supplanted by the corporate state "governments" identified in **#13** (below).

#10. 13th Amendment (Dec 18, 1865 A.D.) National Governmental Capacity
Ratified just 8 months after Gen. Lee's surrender (April 9) and Lincoln's assassination (April 14), Section 1 of this Amendment abolished slavery and involuntary servitude. But Section 2 granted Congress (not the executive or judicial branches) "power to enforce this article by appropriate legislation." This grant extended Congressional jurisdiction far beyond the Constitution's "federal" limits and, for the first time, allowed Congress to directly reach State Citizens within the (formerly) sovereign States.

#11. 14th Amendment July 28, 1868
"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."
By referring to "the [singular] jurisdiction" of the "United States," the 14th Amendment conceded the the pre-existance of single, "national" jurisdiction to rule over the new "nation" of "citizens of the United States". This single, nation-wide government (aka "Legislative Democracy") is ruled exclusively by Legislators ostensibly elected to serve in the Legislative branch of the Federal government.

#12. National Government/ Legislative Democracy
The 13th Amendment's direct jurisdiction over all Americans (as individuals) created a new **National** (not Federal) legislative "capacity" in Congress. Based on additonal powers of national government granted by the 14th, 15th, 16th, 19th, 23rd, 24th, and 26th Amendments, that national legislative capacity has evolved into a **National** Government to rule directly with amost unlimited power over the 14th Amendment's newly-created nation of "citizens of the United States" (rather than the Federal governments rule over State governments).

#13. Corporate Bureaucracies were created to administer with near-absolute authority over the "citizens of the United States," "U.S. citizens" and other beneficiaries who comprise the "nation" subject to direct Congressional jurisdiction. These National/corporate bureaucracies Includes FBI, FEMA, OSHA, FCC, IRS, ATF, STATE OF TEXAS (not "Texas"), U.S. District Courts, U.S. Postal Service etc.. AKA "corporate government". These agencies do not include legitimate Federal bureaucracies that operate directly under the executive branch of the Federal government like the Post Office.

#14. "citizens of the United States"
The 14th Amendment created an entirely new class ("nation") of "persons" called "citizens of the United States" who would be "subject" to the single jurisdiction of the "United States" (National government/ legislative democracy). These "citizens" are not the **People** created by and directly subject to God. As a result, these "citizens" have no clear claim to God-granted "unalienable rights". These "citizens" have voluntarily become subject to Congress rather than God. Remember the 1st Commandment? "Thou shalt have no other gods before me?" This status is the modern equivalent of serf or slave. These "citizens" are "born" (not created) and identified with upper case names like "ALFRED N. ADASK".

Citizens *and* citizens?

by Alfred Adask

The ideas in this article flow from (and help explain) the previous "Federal v. National" article (this issue). Likewise, the numbers (#1, #2, etc.) in this article refer to the previous two-page diagram describing "Federal/National Government Relationships."

As sovereign Citizens, we created the Federal Government as our political agent and "public servant". As our creation, the Federal Government works for us and beneath us. Its immediate political subdivisions include the three branches of the Federal government (like Congress) as well as the several quasi-sovereign "federal" States of the Union (like "Texas" or "Delaware").

However, the Federal government also indirectly includes the corporate states (such as the "STATE OF TEXAS") which appear to be "political subdivisions" of Congress. Just because Congress is a political subdivision of "our" Federal government does not prevent Congress from creating it's own political subdivisions and agencies such as the corporate states and "national" government. Wheels within wheels.

On the face of it, there's nothing unconstitutional in this arrangement. However, this "national within federal" system includes an incredible deception and a secret betrayal of the American people.

We have been collectively tricked, deceived, lured and seduced into surrendering our birthright as "Citizens" (#2) created by and subject only to God (#1) in return for the lowly status of "citizens" (#14) who are created by and *subject* to Congress (#9A), the National government (#12), and the corporate bureaucracies (#13).

Through this deception, the Federal government's creators (the People) have become the National government's creations (14th Amendment citizens). The sovereigns have become the subjects; the servants have become the masters and the "natural" order of the Declaration of July 4th, 1776 has been reversed.

You can't get there from here?

The question is whether the reversal that changed sovereigns into servants can be "re-reversed". That is, is it possible for those who've been deceived into accepting the status of "citizens" to recover their birthright and regain their natural status as "Citizens"?

Absolutely.

The only question is whether that return can be achieved peacefully through law or violently through a shooting revolution.

The answer depends on both the National government (#12) and the "citizens" (#14). If the "citizens" remain too lazy to study and learn to recognize their own predicament, there's little chance for a peaceful restoration of Citizenship through law and politics.

Likewise, no peaceful solution is possible if the National government is too stubborn to emancipate its "citizens". Thus, if the People stay ignorant or the government refuses to surrender its power, the situation will continue as is – until someone starts shooting.

However, there's no sense in starting a shooting revolution to free a mob of incompetents who

lack the intelligence, morality or education necessary to be free. To suddenly free a mob like that which currently populates the U.S. will only precipitate the formation of a government like that which replaced the Czar's after the Russian Revolution.

Decentralized powers

I've speculated previously in this issue that government's *centralized* power is inversely proportional to the public's "*de*-centralized" power. If so, the decentralized internet that empowers the people must also *dis*-empower centralized government.

If government power is declining, then National government may be increasingly unable to stop "citizens" from regaining their status as "Citizens". This is good news since you can't very well have a shooting revolution if one side is too weak to shoot. If government is growing too weak to resist a return to Citizenship, the chances for a peaceful restoration are increased.

More importantly, the internet is an *educational* medium through which all Americans can learn to distinguish between "citizens" and "Citizens". We are learning to more accurately perceive and explain the differences between the two classes of citizenship. As we do, the "citizens" will be increasingly empowered to intelligently and intentionally choose which status they wish to embrace: that of the free and fully responsible Citizen or that of limited-liability citizen (subject).

The most important consequence of this education is to elevate the people's educational status from that of an ignorant mob only fit for "citizenship" to that of individuals both capable and worthy of being free Citizens endowed with unalienable Rights.

The dignity of choice

The choice between free Citizen and citizen-subject is not automatic. Given the opportunity to choose, many Americans – perhaps most – would choose to remain as 14th Amendment "citizen" subjects.

Freedom is not an easy state of affairs. Most people are too old, too young, too weak, ignorant, addicted or incompetent to function as free (moral) men. Such people may rationally choose to remain as government's protected citizen-subjects. This kind of choice has Biblical precedent where emancipated slaves or servants are afforded the opportunity to voluntarily resubmit themselves to their masters. They are lawfully entitled to recognize that they are better off as slaves and therefore "free" to reject freedom.

But some Americans, perhaps many, will have the spiritual strength, personal pride or even arrogance needed to choose to reclaim their heritage of unalienable Rights and accept the full responsibilities of Freedom.

Unpleasant truths

"Patriot" dogma has declared for decades that we all live in an either-or world where only one form of government (Federal or National) and one form of citizenship (Citizen or citizen) can survive. But just as government has deceived us into accepting the status of 14th Amendment citizens, the patriots (whether they know it or not) are "deceiving" themselves into believing that we must instead accept *only* the status of sovereign Citizen. These mutually exclusive positions of both government and patriots are equally invalid.

I believe there is room in America for both the Federal and National governments, and both Citizens and citizens.

One truth is unpleasant but undeniable: most Americans are amoral (see "The Amoral Majority," AntiShyster Vol. 9 No. 3) or

otherwise unfit to be free. For patriots to demand the full rights and responsibilities of Citizenship for such people is equivalent to insisting that all children left home alone be given matches.

A second truth is infuriating and also undeniable: some Americans are not only morally fit to be free, they are almost incapable of enduring a world which denies them the freedoms and responsibilities that were granted by God, declared in our 1776 Declaration and protected by the Federal Constitution. For them, 14th Amendment citizenship is an unholy, intolerable curse.

To force or deceive such good, moral people into accepting the subject status of citizen is not only a political offense but also a spiritual tragedy that denies them the Right to worship their God as free men.

A civilized alternative

Why not establish a political system that openly allows both classes of citizenship? Those who choose to be citizens and enjoy the benefits *and duties* (like paying income tax) of a legislative democracy under a National government may do so. Alternatively, others may choose to live as free and fully responsible Citizens under God in a Federal Republic that only protects them against abuse by government. Such people would not receive government benefits like unemployment, Social Security and limited liability from lawsuits. On the other hand, they wouldn't have to pay income tax or insure their automobiles.

I don't pretend a "dual" system would be easily implemented. But why not openly allow both systems? The only impediments are the government's historic deceptions and our own ignorance. Once they admit their deceit and we face up to our ignorance, there's no reason to fight for either government citizenship or patriot Citizenship. Likewise, there's no reason to terminate the Federal or National government. We need, and could have, both.

Just because *most* Americans are currently unfit for the responsibilities of freedom does not justify compelling *all* Americans to accept the status of citizen-subjects. If America is to truly remain the "Land of the Free," there must be some publicly recognized procedure that allows at least some of us to live as Citizens.

In the end, a recognition of both kinds of citizenship may not cause much outward change in America. But it will cause great inward change since the government will be operating without deception and Americans will be afforded the dignity of personal choice that can only make all Americans – citizens and Citizens, alike – proud of themselves and envied by the world. ■

Tax (and other) Courts of the United States

by Gerald Brown

I received this article as E-mail forwarded from constitutionalist Dan Meador. The author's information on identifying Article III courts is superb, and read closely, ties in nicely with some of the speculation in our previous articles concerning Census 2000.

However, author Brown apparently does not share my opinions on the difference between National and Federal government. Perhaps Mr. Brown is way ahead of me and my speculation on "National government" is simply wrong. Or perhaps I've moved a little further down one trail while Mr. Brown moved down another.

In any case, while I generally agree with Mr. Brown's assertions, I wonder if his use of the terms "federal" and "federal government" is imprecise. That is, he uses "federal" in contexts where I suspect the term "national" might be more accurate. (See "Federal v. National," this issue.)

Also, if I'd written this article, I would probably have capitalized the word "state" whenever it referenced a "State of the Union," and left the non-Union, incorporated "states" uncapitalized. I do not imply that my way is better than Mr. Brown's. I don't know what the correct answers are. I do, however, have a growing appreciation for the questions.[1]

I've added my own blue and [bracketed] comments to Mr. Brown's text.

It's not only important to know the nature of a tax, but also the nature and scope of authority of the court and the government that created the court that administers a particular tax.

For example, in the 1933 case of *O'Donoghue v. United States* (289 U.S. 516, 53 S.Ct. 740), the United States Supreme Court presented an "exhaustive review" of the differences between the judicial courts created under Article III of the Constitution and the legislative courts created under Article I or the territorial courts created under Article IV. Shepards shows that the *O'Donoghue* case has not been reversed, overturned, or modified by any later ruling.

According to the *O'Donoghue* court:

"As the only judicial power vested in Congress is to create courts whose judges shall hold their offices during good behavior, it necessarily follows that, if Congress authorizes the creation of courts and the appointment of judges for a limited time, it must act independently of the Constitution and upon *territory* which is not part of the United States within the meaning of the Constitution." [Emph. add.]

But 26 U.S.C., section 7441 states,

"There is hereby established, under article I of the Constitution of the United States, a court of record to be known as the United States Tax Court. The members of the Tax Court shall be the chief judge and the judges of the Tax Court."

26 U.S.C., section 7443(e), ("Membership") states,

"(e) Term of Office.—The term of office of any judge of the Tax Court shall expire 15 years after he takes office."

It appears from these Title 26 code sections that Tax Court is an Article I court whose judges serve for a *limited time*, namely 15 years.

[I suspect it's a "territorial" court under Article IV. If so, if you can successfully deny that you're in that "territory," you might evade that court's jurisdiction. For example, if the court presumes you're in a government-owned territory (possibly identified by "TX" and/or Zip Code) but you can deny that assumption and claim you've always been in "Texas" (State), you might be able challenge jurisdiction of the territorial court.]

Judging by the *O'Donoghue* ruling – the U.S. Tax Court, it's proper issues, administrative procedures under the IRS Code,

and its regulations – have nothing to do with the states of the Union and/or the people who live therein – except when an individual enters into some privileged capacity with respect to the federal government or any of its instrumentalities.

How does Congress get away with making all those references to the "states" in the Internal Revenue Code?

The *O'Donoghue* court set out 4 general conclusions regarding the differences between the states of the Union and the District of Columbia and the territories:

1. The District of Columbia and the *territories* are not "states" within the judicial clause [Article 3] of the Constitution giving jurisdiction in cases between citizens of different states;

2. *Territories* are not "states" within the meaning of Revised Statutes section 709, permitting writs of error from this court in cases where the validity of a "state" statute is drawn in question;

3. The District of Columbia and the *territories* are "states" as that word is used in treaties with foreign powers, with respect to the ownership, disposition, and inheritance of property;

4. The District of Columbia and the *territories* are not within the clause of the Constitution providing for the creation of a supreme court and such inferior courts as "Congress may see fit to establish."

[Emph. add.]

Foreign "states"?

The third conclusion ("The District of Columbia and the territories are "states" as that word is used in treaties with *foreign* powers, with respect to the ownership, disposition, and inheritance of property") is at odds with the other conclusions as well as our common understanding of the word "state". However, this definition of "state" is the one which Congress uses in the Internal Revenue Code.

Under the treaty with Spain, the territories (insular possessions) were called "states" for the purpose of ownership, disposition, and inheritance of property. These states include such territories as the Philippines (which elected to become independent of the United States in 1946), Puerto Rico, The Virgin Islands, Guam, etc. It is these inchoate states that are the subject of the Internal Revenue Code, not the sovereign states of the Union.

Neither does Congress include any of the states of the Union in the general definition of the terms "United States" or "State". Moreover, Congress deleted references to Alaska and Hawaii in Title 26 as each of these Territories was admitted into the Union. (See Alaska Omnibus Act, P.L. 86-70, 73 Stat. 141 and Hawaii Omnibus Act, P.L. 86-624, 74 Stat. 411 where references to Alaska and Hawaii were removed from the Internal Revenue Code of 1954 "each relating to a special definition of "State"".)

A "state" by any other name does not smell so sweet

Two other U.S. Supreme Court cases also help illuminate the distinctions between different kinds of "states" .

The 1821 case of *Cohens v. Virginia* (6 Wheat. 264; 5 L.Ed. 257) is still quoted in the bar review books and sets out the limited legislative power of the federal government, to wit:

"It is clear that Congress, as a legislative body, exercise two species of legislative power: the one, limited as to its objects but extending all over the Union; the other, an absolute, exclusive legislative power over the District of Columbia."

In the case of *Ellis v. United States*, 206 U.S. 246; 27 S.Ct. 600 (1907), the United States Supreme Court considered whether the minimum wage law of the United States would apply to the dredging of Chelsea creek in Boston harbor, Massachusetts. Notice these quoted conclusions:

- Congress possesses no power to legislate except such as is affirmatively conferred upon it through the Constitution, or is fairly to be inferred therefrom.
- An act which may be constitutional upon its face, or as applied to certain conditions, may yet be found to be unconstitutional when sought to be applied in a particular case.
- The work of dredging in Chelsea creek, in Boston harbor, as shown in the record, is not part of the "public works of the United States" within the meaning of the statute in question.
- It is unnecessary to lay special stress on the title to the soil in which the channels were dug, but it may be noticed that it was *not in the United States*. The language of the acts is "public works of the United States." As the works are things upon which the labor is expended, the most natural meaning of "of the United States" is "belonging *to* the United States." [Emph. add.]

Two conclusions can be drawn from this ruling. First, Chelsea creek in Boston harbor is not "in the United States". Chelsea creek is in Massachusetts which, as a sovereign state of the Union, is not under the jurisdiction of the United States except for those things that have been delegated to the United States [Federal] government in the U.S. Constitution.

Second, the term "of the United States" means "*belonging to* the United States". The states of the Union are not territories

of the United States and do not belong to the United States. The states of the Union have a sovereignty that predates the creation of the federal government.

However, the *territories* have no sovereignty as they are the property of the United States government.

Thus, the term "States of the United States" as expressed in federal codes includes only the *territories* as inchoate states which *belong to* the United States. Consequently, the court concluded that the minimum wage law of the United States did not apply to the work done at Chelsea creek.

The artful dodgers

Congress has been careful to artfully define its terms in compliance with the rulings of the Supremes. As a result, few Americans understand the distinction between the sovereign states of the Union and the inchoate "States of the United States" which refer to territories.

The Internal Revenue Code is "internal" to the federal government [I'd say "*national* government"; I suspect "internal" might even be government code for "national"], its instrumentalities, and the territories upon which Congress has laid this burden. It follows that the administrative procedure set forth in the Internal Revenue Code and the Code of Federal Regulations is incorrectly applied to individuals living in the sovereign states of the Union who have not elected to participate in any privileged capacity with the federal government. Pursuant to *O'Donoghue*, application of IRS administrative procedure to individuals living in sovereign states of the Union oversteps the authority delegated to the United States in the Constitution and is thus unconstitutional.

[I agree. However, I suspect that most of us have unwittingly accepted a citizenship, status as beneficiary, or residency that is foreign to the sovereign States of the Union but within some government territory like "TX". So long as we have voluntarily accepted the status of 14th Amendment "citizen of the United States," "U.S. citizen," beneficiary of National governmental programs, or resident of a territory, Congress probably has constitutional authority to impose the IRS Code upon us.

The problem is not that Congress is acting unconstitutionally, but that it acts deceptively. Congress takes advantage of our ignorance because there's no constitutional provision to prevent them from doing so.

Therefore, our remedy is not procedural so much as educational. My people perish, etc..]

The federal government is a creation of the states of the Union, and those states have not been absorbed into the federal government which they created. Nevertheless, no one currently in government wants to look at the conclusions of the *O'Donoghue* case because it would restrict their empire.

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Dan Meador publishes one of the finest newsletters available on the income tax. You can subscribe by email at DanMeador-subscribe @egroups.com or visit Dan's website at http://www.egroups.com/group/DanMeador

[1] The distinction between "States" and "states" is just another illustration that, in law, fundamental meaning can pivot on whether a particular word is or is not capitalized.

Because "State" and "state" sound alike, they are easily mistaken for each other by people whose fundamental media of communication is by voice. But the medium of law is inevitably *written*, not oral. Therefore law depends on a precise understanding of spelling, grammar and other subtle elements of the *written* language.

If sound (speech, music, videos, TV, movies, etc.) is your primary media of communication – and it is for most Americans – you will probably be confused and frustrated by law. Why? Because law exists almost entirely within the *written* media. Our electronic media is fundamentally aural and has educated all of us to be quasi-musicians and poets. Law, on the other hand, is strictly text- and logic-based. It's intended for highly skilled *readers* rather than laid-back musicians and poets.

It's no accident that the first "lawyers" were described in the Bible as "scribes". Only those who *read* proficiently – or better yet, *write* – are likely to become comfortable and competent in law.

R U a Liberal?

by Albert Baxter

I'm beginning to feel uncomfortable "picking on" government so much. As their power wanes, I feel a bit like a bully. Nevertheless, here's a little more tongue-in-cheek humor directed at "liberals".

Note that used in the classical sense, the term "liberal" is a good and noble term. However, the "liberals" referenced in this article are far from "classic". Instead, these are the folks who stole a noble label to conceal their non-liberal intentions to support and establish a ponderous, centralized, unlimited government.

A pox on all their houses.

Their hypocrisy has earned them a choice seat on the ash heap of history and all the ridicule that follows.

To be a liberal:

- You have to believe the AIDS virus is spread by a lack of funding.
- You have to believe conservatives are racists, but that black people couldn't make it without your help.
- You have to believe that the same public school system that can't teach 4th graders how to read is qualified to teach those same kids about sex.
- You have to believe that guns in the hands of law-abiding Americans are more of a threat than nuclear weapons in the hands of the Red Chinese.
- You have to believe that global temperatures are less affected by cyclical, documented changes in the brilliance of the Sun than by yuppies driving SUVs.
- You have to believe that gender roles are artificial but being gay is natural.
- You have to be against capital punishment but pro abortion on demand. In short, you support protecting the lives of the guilty and taking the lives of those most innocent.
- You have to believe that businesses create oppression and governments create prosperity.
- You have to believe that having self-esteem is more important than actually doing something to earn it.
- You have to believe the military, not politicians, start wars.
- You have to believe the NRA is bad, because they stand up for certain parts of the Constitution, while the ACLU is good, because they stand up for certain parts of the Constitution.
- You have to believe that taxes are too low, but ATM fees are too high.
- You have to believe that Harriet Tubman, Cesar Chavez and Gloria Steinem are more important to American history than Thomas Jefferson, General Robert E. Lee or Thomas Edison.
- You have to believe that standardized tests are racist, but racial quotas and set-asides aren't.
- You have to believe that the only reason socialism hasn't worked anywhere it's been tried, is because the right people haven't been in charge.
- You have to believe conservatives telling the truth should be jailed but a liar and rapist belongs in the White House.

Divorcing the corporate state

from Barry Weinstein
annotated by Alfred Adask

A friend recently faxed some fascinating documents concerning the relationship of modern marriage to state government.

For example, consider an excerpt from the case *Ramon v. Ramon*, 34 N.Y.S.2d 100 (March 4, 1942):

[3] Marriage is a natural right. It was not created by law. It existed before all law. Marriage is a right of personality. By the marriage ceremony these obligations became vested rights of the personality of the respondent embraced in the law of the land, and defined as the rights of personality.

[4] The reciprocal duties of husband and wife constitute property. "These reciprocal rights may be regarded as the property of the respective parties, in the broad sense of the word property, which includes things not tangible or visible, and applies to whatever is exclusively one's own." *Jaynes v. Jaynes*, 39 Hun 40, at page 41.

The 1942 *Ramon* case seems to describe classical marriage (in a legitimate church of God) that predates and is not subject to modern civil law.

Next, consider a letter sent from a Bishop in the Evangelical Lutheran Church to a church member who, after considerable investigation, wanted to be married without a state-issued marriage license. (The italicized highlights are my additions.)

North Carolina Synod
Evangelical Lutheran Church in America
1988 Lutheran Synod Drive,
Salisbury, NC 28144

June 25, 1999

Dear _____:

I appreciate your letter of May 6 and I hope you understood why I wanted to wait until after the Synod Assembly to send you a response.

I understand you would like to be married without a marriage license from the state and it is clear you do not believe that request is excessive. You were correct, I said to Pastor Miller that such a marriage is *not possible*. I have spoken with some friends in Chicago who received communication from you – in fact, they called me in response to your letter. We all agree that the *church cannot do* what your request, there is *no way* to marry you because the church, when it comes to marriage, is an *agent of the state*. That is the simple answer, there seems to be no reason to say more. While I appreciate the time you spent in preparing a written foundation of your position, I have *no other response*. Your letter has numerous questions and definitions, once I have said it is not possible, then *that is all I can say*, but I would be glad to have conversation with you at any time.

Blessings to you both . . . .

Sincerely,
The Reverend Dr. Leonard H. Bolick
Bishop

Pretty strange, hmm? In 1942, the *Ramon* case declared that marriage is a "natural right" that preceded and was not created by man's law. This implies that marriage is not subject to man's law. I suspect God agrees.

And yet, 57 years later, a Lutheran Bishop advises that,

because the church is an *agent for the state*, marriage without license is not only *impossible* – he absolutely refuses to discuss the matter further.

Read closely, it's almost as if the Bishop were trying to hide something.

In any case, how can *Ramon* declare marriage is a natural right not subject to government law or license – and then a Lutheran Bishop declare that unlicensed marriage (one not subject to state law) is *impossible*?

How can such an extraordinary contradiction exist?

Answer? Maybe it's not a contradiction.

Maybe there are *two kinds* of marriage: one "natural" and subject only to God, the other "quasi-religious" and subject to the state.

I'm not a Biblical scholar, but I'd bet there's not a verse in the Bible that mandates a need for a state-issued license to be married in the name of God. If so, then why does the modern Evangelical Lutheran Church not only require a license, but views unlicensed marriage of the sort practiced in the Bible as *impossible*?

How could such a contradiction exist? How could a church of the Bible function effortlessly without licenses, while modern churches seem powerless without them?

Answer? Maybe it's not a contradiction.

Maybe there are *two kinds* of "churches" – one of the Bible and one of the state.

As you'll read, there *are* "two kinds" of marriages (those of God and those of the state), and there *are* also "two kinds" of churches (those of God and those of the state).

The spiritual implications are stunning. For example, virtually all modern Americans appear to have been married by churches of the state rather than churches of God. That distinction might not mean much to atheists and the amoral, but no believer can be indifferent to the possibility that his marriage was not sanctified by God.

How could widespread "ungodly" marriages take place without the people knowing? The balance of this article (written or inspired by Barry Weinstein) offers insight into the difference between the two kinds of "churches" and the two kinds of "marriages".

Barry's original petition to a New Jersey court is too long to reprint in its entirety. I've edited to reduce the petition's size, and I've inserted my own [blue bracketed] comments. Nevertheless, it may take some effort on your part to follow the author's ideas.

Make the effort.

Mr. Weinstein's petition contains some remarkably original insight and an extraordinary legal theory.

To understand his petition, you'll need a little background information:

Barry and his wife applied for a marriage license and were married in the 1980's. They had children and later divorced in 1992. Since 1992, Mr. Weinstein has experienced the usual visitation and child support problems associated with being a noncustodial parent.

Unable to afford a lawyer and unwilling to quit his fight, Mr. Weinstein started studying law. During his self-education, Barry discovered a remarkable fact: The state was *in fact* (not theory) a legal third party in his marriage to his ex-wife. Constitutionalists have suspected as much for years – but until now, there's been little evidence to support our suspicions.

Barry's evidence provides that support and raises huge additional implications. For ex-

ample, Barry discovered that despite his divorce from his ex-wife, his (and her) relationship to the third-party state was unaffected. In a sense, eight years after he and his wife ended their marriage to each other, they are both still "married" to the third-party state.

Although Barry doesn't say so in his petition, he suspects the continuing "marriage" to the state may be the foundation for the state's continuing ability to intrude into his post-divorce life and "administer" in the arenas of child support and visitation.

Barry's solution to this unwanted relationship?

Divorce the state.

Brilliant!

Barry's first thought was to add the state of New Jersey to his original (1992) divorce proceeding and decree. But the judge currently administering Barry's visitation and child support issues explained that it was too late to add the state to the divorce seven years after the fact.

Instead, Judge Thomas W. Cavanagh Jr. advised that the state should be divorced separately in a new divorce petition. On Sept. 10, 1999, Judge Cavanagh issued an order to Mr. Weinstein which reads in part:

" 4. The chancery division - family part will retain jurisdiction on the issue identified by the plaintiff as "divorce from the New Jersey government/s." Within 30 days of the date of this order, the plaintiff will provide a more definitive statement of his claim, as explained in rule 4:6 - 4 (a) . The statement will provide the specific areas of challenge which the plaintiff seeks to establish therein including reference to any and all New Jersey statutes and or New Jersey court rules. . . . "

Can you imagine? Even though this order proves nothing, it at least implies that the judge views Mr. Weinstein's innovative legal theory as potentially valid.

This article consists primarily of Barry's subsequent petition to satisfy Judge Cavanagh's order.

As you'll read, Barry assumes that his "marriage" to the state is somehow based on the marriage "contract". Under this assumed contractual relationship, Barry raises a number of complaints and grievances such as the state's failure to provide "full disclosure" when the "contract" was first made that the state would be an unnamed "third party" in his marriage.

I disagree with Barry's assumption that his marriage to state is based on contract.

I'm fixated by the idea that government uses trusts to operate outside the Constitution. Therefore, I interpret most of the facts Barry discovered as evidence that the "third party" state has used certain devices (like marriage licenses and "corporate" churches) to lure us into voluntarily entering into a state-sanctioned *trust* relationship

rather than a marriage sanctioned by God. Within the state-sanctioned trust (quasi-marriage), the state sits as a third party "trustee" while we (man and wife) accept the relatively powerless status of marriage "beneficiaries". The trust "property" to be administered by the state-trustee may be "The reciprocal duties of husband and wife" defined as property in th 1942 Ramon case (supra) and/or any children produced by the marriage.

Also, when Barry wrote this petition, he hadn't yet perceived the difference between a legitimate, common law church of God and the incorporated churches of the state. As a result, many of his complaints are directed against corporate churches *as if* they were real churches of God.

Therefore, I also disagree with his complaints against the (corporate) church. Although such churches are probably deceitful and ungodly, I believe corporate churches (technically) have every "legal" right to operate as they do – including the secret imposition of the state as third party in our marriages.

Regardless of whether Mr. Weinstein's understanding of modern marriage or mine is more accurate, I give Barry enormous credit for documenting the government's "third party" role in our marriage and conceiving the strategy of "divorcing" the state.

If the following insights and fundamental theory pan out, we may soon see a host of people insisting they be married without the third party state.

Likewise, we may also begin to see divorces from existing marriages that are filed not only against one's ex-spouse, but also against one's (ex-) state government. We might even see divorces where both spouses agree to divorce each other, but the husband also wants to divorce the state while the wife wants to remain "married" to the state. We may also see divorces where the spouses stay together and jointly sue to divorce the state! I can hardly wait to see the fur fly.

Mr. Weinstein has launched another fundamental attack on the state's power over our lives. Imagine America if government were effectively removed from "family law". Without power over our kids, government power is truly tepid. Barry's strategy may indirectly help save our children from government control and re-establish common law (Godly) marriage.

If so, government power must further decline – and Barry Weinstein deserves a big round of applause.

SUPERIOR COURT OF NEW JERSEY
MONMOUTH COUNTY

Barry Weinstein; Petitioner,
VS.
Governments of New Jersey and its Employees, Respondent/S

Petition # 1-FM-13-1220-00-A
Related FM 05042-90

CLARIFICATION OF DIVORCE FROM GOVERNMENTS OF NEW JERSEY, ET. AL.

RESTORATION OF THE ESTABLISHMENT CLAUSE RE: SEPARATION OF CHURCH AND STATE

Petitioner, Mr. Barry Weinstein, is by way of this document, complying with the order of the Hon. Judge Thomas W. Cavanagh Jr., Order of Sep. 10th, 1999.

The Petitioner, Mr. Barry Weinstein, having been unaware of the government's third-party contract/ status/ position, at the time of his divorce in 1992, did not include the government in the complaint for divorce, nor was the Petitioner, Mr. Barry Weinstein, advised of the government's claim of third-party status in the marriage contract.

The Petitioner, Mr. Barry Weinstein, was married in Florida in his individually and personally chosen religion and at its established institution.

[Barry assumes he was married in the church of his personal religion. However, if he unknowingly married in an *incorporated* church masquerading as a church of God, Barry's assumption may be false.]

The Petitioner, Mr. Barry Weinstein, was compelled through what is now self-evidently only the licensing agent for the government/s, acting as a member of the Clergy of the religious institution, wherein the Petitioner had sought the spiritual blessings of that member of the clergy and of God, as defined in the term "Holy Matrimony".

[Barry may have been deceived, but he was not "compelled". No one put a gun to his head and ordered him to get a marriage license and be married in a corporate church.]

U.S. SUPREME COURT

"What we said in [397 U.S. 254, 270] *Greene v. McElroy*, 360 U.S. 474, 496-497 (1959), is particularly pertinent here:

"Certain principles have remained relatively immutable in our jurisprudence. One of these is that where governmental action seriously injures an individual, and the reasonableness of the action depends on fact findings, *the evidence used to prove the Government's case must be disclosed* to the individual so that he has an opportunity to show that it is untrue."

[Emph. add. Here, Barry attempts to show government's obligation to disclose whatever mechanism has been used to

mysteriously complicate his marriage with a third party and subject Barry to governmental control.]

Three grievances were raised in the Petition . . . . They are:

[A] Claims made by the courts of the states that they (the state, but it is actually the government) are a third party in the marriage contract, in fact, if not in name and that the state government's interests are paramount;

[B] The Petitioner believes . . . that the marriage license (actually a contract) [I suspect it's actually an application to become the beneficiary of a trust.] is the means by which (according to the cited court orders) the government/s becomes the third party in the marriage contract/status.

[C] The violation of the Establishment Clause (violation of the separation of Church and State);

[No. Your freedom of religion *prevents* government from interfering with *any* "religious" choice, no matter how idiotic and contrary to your own self-interest that choice may be. If you voluntarily claim to worship turnips, so be it. Government is absolutely prevented by the 1st Amendment from even snickering. Likewise, if you are dumb enough to voluntarily claim membership in a corporate church, government is prohibited by the 1st Amendment from commenting on the spiritual and political disabilities such membership incurs.

Thus, the 1st Amendment is not merely a guarantee of personal freedom. It is far more dangerous in that, like all absolute freedoms, it is also an absolute guarantee of personal responsibility. Because personal responsibility is always the flip side of personal freedom, the 1st Amendment's "Freedom of Religion" can also be known as the "*Responsibility* of Religion". (Similarly, the "Bill of Rights" can be aptly termed the "Bill of Responsibilities".)

Thus, under the 1st Amendment's personal "Responsibility of Religion," if you be dumb, that's *your* problem – you will nonetheless be held fully responsible for your choice.

When a freedom is absolute, so is the correlative personal responsibility. There is no limited liability under the 1st Amendment. You are absolutely expected to *know* and understand the nature and ramifications of whatever faith you choose to follow. If not, work it out with God – the courts are not only prohibited by the 1st Amendment from hindering you, they're also prohibited from helping you.

Thus, absolute freedom can be used against the ignorant to establish responsibilities they don't understand or can't even imagine. Based on the 1st Amendment's guarantee of unlimited personal responsibility, you can be tricked into a false (corporate) church and, so long as you enter *voluntarily*, government *can't* protect you from the adverse consequences of your own ignorance.

The freedoms we claim to cherish are far from free. That's why freedom is only appropriate for moral individuals who *know* the difference between right and wrong and are therefore capable of wisely executing the freedom of choice. Those amoral individuals who don't know the difference between right and wrong are not fit to be free (choose freely between right and wrong) and are proper wards of the court. These amoral individuals can probably be identified as 14th Amendment "citizens".[1]

[a] "For many years, the law has been that the state is a third party, in fact, if not in name, in every divorce action." *Welch v Welch* 35 NJ Sup 255

[b] "the state is a party at

interest to the marriage contract or status, together with the husband and wife . . ." *Anonymous V Anonymous* 62 NY S2d 130; also *Duerner v. Duerner* 142 NJEq 759

[c] "If parties subsequent to divorce, entered into common law marriage, then nothing either party did or did not do thereafter could dissolve the marriage." Thomas V Thomas APP 565 P2D 722

[This excerpt is quoted out of context, but the implications are extraordinary. The state may have no authority to grant divorces in true common law marriages. If so, the principal "benefit" of a *licensed* marriage in a corporate church may be easy divorce. Thus, while common law marriages may be true, til-death-do-us part marriages (unless divorce is sanctioned by a church of God) – marriages in the corporate churches may legally constitute little more than extended "dates" and licensed cohabitation.

If common law marriages differ from corporate marriages in that the latter allow easy divorce, it follows that corporate marriages must foster a higher incidence of damage to children through broken (corporate) homes. If so, the state might justify regulating/ licensing corporate marriages and inevitable corporate divorce for the "best interests" of the children of corporate marriages.

In fact, it might be argued that the state's marriage license applications and fees are not intended to encourage corporate marriage (likely to end in divorce) but rather to subtly *discourage* corporate marriages since they are inherently more costly than a lawful, common law marriage in an unincorporated church of God (which requires no state license or fee).]

[d] "where there is a conflict between the interests of the state and the interests of either of the spouses, the interests of the state will be regarded as paramount." *Feikert v Feikert* 98 NJEQ 444; Marum v Marum 10 misc 2d 695

The State of New Jersey claims it is a third party to the marriage contract in all marriages. Yet, the State never disclosed this to the other two parties to the contract. It never discloses what its specific performance is in order for the State's position in the contract to be valid. It never discloses, what its consideration is, to those parties in order for the State's position in the contract to be valid.

[Although "full disclosure" requirements exist for contracts, there is no similar requirement for trusts – at least not for beneficiaries.

For example, if I want to create a trust for my three-year old daughter's future education and benefit, there is no requirement that I provide the child-beneficiary with "full disclosure" of my intentions or even notify her of the trust's existence.

Similarly, government can make certain benefits available to "applicants" (those who *apply* for benefits) without providing full disclosure of the consequences of accepting those benefits. As a voluntary applicant, you are expected to know those consequences before you apply. Ignorance is no excuse, remember?

Thus, government need not disclose that anyone whose application to become a beneficiary of a governmental trust will also forfeit any claim to legal title or legal rights to trust property. Likewise, government need not disclose that beneficiaries become subject to arbitrary regulation by government trustees.

I doubt that any marriage *contract* is used to include the state as third party. Instead, the state probably intrudes into the marriage as a third-party *trustee* to administer the married couple's (beneficiaries') affairs. The property of this trust probably includes the spouses' "relationship and duties" (*Ramon*, supra) and the children produced by the marriage and registered into the "public trust" by the birth certificates and/or Social Security Numbers. The marriage-trust property might even include whatever income or wealth is generated by the marriage, reported by spouses filling "joint" tax returns. As a result, the state-trustee has every right to divide trust property (house, car, debts, kids) however it sees fit and in the "best interests" of the trust beneficiaries.

Incidentally, since marriage is a "natural right," perhaps the marriage license is not to allow the spouses to be married, but to empower the corporate "preacher" to perform the ceremony. The fact of *licensed* marriage (in a corporate church – not church of God) probably indi-

cates the couple are amoral (they either don't believe in God or don't understand his Law since they were married in a corporate church). Licensed marriage may indicate the spouses are atheistic beneficiaries of the "public trust" and therefore in need of government regulation.]

The State of New Jersey claims it is a third party to a marriage contract but never performs its end of the bargain. This is "constructive fraud". The two parties to the marriage contract, husband and wife, have been defrauded by the State of New Jersey acting as a fraudulent third party who is under no obligation to abide by the terms of the marriage contract. . . .

[I disagree. As trustee in a trust which the spouses entered voluntarily, the state has only those duties and obligations that are specified in the trust indenture. There can be no breach of contract since there (probably) is no contract.

However, there might be a breach of *fiduciary* duties by the trustees if they violated the terms of the trust. *Thus, the first order of business may be to secure a copy of the marriage-trust indenture from the state.*

If my trust hypothesis is correct, the state will not only resist exposing the trust indenture's terms – they will even try to deny the trust's existence. However, if a beneficiary of the trust were to properly demand a copy of the trust indenture so that he might "better perform" his duties as beneficiary, I doubt that any state trustee could, refuse his demand without incurring serious personal liability for violating his fiduciary obligation to act in "good faith".]

Marriage is a fundamental, God-given right that cannot be licensed by the State in order to allow the State to become an uninvited third party.

[Not precisely. "Natural" marriage is a fundamental, God-given right. "Artificial" (corporate/ unnatural) marriage is not.]

Licenses are imposed by the regulatory police powers of the State in order to do something that is illegal or unlawful.

[Yes. In this case, the illegal act is probably allowing a corporate officer of an incorporated "church" to perform a wedding that could normally be performed only by a true minister of a church of God.]

Since when did marriage, a God-given, fundamental right, become illegal or unlawful.

[It's not. But perhaps marriages in a corporate church of the state rather than the church of God, are technically unlawful and therefore in need of license.]

In New Jersey, marriage licenses were once required because of interracial marriages and blood testing. Since interfering with interracial marriages is a racially motivated bias/hate crime and since 1995 blood tests are no longer necessary, why are marriage licenses required at all?

[Answer: To marry in a *corporate* church of the state rather than a lawful church of God.]

In *Zablocki v. Redhail*, 434 U.S. 374, 98 S.Ct. 673 (1978), the U.S. Supreme Court held that marriage is fundamental right that requires strict judicial scrutiny if the State wants to interfere with marriage. The High Court held that substantial interferences with that right will therefore not be sustained merely because they are rational. In *Zablocki*, the U.S. Supreme Court struck down a Wisconsin statute that prohibited a party from marrying if they owed child support.

[Absolutely. But that "fundamental right" is to a "natural" marriage in a church of God. However, there is no "fundamental right" to marrying in a corporate church of the state. If so, corporate marriages may be licensed and regulated.

The state is prohibited by law from preventing you from exercising your 1st Amendment right to "Holy" (rather than "corporate") matrimony. However, recognizing corporate marriages are shams, the state may have a legitimate interest in regulating/ licensing those sham marriage and also the allegedly "legitimate" children of such marriages since their legitimacy (in the eyes of God) may also be "sham".]

In *Loving v. Virginia*, 388 U.S. 1, 12, 87 S.Ct. 1817 (1967), the U.S. Supreme Court further upheld the fundamental right to marry when it held that the State could not prohibit marriages on the basis of race.

[To *regulate* interracial marriage is not the same as *prohibiting* such marriages. Further, I wouldn't be surprised if the reason for regulating marriage between Blacks and Whites was not based on race, but on citizenship. Whites were "Citizens of the United States," but Blacks were 14th Amendment "citizens of the United States". The intermarriage of "Citizens" to "citizens" raises huge, conflict of law, property right questions should the spouses later seek divorce.

It's the secular equivalent to a marriage between an Orthodox Jew and a traditional Catholic. Asssuming such marriage is even possible, which church would administer any subsequent divorce? If the Jew refused to be bound by the Catholic church's divorce rules and the Catholic refused to be bound by the Jew's, no divorce could be possible or enforced. Unless . . . one of the spouses voluntarily agreed to be bound by the divorce rules of the other spouse's church.

Similarly, perhaps the White Citizen's marriage could only dissolved by a church of God while the Black citizen's marriage could only be dissolved by the state. So who could administer the divorce of a (White) Citizen married to a (Black) citizen?

The license may have answered that question by serving as a kind of pre-nuptual agreement over who would administer any future divorce: the church or the state. If so, the marriage license constituted an agreement by the Citizen-spouse to surrender his unalienable Rights and be bound by the same state laws governing citizen-spouse. You can see the enormous disabilities that attach to a Citizen who, by license, surrenders his unalienable Rights to marry a 14th Amendment "citizen".

On the other hand, imagine a common law wedding performed without state marriage license, licensed minister, or corporate church. Where would the state gain authority over the spouses, their children or their property?]

Yet, New Jersey violates those U.S. Supreme Court holdings and violates the fundamental, God-given right to marriage by stating it is a third party to every marriage.

[Nope. It's only a third party to *corporate* marriages.]

Not only is this unconstitutional but it violates Freedom of Religion as it interferes with marrying parties' rights to worship their religions. This is a direct religious persecution attack by the State on religions.

[I disagree. I'll bet the state's entire rationale hinges on the married persons' own ignorance of God's law and the faith they profess to follow. This ignorance is amply demonstrated by their decision to seek a corporate rather than common law (Godly) marriage. The state is rightly regulating us because we be dumb, incompetent, and unable to effectively handle even our most fundamental concern: relating properly to God. If we can't do *that* much properly, what the H___ *can* we do? If we don't care enough to even tend to our own immortal souls, we are obviously amoral, legally insane, and in desperate need of government supervision.]

There is a long line of New Jersey cases implicating the State in criminal acts of violating constitutional rights. These cases show that the state is a party to a marriage and to divorces. This is a violation of the fundamental right to marry without state interference. The state has no real compelling interest to interfere with marriages because to do so only supports the legal industry's profit motive.

[The state surely profits from corporate marriages and their nearly inevitable divorces. Nevertheless, I still suspect the state has a legitimate interest in interfering in (regulating) the marriages of all the fools who don't even know the difference between corporate churches of the state and churches of God. My people not only perish for lack of knowledge, they also suffer regulation.]

"The State is a party at interest to the marriage contract or status together with the husband and wife". *Duerner v. Duerner*, 142 N.J. Eq. 259 (E. & A. 1948).

[At first reading, this quote seems to justify the idea that modern corporate marriages involve the state by *contract*. And maybe that's true. But the quote also says the state may be a party at interest to the marriage "status". "Status" is defined in part in Black's Law Dictionary (7th ed.) as "a person's legal condition . . . the sum total of a person's legal rights, duties, liability and other legal relations." I suspect it is this "status" that opens to door for government intrusion into marriage by trust rather than

contract. I.e., the marriage "status" may be that of a trust administered by the state and the spouses' status may be that of beneficiaries.]

The law does not encourage divorce actions and regards such actions as imposing special responsibilities upon the court and attorneys as officers of the court because, in every divorce action, State is in fact, if not in name, third party having substantial interest, and public is represented by 'court's conscience'. *In re Backes*, 16 N.J. 430, 433-34 (1954). See also, *Schlemm v. Schlemm*, 31 N.J. 557, 585 (1960).

[Any reference to a court's "conscience" implies that court is sitting in equity rather than law.]

"The State is a third party to every matrimonial action to sever or void the bonds of matrimony . . . It has long been well settled and now stands unchallenged that marriage is a social relationship subject in all respects to the state's police power". *Manion v. Manion*, 143 N.J. Super. 499, 502 (Ch.Div. 1976), citing *Rothman v. Rothman*, 65 N.J. 219, 228 (1974).

[Note this court's description of marriage as a "social" – rather than "spiritual" – relationship. This court can only be talking (deceptively) about state-licensed marriages in corporate churches. To read this quote otherwise would indicate that government no longer allows spiritual marriages in natural churches of God, but has instead outlawed such common law marriages. I don't believe government would (yet) dare criminalize Godly, common law marriages.]

"It has been well said that in the granting of divorces the state, as well as the parties, is interested, and that the public is represented by what is called 'the conscience of the court'. . . . The State is a third party to every divorce proceeding and has exclusive control of the matrimonial status of those domiciled within its borders." *McLean v. Grabowski*, 92 N.J. Super. 545, 547-48 (Ch.Div. 1966).

[The phrase, "granting of divorces" sounds suspiciously like "granting benefits". If a divorce is a "benefit," then the corporate marriage must be a trust which includes the state in the third-party role as trustee. This implies that the state-issued license is not to allow the spouses to be married (as a natural right, marriage can't be licensed), but rather to allow the officer-priest of the corporate church to *create the statutory trust* which will then pass for a godly marriage.]

"Other *contracts* may be modified, restricted, or enlarged, or entirely released, upon the consent of the parties. Not so with marriage. The *relation* once formed, the law steps in and holds the parties to various obligations and liabilities. It is an institution in the maintenance of which, in its purity, the *public* is deeply interested, for it is the foundation of the family and of society, without which there would be neither civilization nor progress". *McLean v. Grabowski*, supra, at 547. [Emph. add.]

[Again, this quote seems to support the contention that the state enters our marriages through contract. But note that it also refers to the marriage "relation". I know from other authoritative sources, that we are expected to recognize the presence of a trust by the *relationships* established. Thus, it is entirely possible and legal to establish a trust that never explicitly uses the words, "grantor," "trust," "trustee," or "beneficiary". Relationships alone determine the presence of a trust and we are each legally responsible for recognizing the presence of a trust by those relationships.]

These words sound great but in reality they are hollow. However, after the New Jersey Divorce Reform Act of 1976, in which no-fault divorce came into being, the State of New Jersey showed its true hand by not being interested in marriages. Under the new law the State allowed one party to request a divorce—a total sundering of the institution of marriage.

[Again, a "natural" marriage sanctioned by God is not the same as an "artificial" corporate marriage sanctioned by the state. The first may be preserved as a pure contract/covenant, but the second need only be regulated as an trust.]

When did the State of New Jersey become a party to a marriage? When did it inform the parties to a marriage that it was a third party to the marriage? When did it inform the parties of what specific performance it would perform? When did it inform the parties of its consideration to those parties?

[The state became a party to our marriages when *we* invited it to do so by being married in an incorporated church.]

The state is no longer interested in maintaining marriages.

[But why should government be more interested in maintaining our marriages than we are? Government doesn't put a gun to our heads and force us to divorce. We may have implicitly asked for the "benefit" of divorce when we applied for a licensed to be joined in a trust rather than wedded in a Godly marriage. If we implicitly asked for the benefit of divorce when we applied for a marriage license, why complain when we get that benefit?

Likewise, government doesn't force us to commit corporate marriage. We make those amoral choices all by ourselves. After we do, government agents (lawyers) do their best to take every dime we've got.

It's like being arrested in a whore house. You can argue government had no warrant to enter the whore house and arrest you. But the primary question remains: What were *you* doing in a whore house? No matter how corrupt government may be, if *you* didn't voluntarily enter the whore house in the first place, you wouldn't've been arrested.

Likewise, despite government's shameful exploitation of our matrimonial ignorance, we must still admit our own *primary* culpability for our divorces. If you truly believed in God, what the H___ were you doing getting "married" in a corporate church/whore house?]

Divorce is a huge industry making many lawyers wealthy and feeding the bureaucracies associated with divorce, i.e., mental health bureaucracy, child support enforcement bureaucracy, domestic violence administration bureaucracy, etc. Lawyer-created legislation has given lawyers a multitude of avenues to create as many divorces as possible. Divorce in New Jersey averages between $70,000- $100,000 per couple. Since the Divorce Reform Act was instituted, divorces jumped from under 5,000 to over 70,000. Lawyers have found a financial windfall in divorce litigation. This is redistribution of wealth from the suffering of others into lawyers' pockets.

As can be clearly seen in *Massar v. Massar*, 279 N.J. Super. 89, 94-95 (App.Div. 1995), 652 A.2d 219, the State gives "lip service" that it "does not promote divorce and as always has strong public interest in promoting marriage". *Massar* at 94 holds that "the State has adopted a *public* policy through statute that citizens of the state shall have liberal grounds to disengage themselves from marriages . . . ."

[Whenever I see the terms "public interest" and "public policy" I suspect they're code words signaling the presence of the almighty "public trust".

Also, the enormous cost and pain of divorce can be rationalized as disincentives to keep us married. If you really want a divorce, fella, we'll let you have one – but you'll have to pay our lawyers through the nose just to prove you really want it.]

Chief Justice Marshall said of Marbury's rights and remedies:

"2. If he has a right, and that right has been violated, do the laws of his country afford him a remedy? (5 U.S. 137, 163) The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury."

One of the first duties of government is to afford that protection.

[True. But as a beneficiary of his "marriage-trust," Barry Weinstein has probably not received an injury. His child was probably "voluntarily" registered as property of the public trust by the Birth Certificate. He and his wife "voluntarily" applied to become beneficiaries of that trust by virtue of their marriage license. The court acts as trustee for the public trust. Insofar as the parents "voluntarily" entered into the "public trust," they probably don't have an ordinary claim of injury – unless they can show that the trust has been improperly administered.]

In the third volume of his *Commentaries*, page 23, Blackstone states two cases in which a remedy is afforded by mere operation of law.

'In all other cases,' he says, 'it is a general and indisputable

rule, that where there is a *legal* right, there is also a legal remedy by suit or action at law, whenever that right is invaded."

[Indeed. But note that Blackstone referred to "legal" rights. As I've postulated repeatedly, legal rights flow from legal title. Beneficiaries have only equitable title to trust property and thus have neither legal title nor legal right to trust property. Blackstone's comment almost certainly does not apply to trust beneficiaries. That's why government trusts are so dangerous. The beneficiaries – you and me – have no no *legal* title to trust property, no *legal* rights to trust property and thus and no standing in courts of law.]

Support for Grievance of Violations of the Establishment Clause

New Jersey State Constitution (1947) Article 1 Rights and Privileges

3. No person shall be deprived of the inestimable privilege of worshipping Almighty God in a manner agreeable to the dictates of his own conscience; [Freely worshipping one's God is the *prime* unalienable Right – the "right of rights" – implicitly declared by "The unanimous Declaration of the thirteen united States of America" signed on July 4, 1776 A.D.] nor under any pretense whatever be compelled to attend any place of worship contrary to his faith and judgment; nor shall any person be obliged to pay tithes, taxes, or other rates for building or repairing any church or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right or has deliberately and voluntarily engaged to perform. . . .

It is one of the Petitioner's grievance/s that the marriage license is an unconstitutional invasion by the government of the freedom of Religion and Privacy.

[Probably not. The application for license is a voluntary act by the petitioners to create a "marriage" trust to avoid the unlimited liability ("til-death-do-us-part") that attaches to true, common law marriages. The voluntary nature of this application is probably proved by the fact that the spouses *paid* for the License/ trust application to become beneficiaries of a (marriage) trust. So long as the process was voluntary rather than mandated, it's probably constitutional.]

Furthermore, that the forced use of the marriage license, in order to be an upstanding/ accepted, married member of the religious/ spiritual community, is now the very unconstitutional establishment of a "government religion" and as such is the "religion of their own law/s," not God's, in violation of all common, spiritual beliefs.

[First, the assertion that government coerced us into accepting their un-godly license is flimsy. I doubt that God will accept your excuse on Judgement Day that you got a corporate marriage license so you could be popular (accepted) in your secular community.

This life is a test. The question always before us is "Who shall I serve today – God or mammon?" If you would serve God, count the cost. That cost may include community disdain for those who don't get politically-correct, licensed marriages.

Further, government hasn't "established" a state religion insofar as no such religion is mandatory. Instead, they've merely made some quasi-religious "opportunities" available.

For example, if your minister wants to increase contributions to your "church," he can *incorporate* the church and offer parishioners the benefit of deducting their church contributions from their income taxes.

Of course, once the church is incorporated, it may become a church of the *state* rather than a church of God. If so, it might follow that an incorporated church is not sanctioned by God to perform weddings. Therefore, who sanctions the corporate/artificial church to perform weddings? The corporate *state*, silly.

How? By allowing prospective spouses to apply for a license to be married in a corporate "unchurch". And then, of course, seeing as the progeny of said artificial churches and artificial weddings may be illegitimate in the eyes of God, it may follow that the state should assume the burden of taking care of the children who God may not claim since they are born outside of Holy matrimony.

Thus, the logic in this mess flows from the possibility that most modern churches are incorporated and thus "artificial" – man-made, not of God.]

The Old and New Testaments (the original laws of God and man) do not call for a license.

[Yeah, we know. So why'd you get one?]

Marriage is a fundamental, God-given right, never meant to be the subject of objective government control.

[True, but that God-given right can only be exercised in a "natural" (not corporate/artificial) church. You don't need a marriage license to be married in God's church (common law) – but apparently you do need a license to be married in man's *corporate* (artificial) church.]

But, marriage is subject to government control in the United States of America, one cannot get married in their religion of choice, unless they agree to a contract/license to include their government employees.

[Not so. A "natural" (Godly) marriage can take place almost anywher. But one can't get married in the *corporate* religion of his choice without a marriage license. Again, I suspect the license is not for the couple, but for the corporate minister. I.e., instead of empowering the couple to become married, the license may empower the corporate priest to perform the "ungodly" ceremony of creating a trust (a three-party, artificial entity) rather than memorializing the wedding of two persons joined into "one flesh" (not one trust) by God.]

This control by license is absolutely the very unconstitutional establishment of the law as a religion.

[Nonsense. *You* voluntarily chose to enter an incorporated (artificial) church and receive the "benefit" (rather than blessing) of a corporate (temporary) marriage-trust. To deny your right to choose (even ignorantly) to commit corporate marriage would violate your constitutionally-protected 1st Amendment right to absolute freedom (and responsibility) of religion. The fact that you may've made a bad choice is not government's concern. However, since the freedom of religion is absolute, so your responsibility for your choice is also absolute. The roads to Hell and government servitude are both paved with good (but ignorant) intentions.

In fact, government might rationalize the imposition of license and fee requirement as an attempt to *prevent* the establishment of a state religions by making its "marriage" services more expensive than those of the true (marriage performed in the common law churches of God.]

According to Black's Law Dictionary (5th) :

"Marriage License: A license or permission granted by public authority to persons who plan to intermarry *usually addressed to the minister* or magistrate who is to perform the ceremony, or, in general terms, to anyone authorized to solemnize marriages. By statute in most jurisdictions it is made an essential prerequisite to the lawful solemnization of the marriage ". [emph. add.]

[Thus, the "license" is not precisely granted to the persons who "applied" for the license (the prospective spouses). Instead, it is "addressed" to the priest (pastor, whoever) who ultimately "solemnized" the marriage. This implies that the marriage license doesn't license you and your spouse to be married – God did that – instead, the license may authorize a "corporate" priest to perform the ceremony in a corporate church *outside* the church of God.]

By refusing to give their spiritual blessings and that of God, the clergy are in fact in violation of "the Establishment

American Patriot Needs Help!

I have fought for years against the **Ungodly** who, today, almost totally control America. Because I've fought corruption, our government has charged me with several felony indictments in a U.S. District Court. I, and others, believe these charges were filed to shut me up.

It's time for us to reclaim God's country — which He ordained for us — and live under God's laws and not man's laws. God's warnings are coming to pass; they are being fulfilled every day. This is our last chance to stand up for God before *God's* second and final coming.

My most precious possession is my soul that God gave me. If we sacrifice our souls to survive in this world, on judgement day, God states, "**He will know us not**".

The cost for my upcoming court trial will exceed $l00,000. As one of God's children, I am asking for any donations you can afford to send to me, to offset the cost of my upcoming trial and defense.

Let us all join together and create a united house and fight God's unholy evil enemies. We will then be blessed by our God. God bless all who have eyes to see and ears to hear. To paraphrase Patrick Henry, "give me God's liberty or give me death".

Celeste C. Leone

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Clause is violated by a delegation of governmental decision making to churches"

[Nope. That might be true if a clergyman in *God's* church refused to perform the marriage without a license. However, corporate "clergy" can probably grant only government benefits (not spiritual blessings) and are thus incapable of refusing to grant that which they do not already possess.]

Walz v. Tax Comm'n, 397 U.S. 664, 694-97 (1970) (Justice Harlan concurring). "The general principle deducible from the First Amendment and all that has been said by the Court is this: that we will not tolerate either governmentally established religion or governmental interference with religion.

[Exactly. Regardless whether you choose to be married in a Church of Satan or a government-sanctioned corporate "church," the government is absolutely prevented from commenting, interfering, or warning you that your choice may create possible adverse consequences. The prohibition against government "interference" allows government to silently exploit our ignorance.]

See *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U. S. __, __ (1995) (slip op., at 4-14) (Souter, J., dissenting); see also id., at __ (slip op., at 5) (O'Connor, J., concurring) .

"The *rule* expresses the hard lesson learned over and over again in the American past and in the experiences of the countries from which we have come, that religions supported by governments *are compromised* just as surely as the religious freedom of dissenters is burdened when the government supports religion. . . . When the government favors a particular religion or sect, the disadvantage to all others is obvious, but even the favored religion may fear being 'taint[ed] . . . with corrosive secularism.' The favored religion may be compromised as political figures reshape the religion's beliefs for their own purposes; it may be reformed as government largesse brings government regulation."

[At first reading, this excerpt reads like a simple aside, a superfluous "observation" gratuitously included in the case. However, this "aside" can also be read as an absolute statement of government quid pro quo power. Read closely, the Supreme Court is telling us that it's a hard "rule" that churches which ask for and receive government "largesse" (benefits like incorporation or tax deductions for church donations) must also accept having their faith "compromised" by the government that provides their support. Apparently, this hard "rule" applies to both churches and to "dissenters" who are known members of those corporate churches.

If no man can serve two masters, it follows that neither can any church. If so, I can't imagine any theological argument to suggest that once a church incorporates or otherwise seeks state benefits (and thereby accepts the state's control) that God will stick around as "co-master" of the church. Once a church incorporates (or otherwise becomes an "agent of the state"), you can kiss your God goodbye. He will not appear in that corporate church nor bless that corporation's activities or members.]

Petitioner Weinstein concludes by seeking an annulment of the marriage license/contract and any involvement of the government/s as a third party in his marriage. He also demands to be released from bondage or servitude to all parties to the previous marriage – including government.

He also seeks a "remedial decree," which the Supreme Court has said,

"must closely fit the constitutional violation; it must be shaped to place persons unconstitutionally denied an opportunity or advantage in the position they would have occupied in the absence of [discrimination]." See *Milliken v. Bradley*, 433 U.S. 267, 280 (1977).

Barry Weinstein, 11-22-99
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If it seems like I'm picking on Mr. Weinstein's work with all my "analysis," I'm not. I disagree with some of his fundamental assumptions, but I could be wrong. In any case, no matter which of us more closely understands this issue, I doubt that either of us understands it perfectly.

However, together (and with my readers' help) we may soon understand modern marriage more clearly. (If I could only say the same about women.)

Nevertheless, Barry Weinstein has opened an extraordinary arena of law to constitutionalist research and dialogue. His achievement is remarkable.

[1] Incidentally, I heard years ago that the IRS keeps track of church membership. If you join a church and/or contribute to that church, government adds your name to a list.

I don't know if the alleged tracking of church membership truly takes place, but I can now see why such tracking might be important to government rule over "citizens". This insight applies some of the principles explored in "The Amoral Majority" (*AntiShyster* Vol. 9 No. 3). If you're not familiar with that article, the following comments on "morality" might not make much sense.

Simply put, if you're stupid enough to join a *corporate* church (a quasi-governmental agency, not a church of God), then you are obviously amoral and unfit to be free. If you don't care enough about your own immortal soul and your personal salvation to thoroughly investigate whatever church you join or support, you obviously don't understand the difference between right and wrong; you are obviously amoral and government must therefore look after you just it does any other incompetent, juvenile or person determined to be "legally insane" (unable to tell the difference between right and wrong).

I don't know if the IRS actually tracks membership and contributions to *corporate* churches, but if they did, it might make sense if such membership and contributions provided prima facie evidence of your amoral nature and thereby justify government treating you like an incompetent subject rather than a sovereign.

What's in a name?

This column is "hipshot"; an offhand remark that doesn't really fit anywhere else, so I just slipped it in here.

I was nosing around the official website for the "Secretary of State of Texas" when I noticed a grammatical ambiguity.

Technically, if the "State of Texas" is the proper name for a corporate state government, we should expect the "Secretary of State" of that corporate entity to be properly designated as "Secretary of State of the State of Texas". Instead, we find a confusing title called "Secretary of State of Texas".

See the ambiguity?

Does the title "Secretary of State of Texas" identify the corporation "Secretary" for the (corporate) "State of Texas"?

Or does that title identify the constitutional "Secretary of State" for the de jure State of the Union called "Texas"?

Depending on how you parse the terms of that title, you might be talking to an employee of the corporate state or an officer of the de jure State. And, in theory, it could be the same individual in either case – speaking sometimes in his corporate capacity and sometimes in his constitutional capacity.

This kind of duplicity would allow said "Secretary"/ "Secretary of State" to serve as a kind of "switching mechanism".

If you unwittingly invoked his capacity as corporation "Secretary" for the corporate "STATE OF TEXAS," you, your issue and your case would fall under the corporation's jurisdiction.

On the other hand, if you could properly address him in his constitutional capacity as "Secretary of State," you, your issue and your case might be subject to the jurisdiction and laws of the State of the Union called "Texas".

Makes you wonder, doesn't it?

No? Hmph. . . . well, it sure makes *me* wonder.

The "Rightful" Minority

by Alfred Adask

In the last issue of the *Anti-Shyster* (Vol. 9 No. 3), we explored the concept of morality in "The Amoral Majority".

If you haven't read that article, you should before you tackle this one. That first "Amoral" article includes definitions and premises that are taken for granted in this second article. If you don't understand those definitions and premises, this article may be hard to follow – even harder to believe.

In the first "Amoral Majority" (Vol 9 No. 3), I listed the conventional definitions of "amoral," "moral," and "immoral":

"**amoral**" – the character of people who do *not understand* the difference between right and wrong;

"**moral**" – the character of people who *do understand* the difference between right and wrong;

"**immoral**" – the character of people who *understand* the difference between right and wrong, but *choose* to do wrong; and,

"**moral**" – the character of people who *understand* the difference between right and wrong and *choose* to do right.

See the problem? In conventional usage, the word "moral" is used to indicate two different, but related characters. This ambiguity confuses our understanding of morality. Once confused, we typically abandon our attempt to understand. Morality remains a mystery.

This next diagram illustrates the structural cause of our confusion:

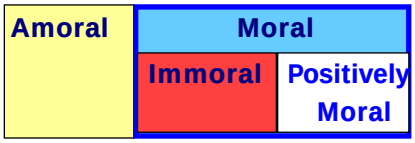
The problem is that the word "moral" appears twice in this diagram: Once to distinguish between those "moral" persons who understand the difference between right and wrong and those "amoral" persons who don't understand – and again to distinguish between those "moral" persons who understand and *choose* to right and those "immoral" persons who also understand but nevertheless choose to do wrong.

When "moral" is used in the first sense to mean someone who *understands* the difference between right and wrong, the classification "moral" *includes* "immoral" persons.

When "moral" is used in the second sense to signify someone who understands the difference between right and wrong and *chooses* to do right, it *excludes* "immoral" persons.

I proposed to alleviate this confusion by using the term "positively moral" to signify those who understood the difference between right and wrong and (unlike the immoral) chose to do right.

Using "positively moral," my analysis could be charted as:



By eliminating the previous ambiguous use of "moral," it became possible to analyze the concept of morality more precisely.

Big deal, huh?

Hooray for Al. He just devised the new-and-improved term "positively moral".

Somebody call the media . . .

OK, OK, OK – I understand that "morality" is routinely disdained as old fashioned and irrelevant – especially in this modern age of secular humanism, political correctness and metallic rock.

But, once my thinking was unimpaired by the confused meanings of "moral," I realized

that morality is the foundation for our entire legal system. Insofar as our laws and legal system ultimately specify *all* of our relationships to each other and society, it's no exaggeration to declare that morality is our entire civilization's bedrock. As such, morality is not the "charming but outdated" concept most suppose.

By any other name??

Although I knew my three--part analytical chart of morality was fundamentally correct, it irritated me immensely that I couldn't think of a better term than "positively moral" to describe the good guys who 1) understand the difference between right and wrong and 2) chose to do right. "Positively moral" was an embarrassingly weak and clumsy word choice.

I searched for a more appropriate word for several months before I realized the Biblical term "righteous" described the character of a "positively moral" person perfectly. However, since Biblical terms are often disdained in modern America, I kept looking for a more effective secular term until I recognized the obvious answer: "rightful".

There may be alternative synonyms, but "rightful" not only fits nicely into my moral "chart," it also inspires additional insights into our legal system.

Therefore, my "new-and-improved" analysis of morality could be charted as:

Much better! In fact, that analytical structure gives me *chills*. Makes me wanna throw my arms in the air, an' start dancin' 'n singin', "Y' know you make me wanna *shout!*"

Think I'm overreacting? Lemme take you for a quick spin in my new analytical construct. If you're a constitutionalist, this little ride just might make your eyes widen or cause tingling up and down your spine.

Do right, Dudley!

First, the similarity between "rights" (in the legal sense) and "rightful" (in my moral analysis) is obvious. But when you think about it, there's more than a similarity – the concepts of legal "rights" and being morally "rightful" are at least related and probably synonymous.

Give you an example. Under my moral analysis, who truly has rights?

Only the "rightful".

Why? Because 1) they *understand* the difference between right and wrong (they are *moral* persons who *know* their rights); and 2) they *choose* to do right.

If that explanation seems a little fuzzy, it's probably because the term "right" is not synonymous with "right".

Say *whaat?*

Yep. Like "moral," the term "right" also has two meanings that are intimately related, but separate, distinct – and routinely confused. Again, confusion inhibits our understanding of the difference between right and wrong (or in this case, between "right" and "right").

Whenever we see "right," we generally assume we're talking about "rights" as in "constitutional rights" or "Bill of Rights".

But what does "right" mean when used in "choose to do right"?

Clearly, this "right" does not mean "rights" in the sense of those guaranteed in the Bill of Rights. Instead, "choosing to *do* right" means choosing to perform those *duties* that inevitably attach to every "right" of the sort listed in the Bill of Rights.

It's an ancient principle that every right creates a correlative duty. Those who have the most rights also have the most duties. The relationship between rights and duties is contractual. The person or entity that grants your rights, inevitably expects you to perform certain duties in return.

For example, if God endowed you with "unalienable Rights" to Life, Liberty and the pursuit of Happiness, does that mean you can kill anyone who gets in your way or makes you irritable or sad? Of course not. Why? Because attached to God's grant of rights there are also the *duties* God listed in the Bible. Read it. I'm pretty sure one of those duties is "Thou shalt not kill."

Your unalienable Rights never overcome your correlative duties. If you violate your duties ("do wrong" rather than "do right"), you breach your contract and necessarily forfeit your previous grant of God-given Rights.

The same principle applies when government is your source of "civil" rights. Your civil right also come complete with attached duties (like paying income tax). If you fail to "do right" (perform your duties), you'll forfeit your civil rights and wind up in the slammer.

Decisions, decisions

Because "unalienable Rights" are given by God, no man or earthly government can revoke or otherwise "alien" those Rights. Only *you* can personally revoke your unalienable Rights by refusing to "do right" (perform your correlative God-given duties).

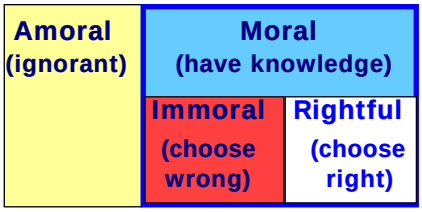
Thus, your unalienable Rights are not simply a question of knowledge, but are finally determined by *choice*. That is, although immoral and rightful people are both "moral" persons who *understand* the difference between right and wrong – only the "rightful" (those who persistently *choose* to "do right" and fulfill the God-given "duties") retain their unalienable Rights.

Although no one can take

those rights away, the immoral can forfeit their unalienable Rights by *choosing* to ignore or violate their correlative duties. By their own criminal (immoral) acts they forfeit their claim to unalienable Rights.

The fundamental difference between the moral and amoral characters is *knowledge*; the determining factor between rightful and immoral and is personal *choice*.

Another diagram may clarify:



Ever hear the term "voluntary" as in "voluntary income tax"?

"Voluntary" necessarily means "choice". It's your "voluntary" *choice* that probably subjected you to the IRS. You exercised that choice by applying for a Social Security Number, filling out a W-4 or filing your first 1040.

The idea of choice is also fundamental to the criminal element of "intent". It's one thing to kill someone by accidentally hitting them with your car. But it's entirely different if you kill the same person with the same car, but do so intentionally. Your intention – your *choice* – makes you accountable as a moral person who chose to do and can therefore even condemn you to death.

For lack of knowledge

Although voluntary choice is the final determinant of your status as a "rightful" person (entitled to rights), it still holds that no true choice is possible without first *understanding* the difference between right and wrong.

Imagine asking a little girl if she'd rather have an ice cream cone or cashier's check for $1 million. Nine times out of ten, the kid will take the chocolate. Although she made a voluntary choice, she clearly didn't *understand* the difference between ice cream and cashier's checks.

Even if the child chose the check because "it looked pretty," she still couldn't claim to have made a true moral choice since she still didn't truly understand the difference between chocolate and a "pretty" check for $1 million.

No matter how she chooses, *without understanding*, the child is clearly *amoral*. She's not a bad kid, she just doesn't know the difference between right and wrong.

If we apply this same line of reasoning to someone who doesn't know his rights, what does it tell us?

That's right . . . .

Under my three-component moral analysis, *he doesn't have any*.

According to my three-component moral analysis, the fact that you *don't know* your rights proves that you can't possibly be a moral person, let alone a "rightful" person entitled to rights. The ignorant are, by definition, amoral and thus unable to claim unalienable Rights. (See why it's so important to go to school? Except for public school, of course.)

Current contradictions?

But how is it possible for anyone to be presumed without rights in a country that declares all men are equally endowed with "unalienable Rights" and thus all men are presumed inherently moral?

It's not possible. And yet, it seems to happen. We'll explore that contradiction in the next article.

For now, suffice to say that under my three-part moral model, if you don't *know* your rights, the courts can incarcerate you. Why? Because ignorance of your own rights *proves* that you are not a "rightful" (positively moral) person entitled to "unalienable Rights" the court is bound to respect. In today's society, Ignorance is not only a crime, it's a jailable offence.

Like the little girl who can't tell the difference between ice cream and cashier's checks, if you can't tell the difference between "Citizenship" and "citizenship," you are incompetent, amoral and legally insane (unable to tell the difference between right and wrong). As a result, for your own "best interests," some presumably rightful person (probably a lawyer or judge) will be appointed to administer your affairs and make your choices for you.

As an amoral person, you will have lost your freedom, but you won't mind because – being too amoral to understand the difference between right and wrong – you'll also be incapable of understanding the difference between being free and being enslaved. So long as government assures you that you're "free," you won't complain even though it takes over half your earnings in taxes. In fact, as an amoral person you'll not only believe you're free, you'll thank government for their "help" and merrily vote for even higher taxes in the next election.

OK, maybe this little "ride" on my analysis of morality wasn't as exciting as I'd promised. Your eyes didn't go wide? No spinal tingling, hmm?

Sorry. It worked for me. I'm still excited.

But don't run off – this ride's not quite over. Maybe your glazed eyes will still widen with excitement and the back of your neck may yet *tingle!*

It could happen. . . .

Especially, if you read the next article.

Biblical Foundations

by Alfred Adask

As outlined in "The Amoral Majority" (Vol. 9 No. 3), I don't think it's possible to be a moral person (know the difference between right and wrong) without first knowing God.

While situation ethics and secular humanism provide philosophical structures from which we can understand of a "kind" of right and wrong, without the cornerstone of an eternal, unchanging God, all notions of right and wrong are merely temporary. The secular moral standards that predominate for one generation are typically cast aside as unfashionable by the next.

If it's true (as discussed in the previous article), that if you don't know your rights, you don't have any, then God is essential to any claim of unalienable rights. This relationship is inescapable since "knowing your rights" does not merely mean being able to list them. You must be able to trace your rights to their *source* and explain your lawful relationship to that source.

For example, since some people have the "right" to vote in elections in France, can I also claim that right? Not unless I can prove I'm a French citizen. The right to vote in France is determined by French citizenship. If I can't prove I'm a citizen of France (born of a French mother), I have no *source* on which to base my claim of right to vote in Paris.

Here in the USA, we have two primary kinds and sources of rights. The most well-known are "civil rights" which are statutory privileges granted by Congress to 14th Amendment citizen-subjects.

Civil rights are dangerously unreliable since, to paraphrase the Bible, "the government granteth and the government taketh away." Just as our dads granted us the "right" to drive the family car on our high school dates – but could also instantly revoke that grant if we made 'em mad – so government grants civil rights to its subjects but can also revoke or revise those rights instantly for a subject who asserts those rights too forcefully against government. If your only claim of rights is "civil," you can't sue the government (source of those rights) unless government consents to be sued.

"unalienable Rights"

The second category of American rights are "unalienable Rights" – the constitutionalist's holy grail.

"Unalienable Rights" were first declared in "The unanimous Declaration of the thirteen united States of America" signed on July 4, 1776 A.D.. (Also incorrectly known as "The Declaration of Independence").

I suspect that, much like the title you receive from the state to your car, that 1776 Declaration may constitute "legal title" to your "unalienable Rights".

To illustrate the application of the 1776 Declaration by analogy, suppose someone stole your car and you went to court to retrieve it. The judge will certainly ask you for proof (title or registration) that you "own" the missing car. If you can't provide documentation (title) to support your claim of right to the car, you'll lose. Your adversary will keep your car until you provide proof of your right.

Similarly, suppose you claim your rights in court. Millions of idiots do it every year. They all snarl, "I got my rights!" But actually – unless they can show *proof* of those rights, all they have are the tepid *civil* rights bestowed on everyone who is presumed to be a government subject.

Whether they know it or not, the "I got my rights" crowd are actually talking about the "unalienable Rights" declared in the 1776 Declaration, and guaranteed to "Citizens" in the body of the Federal Constitution. I suspect that unless they specifically reference their claims of "unalienable Rights" to the 1776 Declaration (and probably enter a verified facsimile into the court record), their claim may be as le-

gally flimsy as a claim to own a car without evidence of title.

Foundation source

But a title is finally just a piece of paper. Some are outdated, some are forged, some are only recognized in foreign jurisdictions. The determining question is whether a particular court is currently obligated to recognize the *source* of rights certified or declared in the particular title.

What is the source of your "unalienable Rights"? If you'll read the 1776 Declaration, the answer's obvious: "We hold these truths to be self-evident, that all men are created equal, that they are *endowed by their Creator* with certain unalienable Rights, ..."

That "Creator" and source of unalienable Rights is the God of the Bible. Of course, if you don't believe in that God, you can't logicaly claim Him as your source of unalienable Rights. Instead, you'll have to make do with the "civil rights" afforded to all the rest of the 14th Amendment rabble.

My point is that all "unalienable Rights" flow from God, and unless you can specifically identify that source (and the 1776 Declaration and/or the 1st Amendment which obligate this government to recognize that source) the only rights you'll be entitled to claim will are *civil* – which are temporary, transient and subject to the court's interpretation.

Old time religion

Like it or not, our political system is ultimately built on the Bible and the only rights worth having are those unalienable Rights granted by God.

If God is the source of our unalienable Rights, it follows that we can learn much (perhaps all) about morality, law and social structure from the Bible.

In the moral analysis previously charted, I suggested that the proper secular term to describe a "positively moral" person is "rightful" and the proper Biblical synonym would be "righteous".

If so, it also follows that there are also proper Biblical terms to correspond with the secular terms "amoral" (not knowing the difference between right and wrong) and "immoral" (knowing the difference, but nevertheless choosing to do wrong). I suspect the Biblical term most synonymous with "amoral" is "sinful" and the terms most like "immoral" are "wicked" or "Evil".

Thus, a "Biblicized" version of my moral chart would look like this:

Amoral Sinners (don't know God)	Moral (know God)	
	Immoral Wicked Evil	Rightful Righteous

This analysis is instructive since it implies that "sinners" (who don't know the difference between right and wrong) also don't really know God. As a result, they are thus liable to *unknowingly* "choose" to do wrong (sin).

Unlike the ignorant "amoral/sinners," the "immoral/wicked" are "moral persons". That is, like the righteous, the immoral *know* the difference between right and wrong. Inevitably, if the knowledge of right and wrong is ultimately based on a knowledge of God, the immoral *must know God*.

Thus, the immoral person's *knowing* choice to do wrong is an act of arrogant defiance to God. In the Bible, this kind of *knowing* defiance is termed "wickedness" and/or Evil.

Can the immoral be forgiven? Yes. Anyone who "repents" (abandons wickedness to serve God), is promised forgiveness.

But can amoral-sinners repent? I doubt it. How can someone *intentionally* abandon (repent) his bad acts and choose

only to do good if he can't tell the difference between right and wrong in the first place? True repentance must be a knowing and intentional choice. That means only *moral* persons can repent. Since the righteous have little need to repent, repentance must be reserved as a "Get Out of Jail Free" card to the immoral/ wicked.

This conjecture implies that God is primarily concerned with those moral persons (including the immoral-wicked) who *know* Him rather than those amoral-sinners who don't. It's even arguable that the amoral are not viewed as "children of God" and thus have no claim on the inheritance of eternal life.

This is the structural foundation for the Old Testament concept of a "chosen people". Those who are moral (know God) are "chosen"; those who are amoral are not.

This analysis is consistent with the Old Testament opinion that God is primarily concerned with His "chosen people" (the moral Jews), while the rest of the humanity (Gentiles) are amoral-sinners who don't know God and are more akin to cattle who have no claim on salvation.

Amoral Gentiles (don't know God) Irredeemable	Moral/ Jews (know God) Redeemable	
	Immoral Wicked Jews	Rightful Righteous Jews

The Christian revolution

Then Jesus came along and promised salvation not only to the moral-Jews, but also to the amoral-sinner-Gentiles. You can see why the spiritual fur would fly. The Jews would riot over being categorized with the sub-human Gentiles.

But Christianity did more than merely extend the blessing of salvation to Gentiles. Christianity changed the "procedure" by which that salvation could be secured.

Under the Old Testament/ Jewish procedure, it was necessary to study the Old Testament intently, seek God diligently, and essentially "earn" your salvation through absolute obedience to God and with your "works" (doing right; performing the duties God demanded of his people).

Under the New Testament/ Christian procedure, works were largely unnecessary. Instead, all you needed was faith. Do you believe in Jesus? Yes? Well, then you're saved. It'd be helpful for you to read the Bible once in a while and go to church from time to time, but so long as you believe in Jesus, you got it made.

Thus, Christianity extended salvation that had previously been reserved exclusively to those who *knew* God, and studied and understood the difference between right and wrong (as per God's laws), to the great mass of amoral Gentiles who neither knew God nor understood God's laws (the difference between right and wrong). According to Christianity, the ignorant, amoral Gentiles are just as welcome in Heaven as the studious Jews. You can see why, even after 20 centuries, resentments remain.

Christianity made all men (Jews and Gentiles) equal by effectively eliminating the amoral class. Christianity thereby reduced the Old Testament's three-part moral characters (amoral, immoral and rightful) to just two – the "immoral/wicked" and the "rightful/ righteous":

Moral/ All men Jews & Gentiles (can know God) Redeemable	
Immoral Wicked	Rightful Righteous

Which "procedural" model – the three-part Old Testament or two-part Christian – is most similar to my earlier diagram of modern morality?

Answer: Old Testament.

Why? Because both the Old Testament model and our modern morality both include *three* moral "characters": rightful/righteous, immoral/wicked and amoral/sinner.

The Christian moral structure *deleted* the irredeemably amoral class and retained only *two* moral characters: righteous and wicked.

Thus, under the Christian model all – Jew, Gentile, moral, amoral, even immoral – were created equally valuable (redeemable) in God's eye. All could be saved unless they *chose* to live lives characterized by wickedness.

The modern, three-part moral structure's similarity to the Old Testament model raises an intriguing question: How could the USA have ever been a "Christian" (New Testament) nation if we are now living under a moral

code structurally identical to that of the Old Testament?

The unanimous Declaration

I believe "The unanimous Declaration of the thirteen united States of America" (July 4, 1776 A.D.) was the highest expression of the Protestant Reformation started by Martin Luther in 1517.

The 1776 Declaration established that "all men are created equal". There was no allowance that some men – be they Jews, Christians, Kings, or Whites – were innately superior to others. There was no declaration of "chosen people"; i.e., no statement that Americans were somehow superior to Europeans. Instead, the Declaration insisted only that "*all* men are created equal".

There was no implication that some people were amoral and therefore unfit to be free. Instead, our "unalienable Rights" of "Life, Liberty and the pursuit of Happiness" were afforded equally to *all* – regardless of whether you could read, study or even if you "knew" the Creator who endowed you with those Rights.

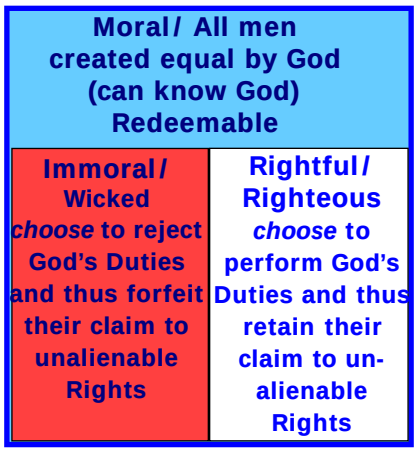
Thus, the 1776 Declaration made an unprecedented *spiritual* leap by first refuting the three-part moral foundation for the European monarchies – the Divine Right of Kings. If all men were created equal, then we are all equivalent to kings and endowed with equally divine (unalienable) Rights.

Prior to the 1776 Declaration, the political structure for the European Monarchies could be charted as:

But after the 1776 Declaration, a political system was created in America that assumed all men were created equal. This was not the equality of feudal serfs and slaves. It was the equality of *kings* since all men were declared to be "endowed by their Creator with certain *unalienable* [i.e., *Divine*] Rights". The Declaration never denied King George's "divine" rights, it simply claimed that all men held equally "divine" (unalienable) Rights.

Under my view of moral structures, only *rightful* people can have true rights. If so, it follows that anyone who has "unalienable Rights" must necessarily be a moral person.

Thus, consistent with the two-part moral structure of Christianity, the 1776 Declaration eliminated the "amoral" class of serfs and second class "colonials" that had served the feudal Monarchies. By eliminating the amoral class, the Declaration laid the foundation for a society that included just two moral characters: the rightful/ righteous and the immoral/ wicked.



Consistent with the New Testament, Thomas Jefferson and the men who wrote the 1776 Declaration believed that *all* men are created equal and were equally redeemable in God's eyes. There were no inherently amoral-sinners to trouble the moral-righteous-Chosen people.

How did the founders justify the implicit declaration that all men were created equally "moral"?

I don't know, but their Declaration was in accord with the New Testament's promise that God would one day write his Laws *on men's hearts* rather than stone (as in the Old Testament's Ten Commandments).

If God implanted his Law (the knowledge of right and wrong) in our hearts, we would all be *innately* moral persons since our knowledge of right and wrong was now *inherent* (written on our "hearts" by our Creator).

In fact, if God's law was written equally on all men's hearts, it would be impossible to be amoral (ignorant; unable to tell the difference between right and wrong). There could only be "moral" persons who were "created equal by their Creator".

Of course, that primary class of "moral" persons would still be divided into the "immoral" and "rightful" subclasses, but those classifications would not be determined by *knowledge* – only by personal *choice* (intent).

So long as *you chose* to obey God's law (do right), you'd retain your status as a "rightful" person endowed with unalienable Rights and have no trouble with government. But if *you chose* to defy God's law (intentionally do wrong) you would forfeit you "unalienable Rights," slide down into the "immoral" class and become subject to fine, imprisonment or execution.

But under no circumstances could government arbitrarily deprive you of your unalienable [Divine] Rights. Instead, given that we were all implicitly declared to be moral persons, it was almost inconceivable that any of us would choose to do wrong. As a result, we were always presumed to be "innocent" (rightful).

That is, if government accused you of being "immoral," they'd have to prove to jury of your peers (moral persons) that

you intentionally violated the duties (doing right) that attached to your unalienable Rights.

The loss of innocence

Today, the presumption of innocence is largely a sham. Ask anyone who's argued his case in Tax Court or tried to recover property seized by government without even a court hearing. Today, *government* is presumed innocent (morally "rightful") and the defendant is presumed "amoral" (incompetent) or guilty (immoral). The guilty-immoral plead "not guilty". The guilty-amoral plead "nolo contendre" (no contest).

How has the presumption of innocence (rightful moral character) been compromised? I suspect we have once again devolved from a two-component New Testament model of morality to a three-component, Old Testament model. The amoral class that was refuted by Jesus and then Jefferson has been restored.

Evidence? Today's government does not regard all men as created equal, and certainly rejects the notion that we are inherently moral.

For example, only a very few people with advanced educational degrees (law school graduates) are presumed to be "moral" persons who understand the difference between right and wrong and are thus fit to practice law. All others (less educated and presumably amoral) cannot.

Government also rejects the notion that all Americans are "endowed by their Creator with certain unalienable Rights". Instead, our government generally recognizes only our "civil Rights" as serfs and citizen-subjects endowed by government rather than God.

Under the Declaration, we each had "unalienable Rights" which government was obligated to respect, regardless of whether we could even name or spell those Rights. If you were a man, your personal ignorance of your own Rights was irrelevant. Government had to respect your rights, even if you did not.

Under existing government, if you don't know or fail to express your unalienable Rights, you are presumed amoral, and therefore not entitled to unalienable Rights. Your ignorance is determinative.

The 14th Amendment

Am I alleging some Old Testament, Jewish conspiracy to take over the world? No. My Bible makes it clear that God does not look kindly on anyone who attacks "His" people, and I don't intend to cross that line.

Besides, as you'll see, the real villain is right there in the U.S. Constitution – the 14th Amendment.

In 1868, the 14th Amendment essentially declared that all men are "*born*" (not "created") equal and endowed by *Congress* (not God) with certain *civil* (not unalienable) rights, among which are the rights to say "Yass, Boss! Yass, Boss! and Yass, Boss!"

With that 14th Amendment, Congress recreated the moral class I've previously described as "amoral" by "grafting" a third moral class (amoral/ 14th Amendment citizens) onto the two-part moral structure previously mandated by the 1776 Declaration. Once again, we returned to a three-character moral structure similar to that of the Old Testament and contrary to the spirit of Christianity and the intent of the 1776 Declaration:

Amoral Negroes 14th Amend. citizen-subjects	Moral/ Whites (knowledgeable) Citizen-sovereigns	
	Immoral Wicked	Rightful Righteous

Eeny, meeny, miny, mo!

The 14th Amendment was

supposedly designed to grant citizenship to the newly-freed Negroes. But I suspect government tricked the Negroes into accepting the inferior status of "citizen of the United States" (subject to Congress) rather than granting them the sovereign status of "Citizen of the United States" (subject to God) mentioned in the body of the Federal Constitution and reserved for White men.

At first, the idea that government used the 14th Amendment to trick Negroes into swapping slavery to plantation owner for servitude to government may seem far-fetched. But remember that there were already *two* forms of citizenship recognized in the body of the Constitution: "Citizen of the United States (State Citizens) and "natural born Citizens" (territorial Citizens).

Why, pray tell, didn't government pass an amendment that simply guaranteed one or the other of the two *existing* Citizenships to Negroes? Why did government instead create a third, clearly inferior class of 14th Amendment citizen-subjects?

I see no way to interpret the creation of a third "citizenship" as anything other than a trick – especially since the new citizenship was entitled "citizen of the United States" and therefore looked and sounded almost identical to the original citizenship title: "Citizen of the United States."

Under the 14th Amendment, Negro citizens could enjoy the sham freedom of "civil rights," but would never enjoy the true freedom of unalienable Rights accorded to White Citizens.

Catch a honky by the toe!

Not content to merely rule the Negroes, over time, our government has tricked virtually all Americans into accepting the inferior status of 14th Amendment citizens. In doing so, government created and populated an inferior class of amoral *subjects* unimagined in the 1776 Declaration or Christianity, but structurally similar to that occupied by Gentiles in the Old Testament. Just as Jews disdained the Gentiles as subhuman, so government now regards 14th Amendment citizens.

From government's perspective, if you're a 14th Amendment citizen, you're just another slave. Of course, virtually no one in government actually thinks "slave" when one of us enters their office. After all, virtually everyone working in government is also a 14th Amendment citizen and thus just as inferior and enslaved as you and I (except, technically, government employees are "house niggers" while the rest of us are "field niggers").

The Civil War and the subsequent amendments did not resolve the issue of slavery or make Negroes equal to Whites. Proof? It is an absolute fact that American Negroes have never been truly freed to enjoy the status of capital-C "Citizen" with "unalienable Rights".

Instead, government has merely made Negroes *seem* equal by tricking ignorant Whites into surrendering their Citizenship and "unalienable Rights" for the 14th Amendment's citizen-servitude and "civil rights". Instead or making Negroes equal to Whites, government as achieved a de facto equality by making Whites equal to Negroes.

A dagger at our hearts

Some might dismiss the claim that the 14th Amendment created an inferior citizenship as unimportant. What if it did? Everyone's getting rich in our miracle economy, so let's all just play nice, OK?

No. Not possible. The 14th Amendment's adverse effects go far beyond esoteric debates over "citizenship" versus "Citizenship".

For example, the 14th Amendment is the foundation for women's "right" to abort (murder) over one million babies each year. Why? Because the 14th Amendment only extends the protec-

tions of "citizenship" to those "born" (not "created") in this country. So long as babies remain "unborn" (even to the point of being only "partially" born) they are without U.S. citizenship, outside the protection of National government, and today, more easily killed than snail darters.

Likewise, our illegal immigration problem is based largely on the 14th Amendment. Why? Because any illegal immigrant who sneaks into this country long enough to give birth to a child will necessarily bestow the status of "U.S. citizen" on that newly *born* child. Result? Government is reluctant to remove the illegal alien parents if their child is a "citizen". So far as I know, we are the first (and probably only) nation on earth to grant citizenship to anyone "born" in this country without regard to parent's citizenship.

Result? We've allowed tens of millions of illegal aliens to enter this country – arguably to replace the 40 million American babies who've been murdered by abortion since *Roe v. Wade*. Having killed the kids who might've mowed our lawns, we let the Mexicans come in as replacements.

If diabolical forces ever determined to destroy America's New Testament moral structure, the 14th Amendment was their primary weapon. Although that Amendment never freed the Negroes, it did give us abortion, unlimited illegal immigration, universal servitude – and the presumption that we are all a pack of amoral persons without rightful claim to unalienable Rights.

An analytical tool

All of this conjecture – and insight – flows from clarification of the word "moral" and a simple diagram of "moral structure". The logic of this flow may not be instantly apparent, but if you think about it, perhaps you'll generally agree with my conclusions. Moreover, once you get the hang of applying this moral structure, much of our political system may seem increasingly "understandable".

I'll close with a final moral structure that includes most of the social, political and spiritual synonyms I can currently identify as well as a bit of essential description:

<table>
<tr><td rowspan="2">Amoral
The vast majority of ignorant and uneducated Americans; they react, but do not truly "choose".
Sinners
14th Amend. "citizens"
legally insane
"useless eaters"
Presumed irredeemable (thus, no point to quality education or prison rehabilitation)</td><td colspan="2">Moral
A tiny minority who are knowledgeable, educated, professional, incl. lawyers, judges, doctors, politicians, gov't officials and perhaps some true sovereigns</td></tr>
<tr><td>Immoral
Wicked
Choose wrong
Outlaw
Redeemable through repentance (rehabilitation and 2nd chances are appropriate)</td><td>Rightful
Righteous
Choose right.
Citizen of the United States; State Citizen; natural born Citizen.
Redeemable</td></tr>
</table>

So, did my analysis of morality offer enough insights to make you tingle?

No? Not even a little . . .?

Shucks. Well, maybe I exaggerated this article's significance. Maybe this "ride" wasn't as exciting as I promised.

But, if you're honest, I think you'll at least admit this article made your eyes widen once or twice. Maybe only in disbelief. But widen, nonetheless.

There'll be more. . . .

Etc.

A couple had been married for 25 years and also celebrated their 60th birthdays. During the celebration a fairy appeared and said that because they had been such a loving couple all those years, she would give them one wish each. The wife wanted to travel around the world. The fairy waved her wand and Boom! She had the tickets in her hand.

Next, it was the husband's turn. He paused for a moment, then said shyly, "Well, I'd like to have a woman 30 years younger than me." The fairy picked up her wand and *presto-chango!* – he was ninety . . . .

Gradeschool Science Silles

- The spinal column is a long bunch of bones. The head sits on the top, and you sit on the bottom.
- Mushrooms always grow in damp places which is why they look like umbrellas.
- The four seasons are salt, pepper, mustard, and vinegar.
- Thunder is a rich source of loudness.
- Some people can tell what time it is by looking at the sun, but I've never been able to make out the numbers.
- A monsoon is a French gentleman.
- Genetics explains why you look like your father, and if you don't, why you should.

An 85 year old couple celebrated their 60th wedding anniversary. They'd always enjoyed good health due to the wife's dedication to health food and expected to live many more years. However, shortly after their anniversary, both died in a car crash.

When they reached Heaven, St. Peter took them to their new home – a fantastic mansion. As they "oohed and aahed," the old man asked St. Peter how much the mansion would cost.

"It's free," St. Peter replied, Remember, this is Heaven."

Next, they went to Heaven's championship golf course and the old man asked, "What are the green fees?"

"This is heaven," St. Peter replied. "You play for free."

When they went to the clubhouse and saw the spectacularly lavish lunch buffet, the old mas asked, "How much to eat?"

"Don't you understand yet?" St. Peter asked. "This is heaven. It's all *free!*"

"Well where are the low fat and low cholesterol foods?" the old man asked.

"That's the best part...you can eat whatever you like and never get fat or sick. This is Heaven."

The old man turned to his wife and said, "You and your freakin' bran muffins — I could've been here ten years ago!"

AntiShyster Definitions

Abdicate - v. To give up all hope of ever having a flat stomach.

Balderdash - n., a rapidly receding hairline.

Bustard - n., an unusually rude bus driver.

Coffee - n., a person who is coughed upon.

Esplanade - v., to attempt an explanation while drunk.

Flatulence - n., an emergency vehicle that picks you up after you've been run over by a steamroller.

Lymph - v To walk with a lisp.

Negligent - adj., describes a condition in which you absentmindedly answer the door in your nightie.

Oyster - n., a person who sprinkles his conversation with Yiddish expressions.

A preacher was making his rounds to his parishioners on a bicycle, when he saw a little boy trying to sell a lawnmower.

"How much do you want for the mower?" asked the preacher.

"I'm just trying to make enough money to buy a bicycle," said the little boy.

So the preacher asked, "Will you take my bike in trade?"

"You got a deal!" said the boy.

As the boy climbed on his new bike, the preacher tried to crank the lawnmower. He pulled on the cord a few times with no effect, so he called to the boy, "Hey! I can't get this mower to start."

The boy said, "That's 'cause you gotta cuss it to get it goin'."

"But I'm a minister — I *can't* cuss. It's been so long since I was saved that I don't even *remember* how to cuss!"

As the boy rode merrily away, he looked back at the minister and hollered, "Just keep pulling that cord — It'll come to ya!" ■